

# Planning Committee

Thursday, 06 July 2017

**Attendees:** Councillor Lyn Barton, Councillor Helen Chuah, Councillor Pauline Hazell, Councillor Theresa Higgins, Councillor Derek Loveland, Councillor Jackie Maclean, Councillor Philip Oxford

**Substitutes:** Councillor John Elliott (for Councillor Brian Jarvis), Councillor Lee Scordis (for Councillor Cyril Liddy), Councillor Michael Lilley (for Councillor Rosalind Scott)

**Also Present:**

## **478 Site Visits**

Councillors Chuah, Elliott, Hazell, Higgins, Loveland and J. Maclean attended the site visits.

## **479 Minutes of 24 May 2017**

The minutes of the meeting held on 24 May 2017 were confirmed as a correct record.

## **480 Minutes of 25 May 2017**

The minutes of the meeting held on 25 May 2017 were confirmed as a correct record.

## **481 171307 37 Mile End Road, Colchester**

The Committee considered an application for proposed student accommodation (resubmission of expired permission 131511) at 37 Mile End Road, Colchester. The application had been referred to the Committee as it had been called in by Councillor Goss. The Committee had before it a report in which all information was set out. The Committee made a site visit in order to assess the impact of the proposals upon the locality and the suitability of the proposals for the site.

Nadine Calder, Planning Officer, presented the report and together with Andrew Tyrrell, Planning Manager, assisted the Committee in its deliberations.

Pete Hewitt, on behalf of Myland Community Council, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He explained that the Community Council had objected to this application and the previous one, largely on the basis of inadequate parking provision and problems

of noise, overlooking and loss of privacy for residents. He was of the view that the proposed development would be impossible to construct on site and that, principle, it was unsuitable overdevelopment which had been erroneously approved previously.

Councillor Goss attended and with the consent of the Chairman addressed the Committee. He agreed with the views expressed by Mr Hewitt and was of the view that the parking standards were being contravened. He referred to the tree at the rear of the site which provided privacy to no 29 Bergholt Road as well as the loss of privacy and noise for the neighbour at no 41 Mile End Road. He considered that the site wasn't in-keeping with the surrounding area and referred to historical issues in relation to unlawful occupation of the existing premises which raised potential questions in relation to fire safety.

The Planning Officer confirmed that there was a proposed under-provision of parking when measured strictly against the standard for a five bedroom dwelling but that the extremely sustainable location of the site meant that the discretion to relax this standard was able to be applied. She considered that there would be no significant impact in relation to loss of privacy and she confirmed that the trees on site were not subject to any formal protection. The existing use of the property was A1 and, as such, she was of the view that a change of use to student accommodation would not generate any additional noise issues. She confirmed that fire safety concerns were a matter for building control.

In discussion, members of the Committee expressed concern in relation to the narrowness of the proposed building and the consequent size of rooms. Whilst mindful of potential car parking issues, the need to bear in mind the conditions attached to the previous planning approval on the site was acknowledged. Assurance was sought regarding the future increased occupancy of the premises by means of the use of kitchen/living area as a bedroom, in response to which the Planning Officer confirmed that an additional condition could be applied to provide for the kitchen/living area to be retained as such at all times.

RESOLVED (FIVE vote FOR, THREE voted AGAINST and TWO ABSTAINED) that the application be approved subject to the conditions set out in the report together with an additional condition requiring the kitchen/living area to be retained as such at all times.

**482 170997 Hill House, Carters Hill, Boxted, Colchester**

**Councillor J. Maclean (by reason of her business acquaintance with the applicant) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an outline application including details of access and layout for 36 residential dwellings, public open space, landscaping, new access and highways,

associated and ancillary development on land at Hill House, Carters Hill, Boxted, Colchester. The application had been referred to the Committee as it was a major application for which objections had been received and the recommendation was for approval subject to a legal agreement. The Committee had before it a report and an amendment sheet in which all information was set out. The Committee made a site visit in order to assess the impact of the proposals upon the locality and the suitability of the proposals for the site.

Nadine Calder, Planning Officer, presented the report and, together with Andrew Tyrrell, Planning Manager, assisted the Committee in its deliberations.

Councillor Arnold attended and with the consent of the Chairman addressed the Committee. He referred to his considerable concern regarding the excessive growth of small Hazel trees along the southern boundary of the site. The trees were growing to the back of the highway verge and had proved very difficult to access in order to maintain and to trim adequately. As a consequence, road signs were becoming very difficult to see from the road and the vegetation was compromising the safety of school children and other pedestrians using the crossing at this point. He sought assurances regarding the imposition of a landscape condition requiring the removal of the Hazel trees as well as the clearance and future maintenance of the ditch.

Members of the Committee expressed their concern about the safety issues for pedestrians and sought assurances, given the outline nature of the current application, that these matters could be addressed by means of an appropriately worded landscape condition when the application for reserved matters consent was considered.

The Planning Manager confirmed that officers had authority to determine reserved matters applications unless the Committee requested its referral to the Committee for consideration.

RESOLVED (UNANIMOUSLY) that the application be approved subject to the conditions set out in the report and in the amendment sheet and the approval of the reserved matters application be referred to the Committee for consideration and determination.

**483 170753 1-2 The Folly, Wivenhoe, Colchester**

The Committee considered an application for the demolition of the existing roof and chimney, rebuilding of the roof with new roof dormers, new first floor front balconies and lifting beam, red brick front facing elevation, new windows and door, external window and door alterations and internal remodeling at 1-2 The Folly, Wivenhoe, Colchester. The application had been referred to the Committee as it had been called in by Councillor Scott. The Committee had before it a report in which all information was set out.

Chris Harden, Planning Officer, advised that a late representation had been received referring to the potential for the proposed balcony to overhang adjacent highway land, in response to which an additional informative was recommended requiring the applicant to obtain a licence from the Highway Authority permitting the building work over the highway.

RESOLVED (UNANIMOUSLY) that the application be approved subject to the conditions set out in the report together with an additional informative requiring the applicant to obtain a licence from the Highway Authority permitting the building work over the highway.

**484 171109 30 Victory Road, West Mersea, Colchester**

The Committee considered an application for the demolition of an existing bungalow and new replacement two storey residential dwelling, resubmission of application number 160159 at 30 Victory Road, West Mersea, Colchester. The application had been referred to the Committee as it had been called in by Councillor Moore. The Committee had before it a report in which all information was set out. The Committee made a site visit in order to assess the impact of the proposals upon the locality and the suitability of the proposals for the site.

RESOLVED (UNANIMOUSLY) that the application be approved subject to the conditions set out in the report.

**485 171249 Oak Tree Centre, 252-276 Harwich Road, Colchester**

**Councillor Chuah (by reason of her Trusteeship of the Oak Tree Centre) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an application for the removal of existing timber weatherboarding and battens to the roof and their replacement with a new built-up felt roof covering on plywood decking, including additional insulation at Oak Tree Centre, 252-276 Harwich Road, Colchester. The application had been referred to the Committee because the applicant was Colchester Borough Council. The Committee had before it a report and an amendment sheet in which all information was set out.

RESOLVED (UNANIMOUSLY) that the application be approved subject to the conditions set out in the report and the amendment sheet.

**486 163213 91 King Harold Road, Colchester**

The Committee considered an application for the demolition of an existing bungalow and

garage and the construction of five three bedroom detached bungalows and associated garages at 91 King Harold Road, Colchester. The application had been referred to the Committee as it had been called in by Councillor Lissimore. The Committee had before it a report in which all information was set out. The Committee made a site visit in order to assess the impact of the proposals upon the locality and the suitability of the proposals for the site.

Ishita Sheth, Planning Officer, presented the report and, together with Andrew Tyrrell, Planning Manager, assisted the Committee in its deliberations.

Roger Allen addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He explained that he was addressing the Committee on behalf of a number of residents. He considered that the application was an over development of the site and that the parking provision proposed for the five three bedroom bungalows would be inadequate. He was of the view that the use of the driveway would be significantly increased and that this would create a danger to school children and other pedestrians who crossed the driveway. He further sought a restriction on the hours permitted for construction works to between 8am and 5pm on weekdays only, given the site's location in the heart of a peaceful residential area.

Robert Pomery addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He confirmed that the proposal conformed with the council's planning policy in relation to back-land development as well as other policies in the adopted local plan. He explained that he and the applicant had worked closely with planning officers and these discussions had shaped the present design proposals and allowed for suggested changes to be accommodated. There were no objections from statutory consultees and matters such as design, density, parking, trees and hedges had all been fully considered. He was of the view that the outstanding objections had not raised any matters of material planning concern and, as such, he sought the Committee's approval of the scheme.

The Chairman reported that Councillor Lissimore had sent her apologies as she had been unable to attend the Committee meeting but had indicated her reasons for calling in the application in terms of concerns expressed to her from local residents. These concerns were in relation to 'garden grabbing' and over development. She was particularly concerned about the use of the driveway as a vehicular access across a well-used piece of pavement. She considered that pedestrians may not exercise the same sense of caution given the driveway was not a conventional access road and was also concerned about the need for vehicles to slow down as they approached the end of the driveway.

The Planning Officer explained that a noise assessment had been submitted which confirmed that noise levels would not be significantly increased and the Highway Authority had not raised concerns regarding the means of access to and from the site

and the visibility issues. She also explained that a condition had been proposed providing for access to and from the site in a controlled manner as well as the passing of opposing vehicles.

Members of the Committee were of the view that the proposal would be a positive contribution to the neighbourhood, provided adequate attention was given to the alignment of those plots closest to the trees which would be retained on the site. The standard condition in relation to hours of work was considered to be reasonable. However, although the conditions in relation to the access to and from the site were welcomed, in the light of concerns expressed by residents, further safety measures were sought, such as the introduction of speed bumps.

The Planning Manager confirmed that it would be appropriate to add an informative within the details required by proposed condition 16 to provide for the addition of traffic calming measures to the access to the site.

RESOLVED (UNANIMOUSLY) that the application be approved subject to the conditions set out in the report and an additional informative to provide for appropriate traffic calming measures to be applied to the entrance to the access route to the site.

**487 171236 Street Record, Westway Northbound, Colchester**

The Committee considered an application for a freestanding 'V' Agents Letting Board at Street Record, Westway Northbound, Colchester. The application had been referred to the Committee as it had been called in because the applicant was Colchester Borough Council. The Committee had before it a report in which all information was set out.

RESOLVED (UNANIMOUSLY) that the application for advertisement consent be approved subject to the conditions set out in the report.