

# **Planning Committee**

## **Thursday, 17 January 2019**

**Attendees:** Councillor Pauline Hazell, Councillor Theresa Higgins, Councillor Brian Jarvis, Councillor Cyril Liddy, Councillor Derek Loveland, Councillor Jackie Maclean

**Substitutes:** Councillor Nick Cope (for Councillor Lyn Barton), Councillor Patricia Moore (for Councillor Vic Flores), Councillor Gerard Oxford (for Councillor Philip Oxford), Councillor Dave Harris (for Councillor Chris Pearson)

**Also Present:**

### **655 Site Visits**

Councillors Cope, Hazell, Higgins, Jarvis, Liddy, Loveland, Moore and Maclean attended the site visits.

### **656 Minutes of 13 December 2018**

The minutes of the meeting held on 13 December 2018 were confirmed as a correct record.

### **657 182523 Part side garden, 10 Ernest Road, Wivenhoe, Colchester**

The Committee considered a planning application for the erection of a detached bungalow with associated parking facilities at the side garden, 10 Ernest Road, Wivenhoe, Colchester. The application had been referred to the Committee because it had been called in by Councillor Luxford Vaughan. 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.

Eleanor Moss, Senior Planning Officer, presented the report and assisted the Committee in its deliberations.

Annette Williams addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. She explained that she had owned the house next door to the site since 1984, initially occupying it herself and more recently renting it to tenants. Her personal circumstances had changed and she had intended to return to live in the property to take advantage of its open aspect and its

beneficial location. She objected to the proposal as she considered that the view from the property would be adversely affected, light to her kitchen window would be restricted, the roof of the proposed bungalow would be over bearing and existing parking problems would be made worse. She was aware that pre-application advice had been sought two years ago and considered this implied that the adjacent property had been purchased with the sole intention of re-development. She considered the development to be garden-grabbing and she strongly objected to the proposals.

Ross Appleby addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He explained that he and his family had lived in Wivenhoe for 10 years and his two young children attended the local school. They had bought the property the subject of the application with the intention to make the bungalow their own, to future proof the family and to bring it up to date. More recently he had explored the idea of building a second bungalow on the site to accommodate his parents who lived locally and helped with the family's childcare. He had observed similar developments in the neighbourhood and, with this in mind, had appointed an architect and had undertaken discussions with his neighbours who all indicated their support on the basis that the plans were considered to be unobtrusive. He had attempted to contact the owner of his immediate neighbour but had been unsuccessful. He confirmed that his family wished to stay in the property for the future.

The Senior Planning Officer explained that the site was considered to be generous in size and, as such, there was sufficient room for the development to not be cramped. She referred to similar examples in the area and that the proposed parking arrangements would comply with the relevant standards and would not have a detrimental impact. She considered the proposed pitch of the roof would adequately mitigate the impact and confirmed that the distance from the proposed bungalow and the neighbouring property was over five metres and, as such, was not considered to cause significant harm. She also explained that the location of the neighbouring property on higher land contributed to the mitigation of the impact. She further confirmed that the Highway Authority had not objected to the proposals.

Members of the Committee acknowledged the concerns expressed by the objector but commented on the set back location of the neighbouring kitchen window, the separate entrances to the proposed and host dwellings and that the loss of a view was not a material planning matter and, as such, they could not take this into account in their deliberations. Reference was also made to the generous size of the plot and the benefit of the delivery of new housing. Clarification was sought regarding potential loss of light to the adjacent property, whether there was potential for the proposed one storey dwelling to benefit from further development of the loft space and whether any assessment had been made of the loss of light impact to the host bungalow from the proposed bungalow.

The Senior Planning Officer confirmed that the distance from the bungalow to the

kitchen window to the rear of the adjacent property was in excess of six metres and this was further mitigated by the proposal being for a single storey dwelling and with the neighbouring property being located on higher land. In addition, she referred to the inclusion of a condition for boundary screening. She also confirmed that a proposed condition provided for the removal of permitted development rights and that this included changes to the roof form. She concluded that the impact of the proposal was not significantly harmful and, as such, a refusal of the application would be difficult to defend at an appeal. She further explained that more emphasis was placed on the protection of existing amenity and that a lesser standard of protection was applied to a host property as it was deemed that this would be a matter for the future occupier to consider for themselves.

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

**658      182038 Langham Cottage, 9 High Street, Langham, Colchester**

**Councillor Cope (by reason of one of the objectors to the application being known to him personally) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 9(5).**

The Committee considered a planning application for the change of use of annex to single dwellinghouse at Langham Cottage, 9 High Street, Langham, Colchester. The application had been referred to the Committee because the site was outside the adopted settlement boundary for Langham in an area shown as countryside. 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.

**659      182499 14 Trafalgar Road, Colchester**

The Committee considered a planning application for a single storey rear extension at 14 Trafalgar Road, Colchester. The application had been referred to the Committee because the applicant was a member of staff of Colchester Borough Homes (Gateway Partnership). The Committee had before it a report in which all information was set out.

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

**660     182151, 182155, 182178, 182181, 182192 and 182275 Bromley Road, Colchester, Horkesley Road, Boxted, Harwich Road, Colchester, Clingoe Hill, Colchester, Cymbeline Way, Colchester and Via Urbis Romanae, Colchester**

**Councillor G. Oxford (by reason of the signs being a legacy project during his year of office as Mayor) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 9(5).**

The Committee considered six planning applications for 'Welcome to Colchester' signs at Bromley Road, Colchester; Horkesley Road, Boxted; Harwich Road, Colchester; Clingoe Hill, Colchester; Cymbeline Way, Colchester and Via Urbis Romanae, Colchester. The application had been referred to the Committee because the applicant is Colchester Borough Council. The Committee had before it a report and amendment sheet in which all information was set out.

Benjy Firth, Planning Officer, presented the report and, Simon Cairns, Development Manager, assisted the Committee in its deliberations.

Members of the Committee considered the proposed locations and dimensions of the proposed signs to be acceptable. Whilst acknowledging the proposed wording for the signs was not a matter which was relevant to their determination of the applications, clarification was sought regarding the accuracy of the terminology and whether this needed to be investigated further. Detailed discussion took place regarding the background to the mayoral legacy proposals and to separate heritage discussions which had recently taken place in relation to Colchester's strapline.

The Planning Officer confirmed that the Committee's deliberations were in relation to the safety and amenity of the proposals.

The Development Manager reiterated that, notwithstanding concerns about the proposed wording for the signs, the scope of consideration for the Committee members had to be confined to size and location.

*RESOLVED* (SEVEN vote FOR and THREE voted AGAINST) that, the six applications be approved subject to the conditions set out in the report.