

Planning Committee

Thursday, 19 March 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

134 Site Visits

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

135 Minutes 19 February 2015

The minutes of the meeting held on 19 February 2015 were confirmed as a correct record.

136 Minutes 5 March 2015

The minutes of the meeting held on 5 March 2015 were confirmed as a correct record.

137 145494 Land north of Wyvern Farm, London Road, Stanway

Councillor Sykes (in respect of her trusteeship of Almshouses located in London Road, Stanway) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Committee considered an application for the demolition of existing buildings, the construction of two entrances from London road and the creation of 358 one, two, three and four bedroom houses and apartments, plus associated roads and parking, public open space, landscaped buffers and drainage works at land north of Wyvern Farm, London Road, Stanway. The application had been referred to the Committee because it was a major application that had given rise to objections and it required the signing of a Section 106 Agreement to reasonably mitigate the impacts of the development in line with the tests set out for local planning authorities by the Government in the Community

Infrastructure Levy Regulations. 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.

Vincent Pearce, Major Development Manager, presented the report and assisted the Committee in its deliberations.

Scott Richardson addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He explained that the scheme that had been submitted was of high quality, in accordance with the Council's policies and included 72 units of affordable housing with a mix of rented and intermediate tenure. The development was enclosed by a public open space which was safe to use by local residents with houses being located within 100 metres. Footpaths connected to the north and east and the scheme also included a central village green type area. Additional funding towards the mitigation of the development had been agreed and included contributions towards a doctor's surgery, primary and secondary schools as well as Colchester Leisure World. He acknowledged the existing traffic congestion issues and confirmed that contributions would be forthcoming providing for extra capacity on local buses for residents and potential improvements to the local highway network.

Councillor L. Scott-Boutell attended and, with the consent of the Chairman, addressed the Committee. She highlighted the importance of the developer contributions and the urgent local need for the reconfiguration works to the roundabout at junction 26 of the A12 and she welcomed the assistance to be provided by Essex County Highways to alleviate the drainage problems. However she was concerned about the lack of support from the Highway Authority for the junction protection proposals. She asked about the possibility of ring-fencing a proportion of the affordable housing on the development for residents of Copford and Stanway, given the level of local need. Given the impact of the development on the existing local infrastructure, she welcomed the contributions for local schools and towards the GP practices but she sought confirmation regarding the trigger points for these contributions from the developer in relation to level of occupation of units. She considered the area of public open space would be a well-used addition to the development and suggested it would be important to ensure a satisfactory number of dog waste bins and dog agility equipment were provided.

The Major Development Manager explained that the Council's Social Housing Lettings Policy was based on need rather than locality and that the play space contributions were predominantly for the under 12 age range although it may be possible to enhance over 12 facilities at the Country Park near Lakelands. He further explained that the triggers for the mitigation works would be realistically phased bearing in mind the need for properties to be occupied in order to generate funding and that school and GP contributions had been secured.

Members of the Committee welcomed the pleasing design of the site and the residential

units as well as the provision of the perimeter open space and the removal of development rights to preserve the open plan layout to the front gardens of the development. They voiced concerns about the impact of additional traffic on the existing traffic congestion and the potential for shortcut / 'rat-runs' to be created linking the neighbouring road network. Reference was also made to the traffic issues associated with Colchester Zoo at peak seasonal times, the existing pressure on local GP practices, the importance of enforcing controlled working practices during the demolition phase of the development, the preference for LED or similar energy saving lighting on the site, the provision of a management company for the development, details of the construction statement to be displayed on site for the duration of the works and the need for adequate fencing to be provided to the boundary of 276 London Road. Clarification was sought about the regard taken to the Design Statement which had been adopted by Stanway Parish Council as part of the Parish Plan, the measures to be undertaken to alleviate the problems of flooding for residents along London Road, the need for planned traffic regulation orders to be introduced to prevent excessive on street parking on the development and, in accordance with the principles of Safe Routes to Schools, the need for the provision of a signalled pedestrian crossing on London Road rather than the provision of an island crossing. Requests were made for additional conditions to be applied to provide for dog waste bins and dog recreation facilities as well as ducting during the construction phase to provide for the installation of broadband cabling and for a letter to be sent to Essex County Council on behalf of the Committee urging the early remedy of the drainage problems in the area.

In response to the particular questions raised, the Major Development Manager suggested the imposition of additional conditions/informatives to provide for a bus gate at the eastern boundary with Stane Park, LED lighting to the perimeter open space, the maintenance of the road network by the developer prior to adoption, the open plan layout of the development and ducting for broadband cabling and the enhancement to conditions in the report to provide for the display of contact details and planning conditions. He also confirmed that the landscaping condition could be utilised to provide for boundary treatment to 276 London Road and that the Stanway Parish Plan Design Statement had been included in the consideration of the application. He acknowledged the status of the Parish Plan and explained how, in time, it would be superseded by the Neighbourhood Plan currently being produced by Stanway Parish Council. He confirmed it was for the Committee members to determine whether to seek a limited amount of highway works to be undertaken by the developer or to secure an additional financial contribution to be utilised by Essex County Council. He considered it would be difficult to justify the introduction of a traffic management scheme for the development without the existence of an identifiable need and he pointed out that a signalled pedestrian crossing had not been a requirement of the Highway Authority, possibly on the basis that this might add to the traffic congestion issues and the recommended conditions included a request for the establishment of a management company.

RESOLVED (UNANIMOUSLY) that –

(i) The application be approved subject to the resolution of the outstanding issue of the A12 slipway works to the satisfaction of the Highways Agency and the signing of a legal agreement under Section 106 of the Town and Country Planning act 1990 within 6 months from the date of the Committee meeting and, in the event that the legal agreement is not signed within 6 months, to delegate authority to the Head of Commercial Services to refuse the application, or otherwise to be authorised to complete the agreement to provide the following:

- 20% (as a percentage of total units) affordable housing in a ratio of 80%:20% (socially rented : intermediate housing);
- A bus-way connection to and on the site's eastern boundary that is co-terminus with the Stane Park boundary such as to avoid the creation of a ransom strip and agreement to connect the link with the adjacent site at Stane Park at nil cost;
- All footpath and/or cycleway connections to the eastern site as to be co-terminus with the Stane Park boundary such as to avoid the creation of a ransom strip and agreement to connect the link with the adjacent site at Stane Park at nil cost;
- A new equipped community building to Council specification to a value of £465,000;
- Open Space, Sport and Recreational facilities contribution (borough-wide specified projects) £659,869;
- Open Space Sports and Recreational Facilities (ward based specified projects) £765,000;
- Primary school contribution £1,163.464 (or such other sum as shall accord with the number of qualifying units);
- Secondary school contribution £1,178,321 (or such other sum as shall accord with the number of qualifying units);
- Public transportation contribution £41,083;
- Highway works contribution £25,000;
- Healthcare contribution £38,120;
- Archaeological database contribution £5000

(ii) On completion of the legal agreement, the Head of Professional Services be authorised to grant planning permission subject to the conditions set out in the report and additional conditions to provide for the following:

- The developer be required to submit a plan before any work on site commences showing the intended ownership of every piece of land (eg highway land, curtilage, open space etc) with no 'white'/ unaccounted land to remain;
- Three dog waste bins to be incorporated into the landscape details;
- Low level LED lighting to be incorporated into the perimeter track;
- Preservation of open plan layout for front gardens;
- The installation of a bus-gate between Wyvern Farm and Stane Park
- Condition 6 to be modified to include requirements to agree pre-adoption maintenance arrangements for roads, lights, open space and litter collection and to prominently display Persimmon contact details and a site reference number with a nominated contact person able to deal with local complaints about site working together with all approved planning conditions.

and additional informative areas to provide for the following:

- Street lighting across the development of LED or similar energy saving type;
- Boundary treatment details to pay particular attention to the southern boundary adjacent to existing residential properties and no 276 London Road.
- Ducting for internet connectivity is laid at the time of constructing roads and footpaths

(iii) The Major Development Manager be requested to write on behalf of the Committee to the Chief executive and Leader of Essex County Council urging the County Council to remedy current highway flooding issues and congestion on London Road, Stanway.

138 150014 Wedo Shopping Ltd, Turner Rise Retail Park, Petrolea Close, Colchester

Councillor Sykes left the meeting room for the duration of this item.

The Committee considered an application for the valuation of Condition 12 attached to planning permission COL/91/0887 to allow wider range of goods within Use Class A1 (Retail) within Unit 1A at Wedo Shopping Ltd., Turner Rise retail Park, Petrolea Close, Colchester. The application had been referred to the Committee because it was classed as a major application and an objection had been received. The Committee had before it a report and an amendment sheet in which all the information was set out.

Members of the Committee considered that, due to the nature of goods to be sold and to retain control of the future development of the site, any permission granted should be personal to the applicant.

RESOLVED (UNANIMOUSLY) that planning permission be granted subject to the conditions set out in the report and the amendment sheet, together with the permission being made personal to the applicant only.

139 150113 Enoch House, Hawthorn Avenue, Colchester

Councillor Lilley (in respect of his membership of the Board of Colchester Borough Homes) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Committee considered an application for a proposed extension, alterations and refurbishment of the existing building to allow its use for sheltered housing together with revised parking provision, incorporating the temporary siting of a portable office cabin at Enoch House, Hawthorn Avenue, Colchester. The application had been referred to the Committee because the applicant was Colchester Borough Homes and representations had been received. The Committee had before it a report and amendment sheet in which all the information was set out.

Sue Jackson, Principal Planning Officer, presented the report and assisted the Committee in its deliberations. In response to specific questions about

Richard Taylor addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He explained that he was speaking on behalf of a number of residents of Enoch House who all acknowledged the need for the car parking area to be set out to provide access for bin collection and for emergency vehicle parking. However, he requested that the landscaping proposals include planting areas and raised beds for the benefit of the residents themselves.

Members of the Committee welcomed the proposals and the opportunity for the changes to enhance the open space areas to be of benefit for the residents of Enoch House as well as the applicant. One member of the Committee explained a long standing issue for the resident of 11 Magnolia Drive who was obliged to access the Enoch House perimeter in order to gain access to a side window to his property, the need for sound proofing to prevent disturbance from the bus stop.

The Principal Planning Officer explained that the proposals included the replacement of windows which would provide improved sound insulation and she was aware that discussions were on-going with the resident of 11 Magnolia Drive about options to assist with the cleaning of the window overlooking Enoch House. The landscaping proposals also provided for additional time to allow for discussions with residents to agree a scheme suitable to residents.

RESOLVED (UNANIMOUSLY) that the application be approved subject to the conditions set out in the report and the amendment sheet together with an additional informative asking the applicant to consider features such as seating in the communal garden areas, double glazed windows to reduce noise from vehicles and discussion with the resident of 11 Magnolia Drive regarding the cleaning of the window overlooking Enoch House.

140 150105 Eastwood Service Station, Ipswich Road, Colchester

The Committee considered an application for new image forecourt signage at Eastwood Service Station, Ipswich Road, Colchester. The application had been referred to the Committee at the request of Councillor Gamble. The Committee had before it a report in which all the information was set out.

Nadine Calder, Planning Officer, presented the report and assisted the Committee in its deliberations. In response to specific questions about parking provision and the historical

Douglas Fleming addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He explained that his property suffered a loss of amenity due to the service station and this application was one of many that he had objected to over the years. The synergy sign positioned on a totem pole with blade repeater would be 3.1metres in height and, as such, would dwarf the pumps whilst there was no requirement for their presence. He believed there was

already a lot of advertising on the site. The colour was an overwhelming red which was not in accordance with a previous inspector's view that the site should not be unduly obtrusive and he disagreed with the officer's view that the proposal would have little impact. He also referred to two six feet high signs which had been erected above the car wash without the benefit of permission

Councillor Gamble attended and, with the consent of the Chairman, addressed the Committee. He explained that the residents were tired of the repeated applications in relation to the site due to their concerns about impact on their amenity. He referred to previous applications which had been refused by the Committee and had been turned down at Appeal. The site was in a predominantly residential area and the proposed illuminated signs would direct out into Ipswich Road. However, all of the signs added to the general cluttered appearance of the service station site. He asked, in the event that the application was approved, that the time condition during the opening hours of the service station be amended to specify an end time of 11:00pm.

Councillor G. Oxford attended and, with the consent of the Chairman, addressed the Committee. He was of the view that the proposals would add to the cluttered appearance of the site and the largest sign, being over 10 feet high and red in colour would be a very prominent feature of the street scene. He referred to previous applications which had been refused and sought consistency from the Committee to refuse the current application in line with the Inspector's view that signage was not necessary in a residential area. The service station was a thriving business which did not need to introduce changes to attract more custom. He referred to signage over the car wash facility which had been erected despite permission being refused.

Members of the Committee were generally of the view that the proposal was a reasonable one which would have minimal impact for residents especially given the width of the road and the distance of the houses from the forecourt.

RESOLVED (NINE voted FOR and TWO voted AGAINST) that the application be approved subject to the conditions contained in the report, amended to provide for permission for the signs to be illuminated between the hours of 07:00 and 23:00 daily.