

Planning Committee

Thursday, 20 February 2020

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

Substitutes: Councillor Robert Davidson (for Councillor Derek Loveland), Councillor Gerard Oxford (for Councillor Philip Oxford)

Also Present:

784 Site Visits

Councillors Chuah, Davidson, Hazell, Jarvis, Liddy and Maclean attended the site visits.

785 Planning Committee minutes 18 December 2019

The minutes of the meeting held on 18 December 2019 were confirmed as a correct record.

786 192136 Land at Brierley Paddocks, West Mersea

The Committee considered a report by the Assistant Director Place and Client Services requesting the formal determination of planning application 192136 at land at Brierley Paddocks, West Mersea, Colchester, the consideration of which had been deferred by the Committee in December 2019.

The Committee had before it a report and amendment sheet in which all information was set out.

James Ryan, Principal Planning Officer, presented the report and, together with Karen Syrett, Planning and Housing Manager, assisted the Committee in its deliberations. It was explained that the Committee had previously deferred its consideration of the application until the publication of the Inspector's report on Section 1 of the emerging Local Plan, or for a period of six months, whichever was the longer. However, the applicants had provided formal notification of their intention to appeal on grounds of non-determination which would mean that the Planning Inspectorate would determine the application. In the circumstances, the Committee was requested to determine the application as this would either allow for formal reasons for a refusal of permission to be defended at an inquiry or to obviate any need for an inquiry to be held in the event of an approval of the application. It was also confirmed that two further elements of the

Section 106 Agreement, namely the provision of an adult gym and a fully wheelchair compliant affordable dwelling, had now been agreed by the applicants. Reference was made to a legal opinion which had been submitted by Stop350 and the contents of a legal opinion which had been sought by the Council which had confirmed that the original Committee report had been sound in its conclusions and its recommendation for approval.

The Principal Planning Officer also explained that it had been agreed with the applicants that, should the Committee members consider it appropriate to approve the application, a further condition would need to be included setting out the details of the mix of housing on site, and to provide for the mix of housing to be agreed by the Planning Authority prior to commencement of the development.

David Cooper addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He considered that the application conflicted with the up to date Development Plan and, as such, there was a presumption that it should be refused. He referred to the Bloor Homes scheme for 255 homes in Tiptree, he considered that the Council was able to demonstrate five years housing land supply, there were outstanding objections to the deposited Local Plan for West Mersea, whilst residential developments agreed at Chitts Hill, Eight Ash Green and Great Tey did not have objections within the emerging Local Plan. He referred to the single access road to Mersea Island and concerns in relation to access in times of flooding. He referred to the National Planning Policy Framework (NPPF) in relation to mitigation of climate change impacts and public safety and the confirmation from NHS and the local GP surgery that was insufficient capacity to accommodate growth in the population. He considered that the consideration of the application should wait for Section 2 of the emerging Local Plan to be considered by the Inspector and, as such, he urged the Committee members to refuse the application.

Daniel Poole addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He explained that the applicants were a local Essex based company committed to the delivery of a high-quality scheme at Brierley Paddocks, including 30% affordable housing, community uses and open space. He explained that notice of an appeal had been lodged, pending a local resolution by the Committee. He explained that a fully accessible home had been agreed together with a contribution for the provision of an adult gym, either on site or elsewhere. He explained that the site had been allocated for 100 homes in the emerging Local Plan, acknowledged the proposals had generated much local interest and confirmed that Mersea was recognised as a sustainable location for the anticipated growth. He confirmed that the timescale for submitting an appeal against the refusal of the application for 200 homes had now expired and that no appeal had been lodged. He confirmed that the application had benefitted from considerable consultation and that there were no technical objections to the scheme. He was also of the view that the application was in accordance with the emerging Local Plan and, as such, opinions

suggesting potential harm caused by the scheme indicated a lack of support for the emerging Local Plan. He confirmed that matters relating to housing mix and uses would be addressed by condition and he confirmed continued commitment to work with the Neighbourhood Plan Group and to further consultation to help shape the detailed plans before they were submitted to the Council. He confirmed that the site provided an opportunity for an additional or relocated GP practice, although he acknowledged that the scheme was not able to fully facilitate its delivery or to resolve the existing deficit and committed to continued liaison with the NHS to determine how the site could best serve their needs. He asked the Committee members to support the officer's recommendation for approval.

Councillor Jowers attended and, with the consent of the Chairman, addressed the Committee. He questioned why the Committee members were being asked to consider the application again and was of the view that the application should have been refused. He referred to the question of weight to be given to the emerging Local Plan, the Council's demonstration of an adequate five-year supply of housing land and the lack of consideration given to the draft Neighbourhood Plan. He welcomed the professional advice provided by officers but reiterated that it was the Committee members who made the decisions. He referred to the 1,400 representations submitted in response to the application and was concerned that they had not been listened to. He was of the view that the local issues set out in Section 2 of the emerging Local Plan should have considered before Section 1. He acknowledged that the allocation of 200 for Mersea in the Local Plan was generally acceptable but considered the application to be outside the Plan and that its consideration needed to take place after the results of the examination had been published. He agreed that non-controversial applications, such as those in Chitts Hill, Eight Ash Green and Great Tey were acceptable but he did not consider the current application to be non-controversial. He was also of the view that, given the acceptance of the Council's ability to demonstrate an adequate five-year housing land supply, there was no need for the application to be put before the Committee for determination. He accepted that the application was a reasonable one but he advocated its refusal and for the outcome to be determined by a Planning Inspector.

The Principal Planning Officer referred to the Bloor Homes scheme for 255 homes in Tiptree explaining that it was not contained in the emerging Local Plan and had been refused on that basis. The Brierley Paddocks site was different in that it was being supported as an allocation within the emerging Local Plan. He welcomed the confirmation from the applicants that they had not lodged an appeal against the scheme for 200 homes. He explained that the West Mersea Neighbourhood Plan was still in draft form and had not yet been published and, as such, did not benefit from any weight being able to be attributed to it. He confirmed that the Council's view was that a five-year housing land supply could be demonstrated and he welcomed comments acknowledging the acceptability of 200 homes for Mersea Island and the reasonable nature of the application.

The Planning and Housing Manager also confirmed that the Bloor Homes site in Tiptree was not an allocated site either in the directions of growth in the emerging Local Plan or the site-specific allocations in the Tiptree Neighbourhood Plan. She explained that the Tiptree Neighbourhood Plan made its own allocations for 600 units, was far more advanced than the Mersea Neighbourhood Plan having already been the subject of a consultation exercise and, as such, was required to be afforded more weight. She was of the view that the public had taken the opportunity to make representations, these had been listened to and the allocations for Mersea had been reduced from 350 to 200 accordingly. She also confirmed that Colchester did have a five-year housing land supply, but that the current Local Plan would expire in 2023 and when the housing land supply was reviewed in April it would need to extend to 2025.

One member of the Committee sought clarification on the justifications for the Committee's ability to give weight to the emerging Local Plan.

The Planning and Housing Manager explained that the NPPF provided the parameters for when documents could be taken into account, in terms of the further progression a Neighbourhood or Local Plan had achieved towards the route to adoption, the more weight it could be afforded in decision making. The emerging Local Plan had been submitted to the Planning Inspectorate in 2017 and its examination was underway, with Hearing sessions having taken place on Section 1 as well as various rounds of public consultation and, as such weight could be afforded to the policies contained within it.

Another member of the Committee was concerned that the members of the Committee had previously been misled in their original consideration of the application. The Chairman reminded the Committee members that their original deliberations on the application in December had been recorded in the minutes of the meeting and these had been confirmed as a correct record by the Committee. As such, he strongly refuted the assertion that the Committee had been misled.

A member of the Committee was of the view that Mersea did not have capacity for further growth and that the allocation of 200 units for the area had yet to be proved. Concern was expressed about access to the Island and the clearly expressed need within the draft Neighbourhood Plan for an additional GP surgery. The view was expressed that the application included an over-provision of open space and an under-provision of commercial/community space. It was acknowledged that the site was very contentious, being the subject of over 1,000 objections to that of the emerging Local Plan which had yet to be examined. In addition, reference was made to the 4,000 mobile homes and their occupants who had not been taken into account in relation to their use of local services, such as GPs without being subject to financial contributions in the form of Council Tax. Reference was also made to constructive meetings which had taken place between the Town Council and the applicants but the Section 106 Agreement proposed with the application did not reflect the discussions which had taken place. It was also explained that the draft Neighbourhood Plan had taken two years to come to

fruition including various residential surveys and it was regretted that this work and evidence could not be taken into account.

The Principal Planning Officer confirmed that 2.8 hectares of open space was proposed which was well in excess of the required standard but it was considered to be a genuine public benefit and would alleviate some climate change impacts of the development. He explained that it was not possible to seek a change in ratio between open space and commercial space, as the Committee was required to consider the application on its own merits. He acknowledged the presence of mobile homes on the Island but the allocation of 200 homes had been agreed by the Local Plan Committee as an acceptable number, originally allocated at 350.

The Planning and Housing Manager also acknowledged the extent and duration of mobile home occupation on the Island and explained that a report had recently been considered by the Licensing Committee confirming that one family had been evicted from a caravan site in July 2019.

Another member of the Committee acknowledged the advice from officers that the Committee needed to come to a formal determination of the application, the need to attribute the appropriate weight to the emerging Local Plan, the draft Neighbourhood Plan and the Development Plan and the confirmation that the Council was able to demonstrate a five-year housing land supply. As such, he did not consider it necessary to determine the application in a way that could be premature, with strong reservations that there was a clear need to approve the application, preferring a refusal of the application on the grounds that it was contrary to the current Development Plan and the Section 106 Agreement not yet being in place.

Another member of the Committee referred to the provisions within the NPPF to allocate weight to a Plan in accordance with its relative progress towards submission and the anticipation that the Inspector was likely to issue his decision in relation to Section 1 of the Local Plan in March 2020. Accordingly, he was of the view that the emerging Local Plan could be attributed considerable weight but that the draft Neighbourhood Plan was nowhere near the point of being adopted and, as such, the weight which could be attributed to it was very limited. Reference was also made to the original allocation of 350 houses for Mersea in the emerging Local Plan which had been reduced to 200, a figure which could be defended should further speculative applications come forward. It was further suggested that delegation could be given to officers to conclude the Section 106 Agreement negotiations to reflect the discussions which had taken place between the applicant and the Town Council.

The Principal Planning Officer confirmed that considerable weight could be given to the emerging Local Plan but that very little weight could be attributed to the draft Neighbourhood Plan as it was yet to be published. Nevertheless, he was aware that the detail of the Neighbourhood Plan did accord with the Brierley Paddocks application,

including a potential use of part of the site for a GP practice. He confirmed that Section 106 Agreements were generally the subject of agreement by the Head of Service following approval of the application by the Committee. He suggested, however, that it may be possible to incorporate a cascade system within the Section 106 Agreement to provide for the allocation of the financial contribution of £168,000 towards a community facility on Brierley Paddocks itself but, if this option failed to come to fruition, the funds be transferred for improvements to the Glebe Sports Ground instead.

Another member of the Committee sought clarification on the need to determine the application at the current time. She acknowledged that the Committee had been advised of the risk of the application being subject to an appeal on grounds of non-determination but she was of the view that the wishes of the Committee, to defer the application, should be upheld.

The Principal Planning Officer confirmed that the Committee was being advised to determine the application as maintaining a deferral of consideration of the application would mean that the Council would have no grounds on which to defend an appeal, was also likely to be considered unreasonable by an Inspector and, as such, the Council was likely to have costs awarded against it.

The Planning and Housing Manager also explained that the anticipated Inspector's report on the emerging Local Plan was in relation to Section 1, Strategic Policies and, as such, would not include the Mersea allocations or policies. She was also of the view that the six-month period for deferral would not give sufficient time for the Inspector to comment on the Mersea allocations and policies or for the Neighbourhood Plan to progress to submission. She also reminded the Committee members that the applicant had given notice of their intention to lodge an appeal in the event of a non-determination and that work on the Neighbourhood Plan had started in 2017 with an anticipation that it would be concluded more promptly than had proved to be the case.

In response to the Chairman's request for clarification on potential grounds to refuse the application, the Planning and Housing Manager indicated that potential reasons for refusal could include conflict with the adopted Development Plan and Site Allocations document; failure to incorporate a legally binding Section 106 Agreement and prematurity in relation to the emerging Local Plan and the draft Neighbourhood Plan.

RESOLVED (FIVE voted FOR and FOUR voted AGAINST) that -

(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 an additional condition to provide for the mix of housing as referred to in the Council's legal opinion for that mix to be agreed by the Local Planning Authority prior to commencement of the development and the delegation of authority to the Assistant Director Place and Client Services to negotiate minor amendments to those conditions 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:

- Archaeology: £18,150.00 for display case and display of finds;
- Parks and Recreation: on-site provision of 2.8 hectares of open space, including a NEAP standard playground and an adult gym, up to the value of £3,000;
- Community: £168,652.00 to provide a community/medical facility on-site with a mechanism if this is not possible to cascade the funds in default to the provision of a multiuse community facility with changing rooms at the Glebe Sports Ground;
- NHS: £59,027.00 for additional improvement requirements to the Mersea Island Practice to accommodate additional growth resulting from the proposed development by way of refurbishment, reconfiguration, extension or other solutions of benefit to patients;
- Affordable Housing: 30% affordable housing based on the requirement in the emerging Local Plan with the exclusion of the provision of “gifted” properties, tenure mix to be no less than 80% affordable rent and no more than 20% intermediate shared ownership, 3 95% of the affordable homes should meet a minimum of Building Regulations 2015 Part M Category 2, 5% of the homes to meet Building Regulations 2015 Part M Category 3 (2) (b) and a minimum of one dwelling to be Part M4(3) 2B compliant, to be fully wheelchair accessible;
- Highways Requirements to be conditioned and delivered either as part of the site or by a Section 278 Agreement: Upgrade of the two bus stops which would serve the proposal site to current Essex County Council specification (details to be agreed by the Local Planning Authority);
- North Essex Recreational disturbance Avoidance Mitigation Strategy (RAMS): a contribution of £12,250 (£122.30 per unit) towards mitigation under the Conservation of Habitats and Species Regulations 2017.

(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.

787 192993 Colchester Hospital, Turner Road, Colchester

Councillor Chuah (by reason of her Stakeholder Governorship of Colchester Hospital University NHS Foundation Trust) 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 for the erection of single deck car park with vehicular access from Turner Road, associated lighting and other ancillary works at Colchester Hospital, Turner Road, Colchester. The application had been referred to the Committee because it constituted major development on which a material planning objection had been received and the recommendation was for approval, albeit subject to further negotiation.

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 a further representation had been received from Colchester Cycling Campaign since the Amendment Sheet had been published raising issues of traffic concerns, trip generation and the re-provision of displaced parking, contending that the scheme would result in 255 extra cars and more than 500 extra journeys. He explained that officers did not agree with this statement and would not conclude that the proposal would result in the generation of additional trips. He also confirmed that the applicant's agents had submitted a statement of rebuttal which concluded that there would be the same number of staff and patients on-site as were already on the transport network and, as such, it was not accepted that the proposal would give rise to any additional unsustainable trip generation. It also explained that the proposal was to provide replacement parking lost to staff from the former car park A.

Will Bramhill addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He was speaking on behalf of Colchester Cycling Campaign, a group campaigning against daily car dependency on the grounds it was unnecessary and generated a considerable amount of traffic to the detriment of alternative means of travel such as cycling and walking whilst contributing to the unreliability of buses, poor public health, obesity, heart disease, premature deaths and air pollution. He considered the NHS should be giving greater consideration to issues which are a health problem. He considered the plans to be disingenuous, being of the view that 150 extra parking spaces were being created which he considered would generate 500 extra car journeys locally. He asked the Committee members to defer the proposal to enable further discussions to take place and for a robust travel plan to be formulated. He also referred to works having been commenced on-site, supportive comments from displaced hospital staff in relation to the Park and Ride service, the daily cost of 48p for subsidised on-site hospital car parking compared to the Park and Ride cost of £1:50.

John Fulcher addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He explained that the merger of Ipswich and Colchester Hospital Trusts had led to considerable investment in the acute hospital sites to meet planned population growth and had included the opening of new facilities including Accident and Emergency and an Urgent Treatment Centre. Part of this investment had included additional and relocated visitor parking which had resulted in the interim displacement of 140 staff parking spaces to the Primary Care Centre and off-site. He explained that the relocation of parking spaces was urgently

required for frontline and essential staff on a 24/7 basis. He considered the level of parking was less than would otherwise be required as the spaces would be limited to a total of 1,300 for around 3,000 permit-holding staff. He also referred to initiatives contained in the updated travel plan, including the appointment of a travel plan co-ordinator and further use of the Park and Ride facility to deliver a sustainable travel strategy. He explained that the proposal required the removal of Holm Oaks, planted as part of a previous landscaping scheme but that surveys had indicated that the trees were likely to damage the Listed Villas and the estate road and would not be in harmony with the car park deck structure.

The Development Manager referred to comments made in relation to additional trip generation and explained that the applicant had confirmed that the associated trips would not be additional to the local road network because the additional parking spaces were to meet existing parking demand displaced from elsewhere on-site. He explained that the report on air quality modelling, submitted in support of the application, had included a reference to 255 additional cars for modelling purposes and did not constitute additional trips. This report had concluded that the air quality impact of the scheme would be negligible and this had also been concluded in the health impact assessment. He confirmed that the proposed removal of the Holm Oaks, particularly given the Council's declaration of a Climate Emergency and its recent tree planting initiatives, remained in dispute with the applicants such that the recommendation in the officer report was subject to the need for landscaping matters and the loss of maturing trees, together with other detailed conditions to be satisfactorily resolved prior to the approval of the application.

Members of the Committee sought clarification on whether the proposal would lead to additional parking spaces on-site as well as an associated impact on congestion and referred to the potential detrimental impact on air quality as a result of the loss of maturing trees planted as a requirement of a previous planning application, fully supporting the need for the trees' continued retention to be secured as part of any planning permission. Reference was also made to the very low ratio of car parking spaces allocated for disabled users on the site and the intention not to include any disabled spaces within the proposed scheme, given the likely demand from members of staff.

The Development Manager confirmed that the scheme was providing replacement staff car parking spaces for those which had been displaced for use by visitors but the scheme also provided an additional 155 spaces overall. He confirmed that the site provided a total of 96 dedicated disabled car parking spaces for use by both visitors and staff, representing 5% of the overall total. He also indicated that the applicants had confirmed that disabled spaces could be made available within the ground floor area of the scheme, should the Committee members consider this to a requirement. He explained the Arboricultural Officer's view that the scheme, as proposed, would prejudice the long-term development of the maturing trees and he had remained of this

view despite the submission of further arboricultural evidence by the applicants. He stressed that it would not be possible to conditionally approve the application in its present form, without first securing the retention of the maturing trees which was not possible given the current design solution. He was of the view that officers would need to be given authority to negotiate with the developers to retain the trees, if necessary by means of changes to the design of the car park deck, to facilitate this.

Members of the Committee were of the view that the travel plan proposals needed to be robust such as by means of the greater encouragement of the use of the Park and Ride service, the potential to introduce a shuttle bus facility to enable front line and essential staff to travel to the hospital without being required to make individual travel arrangements and greater emphasis on measures to discourage parking on site such as a reduction in the car park subsidy. The offer from the applicants to include the provision of additional disabled spaces on the ground floor of the scheme was welcomed whilst additional measures to offset the impact of climate change, such as a contribution to the Council's tree planting scheme, was suggested.

One member of the Committee sought clarification on the weight to be given to the Council's declaration of a Climate Emergency in determining the application and regretted the inclusion of a net addition to the total number of parking spaces on-site on the grounds that it would promote an unsustainable level of travel behaviour. Accordingly, the view was expressed that the concept of providing a shuttle bus facility should merit thorough exploration as well as the potential to reduce on-site car parking spaces. In addition, reservations were voiced regarding the robustness of the travel plan, citing the lack of measurable impact of the Severalls travel plans and the need for the travel co-ordinator to be on a full-time basis.

The Development Manager explained that the travel plan contained around 70 proposals which would be conditioned as part of any planning permission, including 12 electric charging points and incentivising the use of public transport and sustainable modes of transport. He confirmed that there were 4,500 staff at the hospital with 1,300 on-site car parking spaces and, as such, significant numbers were using alternative means of travel already. The number of parking permit-holding staff was to be reviewed and he was of the view that the application needed to be considered in the context of wider proposals at the Northern Gateway which was likely to provide growth in sustainable forms of transport. He also explained that the applicant had committed to funding a travel plan co-ordinator to facilitate the delivery of the extensive proposals in the travel plan. He confirmed that a very extensive climate change report had been submitted to support the application which included the issues of climate change and sustainable transport and he considered there was a genuine prospect that the measures contained in the enhanced travel plan would significantly mitigate the impact of staff travelling to work. He further confirmed that the provision of disabled parking spaces within the scheme could be secured either by means of an additional condition or through negotiations regarding the design of the scheme. He acknowledged the geographical comparisons made with

the travel plan for the Severalls development but was of the view that a perceived lack of impact had been due to business interests and fragmented ownership, whilst this travel plan was in the control of a single employer, more able to influence the behaviour of staff and to control the allocation of parking permits and to promote sustainable transport. He explained that there was a duty to determine a planning application in accordance with the Development Plan and that the Climate Emergency declaration was a material consideration, whilst achieving sustainable development was a key provision in the National Planning Policy Framework. However, he considered that the travel plan would lead to a genuine reduction in trip generation and it could also improve the traffic circumstances. He was also mindful of the inevitability that the facilities at Colchester Hospital would grow with increased numbers of patients and visitors and, as such, retaining a level of on-site parking would be a public benefit and would enable the hospital to function efficiently. He also reported that the Environmental Protection Team had raised no objections to the application.

RESOLVED (UNANIMOUSLY) that –

(i) The Assistant Director Place and Client Services be authorised to negotiate amendments to the proposals in order to secure the retention of the maturing Holm Oak trees and the provision of additional disabled car parking on the ground floor level of the decked car park, together with addressing landscape matters, the setting of non-designated heritage assets and the necessary requirements for conditions;

(ii) Once the negotiations referred to in (i) above are satisfactorily concluded, the Assistant Director Place and Client Services be further authorised to approve the planning application subject to the necessary conditions to provide for the following matters:

- Time Limit for Full Permissions
- Development to Accord with Approved Plans
- Construction Method Statement
- Limits to Hours of Work and Deliveries (unless included in the Construction Method Statement)

- Tree Retention (and replacement as necessary)
- Tree Protection
- Archaeology
- Landscaping
- Landscape Management Plan
- Surface Water Drainage Scheme
- Surface Water Drainage Works
- Surface Water Drainage Maintenance and Management
- Bicycle and Motorcycle Parking
- Travel Plan
- Reporting of Unexpected Contamination
- Ecology.

788 192137 Former Pharmacy, Abbey Field Medical Centre, Ypres Road, Colchester

Councillor Davidson (by reason of his use of the Abbey Field Medical Centre) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

Councillor Hazell (by reason of her use of the Abbey Field Medical Centre) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5). She further confirmed that, although she had called in the application for consideration by the Committee, she had done so, stating the views expressed to her by residents, she had not expressed a view on the application herself and had not pre-determined the application.

Councillor G. Oxford (by reason of his use of the Abbey Field Medical Centre Pharmacy) 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 for the Change of use and minor remodelling works to accommodate Colchester Foodbank Centre at the former garrison medical centre store, Abbey Field Medical Centre, Ypres Road, Colchester. The application had been referred to the Committee because it had been called in by Councillor Hazell.

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.

Alistair Day, Planning Specialists Manager, presented the report and assisted the Committee in its deliberations. He explained that officers had been advised that the conversion of the medical reception store to a foodbank would enable the Abbey Field Medical Centre to convert the internal landscaped courtyard area for additional car parking and the Foodbank had obtained agreement for the use of three parking spaces in this area in addition to the two proposed on the application site itself.

David Brazington 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 residents of Churchill Gate and stated that he was not unsupportive of Foodbanks but was concerned about the location of the site which he considered to be unsafe. He explained that the surrounding roads were very narrow, insufficient for existing traffic whilst on-street parking was creating problems for residents accessing their own homes. As there were no passing places, vehicles were using

pavements and undertaking dangerous manoeuvres, putting pedestrians at risk. He considered the proposal to be contrary to highway safety policies and would accentuate existing parking problems, with high potential for accidents and congestion. He expressed surprise at the withdrawal of the original objection to the proposal by the Highway Authority as he considered it to be harmful and detrimental to the nearby road network, residents and pedestrians.

Sir Bob Russell addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He explained that he was the Patron of Colchester Foodbank and Trustee of the Foodbank Charity. He considered there was a growing need for a Foodbank and the ownership of a building, as opposed to renting, was deemed beneficial financially for the charity. He referred to the lack of material planning considerations to refuse the application, whilst acknowledging the comments from residents about local parking issues. He was of the view that these issues would not be exacerbated by the proposal as it was anticipated that vehicle movements would be two per hour for six hours each day. He was also of the view that other uses of the premises, not requiring planning permission, would generate considerably more traffic. He confirmed that parking for volunteers was available five minutes' walk away at a local business site. He explained that a satellite distribution centre had been opened in Greenstead, premises in North Station Road had been donated for use as alternative Foodbank outlet as well as a warehouse for storage. He referred to the historic connections of the building, although not in a good condition or attractive visually and he considered the proposal would bring improvements to the building. He considered the concerns about traffic problems needed to be addressed but that this was a separate issue to the consideration of the planning application.

The Specialist Planning Manager explained that the original objection from the Highway Authority was on the grounds of lack of parking and potential for indiscriminate parking. However, the Council's parking standards were maximum ones and, as such, the proposals did not conflict with these standards. He stated that the recommendation for a two-year permission would enable the Foodbank to monitor traffic movements and, if significant congestion or highway safety problems materialised, then this would be taken into account by the Highway Authority when considering a future application to extend the use at the site. He also confirmed that there was an extant permission for medical centre use which could be put into operation at any time and would generate more traffic than use as a Foodbank. He confirmed that the current base was at Moorside which benefitted from five car parking spaces, whilst the proposed site would operate in conjunction with two satellite sites at North Station and Greenstead. The proposed site would benefit from two spaces with potential for further spaces if cars parked tandemly. Other arrangements may come to fruition from opportunities nearby. This was therefore considered more than sufficient, given no problems had been reported at Moorside.

Members of the Committee fully supported the aspirations and benefits of the Foodbank

to the community whilst concerns from residents about traffic congestion were acknowledged. The proposed revised operating hours and proposed parking provision was generally considered to be adequate given the number of expected trips by car to the building. The revision of the application to provide for a temporary two-year permission was welcomed, in order to give consideration to the concerns of residents.

One member of the Committee was considerably concerned about the traffic generated from the Medical Centre and Pharmacy and the congestion and excessive on-street parking in the area as a consequence. Concern was also expressed regarding the anticipated number of visitors attending the proposal, together with the parking arrangements proposed for volunteers and whether the volunteers would adhere to these arrangements. Clarification was sought regarding the potential for parking to be made availability for residents at the Medical Centre when it was not open to the public and regarding the monitoring arrangements in relation to traffic movements.

The Specialists Planning Manager explained that the Highway Authority had originally objected to the proposal on parking grounds but this objection had been removed once the parking standard criteria had been clarified. He explained that the projected trip rate to the building had been based solely on the use of the facility at Moorside whilst the proposed building would be used in conjunction with two satellite sites. As such he was of the view that the proposed parking provision would be adequate. Nevertheless, a two-year permission had been promoted to provide the Highway Authority with additional reassurance regarding the potential to address any problems that may arise from the Foodbank using the building in the future. It was intended that the Foodbank would monitor and record the number of people visiting the site and their modes of transport which could then be used as evidence to support a permanent application. He explained that there was a proposed condition to provide for a travel plan and the applicant had advised that an agreement had been reached for staff parking to be used at the nearby Britannia Public House as well as three spaces in the proposed new internal parking courtyard. He explained that the proposed hours of use had been revised to provide for the operation of the Foodbank on Wednesdays to be extended from 2pm to 5:45pm, with closure of the building at 6pm. He also observed that the opening hours proposed would be considerably less than a medical centre use of the building. He also confirmed that any refusal of an application on highway grounds was required to demonstrate a severe impact on the highway network and that the advice of officers had been the proposal would not have a severe impact.

Another member of the Committee referred to options to travel to the site other than by car, pointing out the five nearby bus stops and footpaths in the vicinity of the building which would provide adequate mitigation of car travel. He also commented that there was a public car park at Napier Road, 0.5 miles away from the site.

RESOLVED (FIVE voted FOR, TWO voted AGAINST and TWO ABSTAINED) that the application be approved subject to the conditions set out in the report and the

amendment sheet.

789 193009 83 Apprentice Drive, Colchester

The Committee considered a planning application for an electric roller garage door (and motor) fixed to applicant's property to the front of carport, in accordance with and as advised by Crocodile, the purpose of the installation to provide security for the family members (children) and to restrict access to the rear of the property at 83 Apprentice Drive, Colchester. The application had been referred to the Committee because the applicant was a member of staff at Colchester Borough Council.

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.