

Planning Committee

Thursday, 30 April 2015

Attendees: Councillor Peter Chillingworth (Group Spokesperson), Councillor Jackie Maclean (Member), Councillor Helen Chuah (Member), Councillor Theresa Higgins (Chairman), Councillor Jon Manning (Deputy Chairman), Councillor Laura Sykes (Member), Councillor Pauline Hazell (Member), Councillor Brian Jarvis (Member), Councillor Michael Lilley (Group Spokesperson), Councillor Julie Young (Member), Councillor Jessica Scott-Boutell (Member)

Substitutes: No substitutes were recorded at the meeting

153 Site Visits

The following members attended the formal site visit: Councillors Chillingworth, Chuah, Hazell, T. Higgins, Jarvis, Lilley, Maclean, Manning and Sykes.

154 Minutes of 2 April 2015

The minutes of the meeting held on 2 April 2015 were confirmed as a correct record.

155 Minutes of 16 April 2015

The minutes of the meeting held on 16 April 2015 were confirmed as a correct record.

156 146519 62 Brook Street, Colchester

The Committee considered an outline application for the development of up to five dwellings, provision of parking for retained dwelling (No 62) and other ancillary development at 62 Brook Street, Colchester. The application had been referred to the Committee by Councillor Frame. The Committee had before it a report in which all the information was set out. The Committee made a site visit in order to assess the impact of the proposal upon the locality and the suitability of the proposal for the site.

Sue Jackson, Principal Planning Officer, presented the report and assisted the Committee in its deliberations.

Jane Clarke addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. She referred to the recent Supreme Court ruling regarding the illegal levels of air pollution in the UK and the fact that Brook

Street had suffered significant pollution problems for many years. Monitoring had been continuing over this time but no action had been taken to resolve the problem. She expressed her concern regarding the application in relation to the additional traffic which would be generated and the impact this would have upon the pollution levels. She considered the speed data assessments results had been misleading. The numbers of vehicles using Brook Street was increasing as evidenced by the traffic which now queued both directions for six hours each day, six days a week. The issue of stationary traffic meant that it was already very difficult to access Brook Street from side junctions and the application was proposing the addition of another junction in close proximity to an existing one on the opposite side of the road. She was concerned that the Highway Authority assessment had not considered parked cars to be a significant hazard and, as such, had not been included in the assessment. She was of the view that the development would increase pollution in the area and the traffic would impede the air flow. She also referred to potential risks of flooding on the site, the impact of the larger development further along Brook Street and she was opposed to the inclusion of three storey units on the site.

Councillor Frame attended and, with the consent of the Chairman, addressed the Committee. He was of the view that there was only so much more development that could be added to an already highly congested area of the town. He was concerned how large articulated construction vehicles would access the site and considered the problems associated with the construction of the development on such a small site were adequate reasons to refuse the application. The fact that the site was considered appropriate for a self-build development was likely to lead to greater problems during the construction phase as there would be reduced control over the frequency and duration of deliveries. He referred to the very poor air quality in the Brook Street area which was already in excess of EU limits. He referred to the numerous conditions proposed for the outline application which, he considered, indicated the difficulty in developing the site and, in his view, suggested that the Planning Officers were not totally convinced as to its viability. He was of the view that the urban design, including three storey units was inappropriate for the site as those existing houses in the neighbourhood were generally of two storeys. He requested the design proposals be looked at again, particularly given the likelihood that they would be open to up to five different interpretations. He urges refusal of the application due to the unnecessary traffic issues and the negative impact on the air quality.

The Principal Planning Officer explained that the Highway Authority had withdrawn their original objection to the development on the basis of additional information submitted and the reduction in the number of dwellings and they were recommending the inclusion of a condition to provide for the installation of the access road to base level prior to development of the site. She explained that air quality and pollution calculations had been undertaken by the Council's Environmental Protection Team which had demonstrated that, whilst vehicle movements had continued to increase, pollution levels had decreased. The additional vehicle movements generated by the proposed

development was not considered to have a significant impact on the overall air quality in the Brook Street area. The report had confirmed that flooding was not considered to be an issue and the habitat surveys had revealed no protected species associated with the site. In terms of storey heights, she confirmed that the existing neighbouring properties were split level, three storey units. As an outline application, detailed elevations would be submitted for approval at the reserved matters stage. A number of conditions had been proposed for inclusion in order to ensure each separate plot would comply with the same criteria.

Members of the Committee were concerned about the proposed access road, its impact on the frontage to No 62 Brook Street and the street scene in general and the already high levels of pollution in the area. They also sought assurances about whether the speed survey had been undertaken by an independent body and suggestions were made about the inclusion of electric charging points, cabling for broadband, solar panelling to roofs and restrictions on the use of wood burning stoves. Reference was also made to the need for the allocation of one additional parking space onsite for the use of visitors. Questions were also made about the self-build element of the proposal and the likelihood that this would lead to a piecemeal approach to the development as well as whether the proposal complied with policies on backland development.

In response to specific matters of discussion the Principal Planning Officer confirmed that the access road was of 4.8 metres in width which would provide for the passing of two vehicles, and it would require the use of virtually the whole of the existing frontage to No 62 Brook Street. She explained that it would be possible to move the position of the front door to No 62 Brook Street without the need for planning permission, the transport assessment had been undertaken by an appropriate body and that the Environmental Protection Team had estimated the increase in vehicle movements as a result of the development would amount to 0.16% compared to existing movements. The new access road would be constructed to adoptable standards, back-land development had already been given approval elsewhere in the vicinity, the site of the current proposal was well contained and would not lead to on-going development. She confirmed conditions providing for an additional parking space, broad band cabling and electric charging points could be added to an approval whilst the provision of solar panels would be best dealt with by reference to the existing condition on limiting environmental impacts.

Simon Cairns, Planning Project Manager, also took the opportunity to confirm that the estimated increase in traffic movements from the development would not be significant, the development was generally in accordance with the Council's Backland and Infill Supplementary Planning Document whilst the self-build construction method statement would be dealt with by means of a co-ordinated approach. He also advised that the Highway Authority had indicated its satisfaction with the proposed development, subject to the addition of appropriate conditions.

As the discussion suggested the Committee may be minded to refuse the application contrary to the officer's recommendation in the report, the Chairman proposed the

Deferral and Recommendation Overturn Procedure be invoked. This would provide for a further report to be submitted to the Committee which would give details of the implication of refusal on grounds of visual impact on the street scene and the cumulative effect of developments on the air quality levels

RESOLVED (UNANIMOUSLY) that the Deferral and Recommendation Overturn Procedure be invoked and a further report be submitted to the Committee giving details of the implication of refusal on grounds of visual impact on the street scene and the cumulative effect of developments on the air quality levels.

157 150669 99-105 London Road, Copford, Colchester

The Committee considered an application for the removal or variation of condition 17 following grant of planning permission (144976) which required delivery and construction traffic to be from London Road and not Allendale Drive at 99-105 London Road, Copford, Colchester. The application had been referred to the Committee because the application related to the rewording of a condition which was imposed by the Planning Committee, objections had been received and the officer recommendation was to grant permission. The Committee had before it a report and amendment sheet in which all the information was set out. The Committee made a site visit in order to assess the impact of the proposal upon the locality and the suitability of the proposal for the site.

Sue Jackson, Principal Planning Officer, presented the report and assisted the Committee in its deliberations.

Heidi Lee addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. She referred to the problems of using Allendale Drive to access the site for construction vehicles and asked about the potential to consider the use of the neighbouring industrial site for access. She reiterated the problems associated with Allendale Drive, in terms of danger to children walking to and from the neighbouring school, increasing numbers of vehicles belonging to residents and the need for residents to use the road to park their vehicles. She confirmed that residents were not in opposition to the principle of the development but asked whether it would be possible for construction deliveries to be restricted to say two or three days a week.

Robert Pomery addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He considered that the condition relating to the use of the access road to London Road had, in hindsight, been applied in haste on the assumption that its use would be suitable but, following health and safety advice, it had subsequently been determined that it wasn't. He explained that it was not possible to use the industrial site as it was not within the ownership of the applicant. He acknowledged the concerns of residents about the ability of large vehicles to be able to access the construction site if Allendale Drive was heavily congested by parked cars but he considered this to be an issue that would be dealt with in practical

terms as and when the problem arose. He confirmed the submission of a revised Construction Method Statement which illustrated numbers of vehicle visits and that a majority would be between the hours of 9:00 am to 2:00 pm.

Members of the Committee referred to the need for communication and understanding between the applicant and residents and suggested the applicant might consider, for example, setting up a regular email communication to residents to provide information on likely weekly vehicle movements. The proposed restriction on the hours for vehicle deliveries was welcomed

The Principal Planning Officer indicated that, the proposed time restrictions for vehicle deliveries would not be possible in respect of in concrete deliveries due to building control requirements and the proposed Construction Method Statement had included the need for residents to be notified of delivery dates and times.

RESOLVED (TEN voted FOR and ONE ABSTAINED) that the application be approved subject to the conditions set out in the report and an additional informative advising the applicant to maintain frequent and affective communication with local residents regarding the delivery of construction materials.

158 150476 CCTV cameras on Coast Road, West Mersea, Colchester

The Committee considered an application for the installation of CCTV equipment on a floating pontoon and toilet block at Coast Road, West Mersea, Colchester. The application had been referred to the Committee because it had been submitted by and on behalf of Colchester Borough Council. The Committee had before it a report in which all the information was set out.

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