

Planning Committee

Thursday, 28 May 2015

- Attendees:** Councillor Peter Chillingworth (Group Spokesperson), Councillor Jackie Maclean (Member), Councillor Helen Chuah (Member), Councillor Jon Manning (Chairman), Councillor Laura Sykes (Group Spokesperson), Councillor Pauline Hazell (Member), Councillor Brian Jarvis (Member), Councillor Michael Lilley (Member), Councillor Jessica Scott-Boutell (Deputy Chairman), Councillor Patricia Moore (Member), Councillor Rosalind Scott (Group Spokesperson), Councillor Jo Hayes (Member)
- Substitutes:** No substitutes were recorded at the meeting

161 Site Visits

The following members attended the formal site visit: Councillors Chillingworth, Chuah, Hayes, Hazell, Jarvis, Lilley, Moore, Manning, Scott-Boutell and Sykes.

162 Minutes of meeting held on 30 April 2015

The minutes of the meeting held on 30 April 2015 were confirmed as a correct record.

163 146519 62 Brook Street Colchester

Councillor Hayes (in respect of her potential pre-determination of the matter) declared an interest pursuant to the provisions of Meetings General Procedure Rule 7(5) and left the meeting during its consideration and determination.

The Committee considered a report by the Head of Commercial Services, in accordance with the Committee's Deferral and Recommendation Overturn Procedure (DROP) which had been invoked by the Committee at its meeting on 30 April 2015 as it had been minded to refuse an application contrary to the officer's recommendation. The application was for outline permission 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 Committee had before it a report and amendment sheet in which all the information was set out and the Committee had made a further site visit in order to assess the impact of the proposal upon the locality and the suitability of the proposal for the site. The report analysed the risks and implications of refusing planning permission on the

grounds of the three reasons discussed at the last meeting and concluded that highway or air quality matters did not have the support of the relevant expert consultees and, as such, would carry risks for the Council at any subsequent appeal. However, a refusal on the grounds of the adverse impact of the access upon amenity and townscape were considered to be reasonably founded on adopted policy guidance.

Vincent Pearce, Major Development Manager, presented the report and assisted the Committee in its deliberations. His suggestion that the Environmental Control Manager be invited to a future planning training workshop to update members on progress with improving air quality within Air Quality Management Areas was welcomed.

Members of the Committee reaffirmed their concerns about the proposed access road, its impact on the frontage to No 62 Brook Street and the street scene in general.

Councillors Moore and Scott ABSTAINED from voting on this application as they had not been present at the Committee's original consideration of the application.

RESOLVED (NINE voted FOR and TWO ABSTAINED) that the application be refused for the reasons set out in the report.

164 150781 Land rear of 284-300 Shrub End Road, Colchester

Councillor Lilley (in respect of his acquaintance with the agent for the applicant) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Committee considered an application for the erection of five detached bungalows, garages, parking facilities and an associated private drive on land at the rear of 284-300 Shrub End Road, Colchester. The application had been referred to the Committee because the Business Development Manager of the application company was related to a member of staff of Colchester Borough Council. 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.

Nadine Calder, Planning Officer, presented the report and assisted the Committee in its deliberations.

RESOLVED (UNANIMOUSLY) that the application be approved subject to the conditions set out in the report and the amendment sheet, omitting the proposed Condition 6 and an additional condition to provide for ducting to be installed under footways to accommodate future services cabling.

165 150573 Gosbecks Archaeological Park Maldon Road South, Colchester

Councillor Manning (in respect of his family's acquaintance with family of the

Manager of the Colchester and Ipswich Museums Service) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Committee considered an application for the installation of an interpretation panel containing general historical information and logos including that for the Heritage Lottery Fund at Gosbecks Archaeological Park, Maldon Road, South, Colchester. The application had been referred to the Committee because it had been submitted by and on behalf of the Colchester and Ipswich Museum Service. The Committee had before it a report and amendment sheet 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.

166 150366 147 Lexden Road, Colchester

The Committee considered an application for proposed alterations and extensions to the rear of an existing property to provide additional ground floor living accommodation and a first floor bedroom suite at 147 Lexden Road, Colchester. The application had been referred to the Committee because it had been called in by Councillor Buston. 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.

James Ryan, Principal Planning Officer, presented the report and assisted the Committee in its deliberations.

Elizabeth White addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. She was speaking on behalf of a number of neighbouring residents who had indicated their concern with the application. She referred to the single storey proposal which had obtained approval and the first floor element of the proposal now under consideration which had been scaled back from the original drawings. She was of the view, nevertheless, that the proposed height would be oppressive and have a detrimental impact on neighbouring properties despite the planning officer's view that the impact would be within tolerable levels. She was also of the view that the proposed design was industrial in character and, as such, related poorly to the host building. She was concerned about the long term impact of the proposal and requested the Committee to reject the application.

Kevin Hall addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He referred to the existing planning permission for a single storey extension at the site and the fact that it would be possible to use permitted development rights to further extend by means of a large rear facing dormer. The applicant, however, was seeking to improve on the visual impact this type of extension would create which was how the current proposal, with a smaller first floor

element, had been formulated. He confirmed that the Inspector, in dismissing a previous appeal against refusal by the applicant, had considered the proposed design to be careful and innovative and, as such, it was entirely reasonable for a contemporary approach to be pursued by the applicant. He considered the proposal would have no negative impact on the outlook for neighbours and there were no material issues in relation to overlooking.

Councillor Buston attended and, with the consent of the Chairman, addressed the Committee. He explained that he had called in the proposal following requests made by residents. He welcomed the restriction on permitted development rights in so far as the access to the rear of the extension would prevent the later addition of a balcony. He confirmed that his reasons for calling in the application were accurately and fully reflected in the Committee report and he thanked the Planning Officer for the time and effort which had been put into securing the current revised proposal. He requested the Committee to give careful consideration as to whether this type of development was appropriate in the location of the application site.

The Principal Planning Officer explained that the current design proposal had been considerably scaled back from a previous application which had been refused by the Council and at Appeal. However, he confirmed that the Appeal inspector had found the design to be acceptable. In compiling the Committee report he considered the impact on amenity to be acceptable and he confirmed that it would not be possible for the roof area to be converted for use as a balcony at a later date.

Members of the Committee generally considered the design of the extension to be undesirable in relationship to the host building but acknowledged the clear guidance given by the Appeal Inspector and, as such, the lack of valid reasons to refuse the application.

In response to a specific question about the effect on neighbours' views from their properties, Vincent Pearce, the Major Development Manager, took the opportunity to remind the Committee of the difference between outlook and view in planning terms and the respective weight that could or could not be afforded to each consideration. He also indicated that, the revision of the proposals by the pulling and setting back the first floor element had delivered a design which had resolved the oppressive nature of the previous application.

RESOLVED (NINE voted FOR and THREE voted AGAINST) that the planning application be approved subject to the conditions set out in the report and the amendment sheet, in relation amendments to Conditions 3 and 4 and an additional condition to provide for the removal of permitted development rights to prevent the installation of windows or roof lights above ground floor level to the east and west elevations of the extension.

167 150646 11 Ploughmans Headland, Stanway

Councillor Lilley (in respect of his acquaintance with the agent for the applicant) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Committee considered an application for the erection of a two storey side extension and associated alterations at 11 Ploughman's Headland, Stanway, Colchester. The application had been referred to the Committee because the applicant was an employee 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.