

Planning Committee

Thursday, 03 January 2019

Attendees: Councillor Lyn Barton, Councillor Pauline Hazell, Councillor Theresa Higgins, Councillor Brian Jarvis, Councillor Cyril Liddy, Councillor Derek Loveland, Councillor Jackie Maclean, Councillor Philip Oxford, Councillor Chris Pearson

Substitutes: Councillor Patricia Moore (for Councillor Vic Flores)

Also Present:

649 Site Visits

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

650 Minutes of 22 November 2018

The minutes of the meeting held on 22 November 2018 were confirmed as a correct record.

651 181382 Tollgate Centre Shopping Park, Tollgate West, Stanway, Colchester

The Committee considered an application for external alterations to front elevations of the units, along with the continued use for class A1 retail of the units along the main retail terrace at Tollgate Centre Shopping Park, Tollgate West, Stanway, Colchester. The application had been referred to the Committee because it constituted a major planning application where an objection had been received and the recommendation was to approve. The Committee had before it a report and 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.

Lucy Mondon, Principal Planning Officer, presented the report assisted the Committee in its deliberations.

Craig Blatchford addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He welcomed the comprehensive report with recommendation for approval from the case officer and referred to the lack of objections from the highway Authority and other statutory bodies. The application related to existing premises with a variation of conditions in the urban district centre of Tollgate and recognised the town centre as the primary centre in the

borough. The intention of the application was to ensure that the shopping area retained its district centre status without which it could be undermined and fall into decline. He considered the application to be a proactive proposal, supported by planning policy and sought the approval of the committee.

Members of the Committee generally welcomed the proactive nature of the application, whilst a reference was made to the applicant's consideration of covered cycle parking provision as a further improvement on the site. Reference was also made to the very limited connectivity across the Tollgate sites, including Tollgate Village, and further information was sought regarding the potential to seek additional mitigation measures to improve the connectivity between all of the developments in the Tollgate locality, particularly for pedestrians and cyclists.

The Principal Planning Officer corrected the information in the report in relation to disabled parking provision and confirmed there was an over provision of the standard requirement. She confirmed that the application did not trigger any requirement for additional cycle parking provision. She also commented on the location of a bus stop outside the site and the existence on the site of three electric vehicle charging points as well as the recent addition of a pedestrian crossing. She further commented that, in order to assess the need for additional charging points, the agent had offered, following the grant of permission, to undertake a survey to determine how well the charging points were currently used. In addition she explained that the site the subject of the application had the benefit of an existing use as well as, unlike Tollgate Village, being situated entirely within an urban district centre. As such she confirmed that there was no more, in policy terms, that could be requested in relation to mitigation. Finally, she confirmed that additional crossings would be delivered when the Tollgate Village development was implemented.

RESOLVED (UNANIMOUSLY) that, the application be approved subject to the conditions set out in the report and the amendment sheet and subject to an agreement with the Agent/Applicant to any pre-commencement conditions as required under the Town and Country Planning (Pre-commencement Conditions) Regulations 2018 and delegated authority to make changes to the wording of these conditions.

652 182480 ESNEFT, Colchester General Hospital, Turner Road, Colchester

The Committee considered an application for a single storey extension to the Emergency Department and two storey extension to the front of the Hospital to provide healthcare use, ground floor commercial use, a staff and visitor café, all to be used in association with the wider Hospital use at Colchester General Hospital, Turner Road, Colchester. The application had been referred to the Committee because it constituted a major planning application where an objection had been received and the recommendation was to approve. The Committee had before it a report in which all information was set out.

Lucy Mondon, Principal Planning Officer, presented the report and, together with Martin Mason, Essex County Council's Strategic Development Engineer, assisted the Committee in its deliberations.

One member of the Committee suggested that development proposals on behalf of the hospital would benefit from being considered from a visitors perspective as well as those of the patients and staff and referred to her experience when visiting the hospital on a cycle and collecting a patient using the car parking facilities, explaining that cycle parking spaces had been difficult to locate, not covered and were blocked and the logistical problems of retrieving, navigating and returning hospital wheelchairs.

Reference was also made to the potential for the development to deliver in excess of the standard cycle parking provision, the type of retail provision being proposed and also to the long established pond. Assurances were sought in relation to the ecology report being fully completed and that there would be no loss of existing parking provision and confirmation as to the potential for improvements to the access problems onto Turner Road to be considered and for improvements to the aeration of the pond.

The Principal Planning Officer confirmed that proposed conditions provided for the inclusion of 12 cycle parking spaces, in accordance with the policy standard, and for the details of the design of spaces to be submitted for approval and for updates to the Hospital Trust's Travel Plan. She welcomed the feedback on the experience of visiting the hospital and confirmed that the Hospital Trust had confirmed that the reported problems would be investigated. She explained that an Ecology Appraisal had been submitted with the application which had identified the habitats in the area and suggested enhancements which were the subject of proposed conditions. She confirmed there would be no loss of parking and additional disabled spaces near the entrance and in the main car park. The proposed retail provision was in relation to ancillary convenience goods appropriate to patients and visitors.

The Strategic Development Engineer confirmed that the current planning system only allowed for the assessment of the proposed development the subject of the application with no allowance for incremental impact from a series of proposals. As such, he explained that it was not possible to justify the submission of a Transport Assessment as it was unlikely that the proposal would generate a significant increase in traffic.

Members of the Committee generally welcomed the proposals overall, in particular in relation to the public transport and pedestrian enhancements and traffic flow improvements.

The Principal Planning Officer also confirmed the benefits of the Park and Ride in terms of the Travel Plan provisions and that active discussions had been taking place between the bus companies and the Hospital Trust.

RESOLVED (UNANIMOUSLY) that, the application be approved subject to: -

- (i) The conditions set out in the report and the amendment sheet;
- (ii) Any amendments, further information, and/or conditions required by the Council's Contaminated Land Officer;
- (iii) An agreement with the Agent/Applicant to any pre-commencement conditions as required under the Town and Country Planning (Pre-commencement Conditions) Regulations 2018 and delegated authority to make changes to the wording of these conditions.

653 182627 32 Wren Close, Stanway, Colchester

The Committee considered an application for additional floor space to be added into the roof creating two more bedrooms, skylight and dormer windows providing natural light to the space, fitting new roof structure and repairing fire damage and repair of fire damage to the garage at 32 Wren Close, Stanway, Colchester. The application had been referred to the Committee because the applicant was a member of staff.

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.

654 Amendment to Condition 14 and Section 106 Agreement for Stane Park Phase 2, Colchester, Application Ref: 172935

The Committee considered a report by the Assistant Director Policy and Corporate concerning a proposed amendment to Condition 14 and the Section 106 Agreement for the development at Stane Park Phase 2, Stanway, Colchester in relation to the requirement for a pedestrian crossing on London Road, Stanway.

Lucy Mondon, Principal Planning Officer, presented the report and, together with Martin Mason, Essex County Council's Strategic Development Engineer and Simon Cairns, Development Manager, assisted the Committee in its deliberations.

The Principal Planning Officer explained that the provision of a pedestrian crossing on London Road had been conditioned in lieu of a contribution requested by the Highway Authority for improvements at the Stanway Western Bypass/London Road roundabout. However, it had become apparent that it may take some time to establish its acceptability in terms of highway safety and traffic flows. The Highway Authority had accordingly proposed that the requirement for the crossing be included within the Section 106 agreement which would ensure that a financial contribution would be payable should the crossing be deemed not possible or undeliverable within a reasonable timescale.

The Amendment Sheet also included a further representation from the agent for the applicant.

In discussion, members of the Committee voiced their concern as to the reasons for the delay, given the difficulties observed in the area in relation to connectivity for pedestrians. Clarification was sought on the need for the request for a pedestrian crossing to be included in the Section 106 Agreement, whether the financial contribution could be ring-fenced for a crossing and what assurance this arrangement would give in relation to the actual delivery of the crossing. Some members of the Committee also expressed concern that the request for a crossing might be lost in favour of a scheme of general improvements to the roundabout.

The Principal Planning Officer explained that any requirement for a financial contribution had to be incorporated within a section 106 Agreement and she also confirmed that the provision of the pedestrian crossing was considered a priority.

The Strategic Development Engineer explained that the delay had been caused due to information from the applicant on pedestrian movements in the area being awaited. Once this information was received it would be necessary to consult Council Departments, make an assessment and undertake negotiation. This was the reason why the proposal had been made for the crossing requirement to be included in the Section 106 Agreement, as it would ensure that the financial contribution would not be lost should the principle of a crossing not be technically acceptable. He further confirmed that he was aware that the developers were very keen to secure approval for the Section Agreement, he was mindful of further developments being implemented in the future but that it was only possible for mitigation measures to be delivered in relation to the particular application concerned.

The Development Manager advised against the ring-fencing of the financial contribution for a pedestrian crossing as this was likely to mean that the funds would be lost should the crossing prove to be not technically acceptable. He was of the view that the proposal set out in the report was more likely to secure the retention of the funds should the principle of the crossing fail.

RESOLVED (UNANIMOUSLY) that, in relation to application number 172935, the reference to the provision of a pedestrian crossing on London Road, Stanway be omitted from Condition 14 and that the requirement be added as a clause in the Section 106 agreement, along with an alternative provision that, should the crossing not be agreed by Essex County Council (either by confirmation that the crossing is unacceptable or in the event that they do not confirm within a stipulated time period) following the submission of details, the contribution of £25,000 index-linked (plus monitoring fee) will be paid towards improvements at the Stanway Western Bypass/London Road roundabout, the Section 106 Agreement to also include appropriate triggers for either the crossing to be provided and made available for use, or the payment of the contribution.