

Planning Committee

Thursday, 06 January 2022

Attendees: Councillor Lyn Barton, Councillor Helen Chuah, Councillor Robert Davidson, Councillor Michael Lilley, Councillor Jackie Maclean, Councillor Roger Mannion

Substitutes: Councillor Jeremy Hagon (for Councillor Pauline Hazell), Councillor Chris Pearson (for Councillor Martyn Warnes)

Also Present: **Also in attendance:**

Councillor Scott-Boutell

890 Minutes of Previous Meeting

It was noted that there were no minutes presented before the Committee for confirmation.

891 212019 Stane Park Site, Yeomanry Way, Colchester, Essex

The Committee considered an application for the addition of up to 2,323sqm at first floor/mezzanine level to units A4, A5, A6 and C for use as retail floorspace. The application was referred to the Planning Committee because the proposal constituted a major planning application where a material objection had been received.

The Committee had before it a report in which all information was set out.

Lucy Mondon, Planning Manager, presented the report and assisted the Committee in its deliberations. A presentation was given of the specific units proposed in the application and the wider Stane Park site including the applicant's ownership of the area and the completed retail developments in the surrounding area. The Planning Manager outlined that there were no visual impacts to consider and that there had been no objection from Essex County Council's Highways Department or Highways England. The Planning Manager concluded their presentation by confirming that additional cycle parking had been carried forward from the previous application and that the additional floorspace would be contained in the existing units and that the officer recommendation was for approval as detailed in the committee report.

Martin Robeson addressed the Committee pursuant to the provisions of Planning

Committee Procedure Rule 8 and in support of the application. The Committee heard that planning permission for the overall development had been granted 3 years ago which had required substantial highways improvements including the dualling of the Stanway Western Bypass and traffic lights on the Eight Ash Green Junction. This which would be completed in January 2022 which provided a benefit to the whole Stanway area. The Committee also heard that the overall scheme had been adjusted to meet the challenging retail issues over the pandemic period which had all been approved by the Council. The speaker outlined that the current proposal before the Committee was for internal works only to accommodate retail requirements for storage and display at the first-floor level and that the impact of the proposal had been rigorously reviewed by the Council's external retail advisor. The speaker concluded that the applicant had agreed to the Council's suggested conditions and that there was a cap on the maximum amount of space that can be used for sales or display purposes and that there was a condition that ensured that mezzanine space was only occupied in conjunction with the ground floor retailer.

Councillor Scott-Boutell attended and with the consent of the Chair addressed the Committee. The Committee heard that there was concern regarding the highways issues although there had been no objection to the proposals from Essex County Council or Highways England. There were also concerns regarding the impact the proposal would have on the town centre. Councillor Scott-Boutell outlined an objection that had been received from a local resident that the proposed plans had not been a surprise and that they had not formally commented as they did not think their view would be taken into account, and that further highways pressures would be added on the area. The Ward Member informed the Committee that they were concerned with the delivery times for the site as it currently operated as they had received noise complaints and asked that if the application was approved that the applicant pay £2,500 towards litter picking. Councillor Scott-Boutell concluded by requesting that the Committee look carefully at the application before them and that if more information was required then the application should be deferred.

The Democratic Services Officer read out a statement that had been received from Councillor Paul Dundas. The Committee heard that when planning permission for the overall scheme had been sought in 2018 it had gained the support of all the Stanway Ward Councillors as it brought jobs, significant road investment, and was likely to be granted at appeal if refused but raised concern that there was "mission creep" in this application. Cllr Dundas outlined that the permission was granted on the basis of the proposal as it was at the time and its impact on the town centre. The Ward Member detailed that since then there had been an increase of 4,273 square feet of retail space granted under 20105 in February 2021 and now the proposal before members for a further 2323 square feet which was a significant increase on what had approved in the 2018 permission. Cllr Dundas asked the Committee to carefully consider whether awarding the further floorspace by this method takes the overall scheme beyond what was deemed as acceptable in 2018 with regards to retail space and the impact on the

traffic movements and whether the mitigation measures were still relevant including the number of car park spaces. The statement concluded by outlining that the proposal would have an impact on the Town Centre and its place within the emerging Local Plan and that the smaller increases in development over time through multiple planning applications was not appropriate and that they hoped not to see any further applications relating to this site.

At the request of the Chair the Planning Manager responded to the comments that had been made by the speakers and Ward Members. The Planning Manager outlined that the incremental changes in designs such as the proposal before Members had to be assessed accordingly, that the proposal had been assessed and found to be acceptable by the Council's retail consultant and statutory bodies, and outlined the original conditions associated with the 2018 permission. The Committee heard that the worst case scenario for the car park was that it would be at 71% capacity at peak times, that travel planning was in place and that when conducting their site visit they saw customers cycling to the area. The Planning Manager concluded that the original Section 106 agreement did not include litter picking but it was included in the conditions of the original permission.

Concern was raised by the Committee over the impact on the town centre due to the incremental growth of this development. Disappointment was also expressed that Essex County Council had not sent a representative to the meeting so that the Committee could question their conclusions on the highways implications of the proposal.

The Planning Manager responded to the concerns of the Committee that the impact of retail development on the town centre had been summarised by the Council's independent consultant who had found that there would be no adverse retail impact. In response to the concern regarding the highways impacts, it was noted that the statutory consultee had no objections. The development would be tied to conditions as approved on the original permission but if members deemed it necessary to add further conditions regarding staff parking and electric vehicle and cycling charging points then these could be included.

Members debated the accessibility of the site including that the surrounding junction was a pinch point, and that there was support for the jobs and economic benefits that the proposal would bring. However, concern was raised regarding the connectivity between the site and the surrounding area including to the Sainsburys supermarket, and the lack of toilet facilities that were available on the site and requested that an informative be added to encourage the provision of toilet facilities.

In response to the points raised the Planning Manager outlined that an informative note could be added with regards to the toilet facilities in the area, that the conditions could include electric car charging points, and that the original permission's pedestrian access in the southeast of the site was not available due to highways objections.

At the request of a Member of the Committee the Chair agreed that Councillor Scott-

Boutell could address the Committee again to clarify her request on the point of litter picking and the provisions in the area and wider community. The Committee heard that the Ward Member was requesting a one-off payment for litter picking equipment to be provided for the Stanway area.

Members requested that additional litter bin facilities be included on the site and discussed the possible allocation of the £2,500 and the possible recipients in the Stanway area. The Committee were supportive of the proposal and concluded that the decision on how this could be best achieved should be delegated to officers to determine.

RESOLVED (SIX Voted FOR and TWO voted AGAINST) that the application be approved subject to the conditions and informatives in the report, including the following amendments/ additions and the provision of a contribution of £2500 towards litter picking equipment for use in the Stanway ward, with authority delegated to officers to agree the most appropriate mechanism for delivery.:-

Conditions:

- Condition 7 to be amended to include EV charging for cycle parking
- An additional condition for a scheme for additional EV car charging spaces
- An additional condition for further litter facilities on site.

Informatives:

- To advise that staff cycle parking to be separate and secure
- To encourage tenants to provide customer toilet facilities