

Planning Committee

Thursday, 05 March 2020

Attendees: Councillor Lyn Barton, Councillor Helen Chuah, Councillor Pauline Hazell, Councillor Brian Jarvis, Councillor Cyril Liddy, Councillor Derek Loveland, Councillor Jackie Maclean, Councillor Martyn Warnes

Substitutes: Councillor Gerard Oxford (for Councillor Philip Oxford)

Also Present:

790 Site Visits

Councillors Barton, Chuah, Hazell, Jarvis, Loveland, and J. Maclean attended the site visits.

791 Planning Committee minutes 6 February 2020

The minutes of the meeting held on 6 February 2020 were confirmed as a correct record.

792 192219 Wakes Hall, Colchester Road, Wakes Colne, Colchester

Councillor Liddy (by reason of his holding of a Directorship of Colchester Archaeological Trust) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

Councillor Jarvis (by reason of his holding of a Directorship of Colchester Commercial Holdings Limited, operating as the holding company for Colchester Borough Homes) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Committee considered a planning application to demolish part of the existing buildings, extend and convert into 11 dwellings and erect 11 dwellings (22 dwellings in total), erect garage court, cart lodges and media lounge, layout parking and landscaping at Wakes Hall, Colchester Road, Wakes Colne. The application had been referred to the Committee because it constituted a major development which required a S106 legal agreement. The accompanying Listed Building Consent application (192220) was also referred to Planning Committee for completeness as the applications were mutually dependent.

The Committee had before it a report and an 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.

RESOLVED (UNANIMOUSLY) that:-

(a)(i) The Assistant Director Place and Client Services be authorised to approve the planning application subject to the conditions set out in the report and subject to the signing of a legal agreement under Section 106 of the Town and Country Planning Act 1990 within six months from the date of the Committee meeting, to provide for the following:

- That the development be for the over-55's (as this was the basis on which the application has been made and has a bearing on the contributions being sought);
- That the on-site facilities (tennis courts, allotments, communal gym and lounge area) be provided and maintained for use by the residents;
- A review mechanism for the viability review (in order to ascertain whether there is any monetary surplus from the development that can be contributed towards affordable housing, as no affordable housing is being provided, and Chappel and Wakes Colne Village Hall);
- A clause to ensure that the works to the listed building would be carried out as part of the development (as the premise of the application is that the overall development of residential units will fund additional works to the listed building in order to improve its character and setting); and
- A contribution towards the Recreational disturbance Avoidance Mitigation Strategy (RAMS).

(ii) In the event that the legal agreement is not signed within six months from the date of the Planning Committee, the Assistant Director Place and Client Services be authorised, at their discretion, to refuse the application or otherwise be authorised to complete the agreement.

(b) The application for listed building consent be approved subject to the conditions and informatives contained in the report and with the Assistant Director Place and Client Services being given delegated authority to make minor amendments to those conditions, as appropriate.

793 200040 Town Hall, High Street, Colchester

Councillor Liddy (by reason of his holding of a Directorship of Colchester Borough Homes) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Committee considered an application for listed building consent for the removal of the existing wooden shelving in the Court Library in Colchester Town Hall. The application had been referred to the Committee because the applicant was Colchester Borough Homes on behalf of Colchester Borough Council.

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.

Simon Cairns, Development Manager, presented the report and assisted the Committee in its deliberations. He explained that the shelving in question was composed of light oak with the only decoration being a small plaque above with a cornice running along the top of the shelving unit. The shelving was considered to be a period or original feature of the Grade 1 listed building. The former legal library had now been removed, and would have been classed as a chattel and therefore would not have been considered part of the listed building. It was explained that the sole consideration was in relation to the impact of the proposal on the listed building in terms of the contribution made by the shelving to the historic interest of the building. The report explored the heritage values of the shelving to the building in terms of the guidance offered by Historic England on how the impact on special interest should be assessed. The Committee was advised that there was a degree of harm associated with the removal of the shelving, and that national policy advice was that all harm to heritage assets was undesirable and required justification, and the consideration before the Committee was whether the formation of the Members Room justified the limited harm that was being proposed.

The Development Manager referred to an email sent to the Committee by Sir Bob Russell, and for the sake of clarity summarised the contents of the email to the Committee. The Committee heard that in Sir Bob's opinion the removal of an original feature of the building sent out the wrong message to the owners of other listed buildings, who may then be encouraged to undertake similar works themselves. The Committee was advised that taking all factors into consideration, the specialist advice of the Conservation Officer was that the re-use of this room did justify a flexible approach to the removal of the feature.

In response to an enquiry from a member of the Committee, the Development Manager explained that there was evidence to suggest that the shelves were an original feature of the building.

Members of the Committee expressed their concern that the proposed use of the room which necessitated the removal of the shelving did not constitute sufficient justification for the impact that the works would have on the listed building. It was not considered that the space that was available was suitable for the purpose for which it was intended. It

was also suggested that it may be more appropriate to consider returning the law books to the shelves and in order to retain the character of the room. . The small size of the room was particularly troubling, and although it was acknowledged that additional facilities for members were required, it was suggested this room was not an appropriate location for these. Members of the Committee voiced their concern that other, alternative locations for the Members Room may not have been considered, which may not require alterations to the listed building. In particular it was suggested that the availability of the Old Library might present further possibilities that were not available at the time the application had been submitted.

The Committee was therefore of the view that there was insufficient justification for the harm to the listed building that would result from the removal of the shelving. The Committee considered that alternative options for the provision of a Members Room needed to be explored.

RESOLVED (UNANIMOUSLY) that the application be deferred to allow for alternative options to be explored (including the potential for the law books to be restored to the shelves).