

Planning Committee

Thursday, 19 November 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)

Substitutes: Councillor Barrie Cook (for Councillor Jo Hayes)

Also in attendance: Councillor Buston

237 Victims of Paris Shootings

The Committee observed a minute's silence in acknowledgement of those killed and injured in the shooting incidents in Paris on Friday, 13th November 2015.

238 151755 St Nicholas House, High Street, Colchester

The Committee considered an application for the formation of a new High Street entrance lobby, conversion and change of use of vacant first and second floor ancillary retail accommodation creating 15 residential apartments, construction of new third storey to provide 4 residential apartments and associated external works to the existing rear parking area at St Nicholas House, High Street, Colchester. The application had been referred to the Planning Committee because it is a major application, in response to which, objections had been received and a Section 106 legal agreement was required. 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.

239 151993 3 Highfield Drive, Colchester

The Committee considered an application for a two storey side extension at 3 Highfield Drive, Colchester. The application had been referred to the Planning Committee as a result of a call in by Councillor Buston. The Committee had before it a report in which all the information was set out.

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

deliberations.

Louise Smith addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. She explained that residents of Highfield Drive were against the application on the grounds of planning history, previous planning decisions, overdevelopment likely to be discordant with its environment and failure to enhance the quality of the area. She was concerned that given the previous applications the aim to create a separate dwelling would remain, especially given an additional external door on the extension. She suggested that the application should have additional conditions including a reduction in the size and bulk of the extension as per previous application 111460 to prevent it from being used as a separate dwelling, and that the doorway on the side of the property be completely removed.

Councillor Buston attended and, with the consent of the Chairman, addressed the Committee. He echoed the comments from Louise Smith and acknowledged that the site had had a long and chequered planning history, to the extent to which local residents do not share the confidence that the application will remain as stated. He noted the removal of the porch, but stated that the main concern for the residents was removing the external door.

The Planning Officer confirmed that the history of the application is not a material consideration, and a new dwelling is not what is being applied for; any changes to make it a separate dwelling would be a breach of condition. The Planning Officer confirmed that the removal of the external door was requested, but was declined by the applicant; a request to remove the porch was accepted. In response to the size of the development, this was deemed to be an acceptable size; to make the development smaller would be unreasonable to implement by condition, and had been approved previously by Committee members. The application is also deemed not to have a detrimental impact on the street scene.

Members of the committee sympathised with the views expressed by the objector, particularly given the history of the planning applications and attempts to create a separate dwelling.

Some members of the Committee were concerned about the possibility that the application could be turned into a separate dwelling and questioned whether a condition could be made to remove the side door or restrict the type of door used. Other Committee members questioned whether the Planning team would be able to monitor the development for breaches in the conditions set.

In response to specific questions the Planning Officer confirmed that officers believe that retaining a side door, with the condition that the application does not become a separate dwelling, is reasonable. With regard to the type of door installed the Planning Officer stated that a condition to restrict the type of door could be appealed and difficult to

justify.

RESOLVED (TEN voted FOR, ONE voted AGAINST and ONE ABSTAINED) that the planning application be approved subject to the conditions set out in the report.

240 151946 44 Blue Road, Tiptree

The Committee considered an application for a proposed rear single storey extension to existing dwelling at Blue Road, Tiptree. The application had been referred to the Planning Committee because the applicant is an employee of Colchester Borough Council. 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.

241 152075 Bear House, 40 Chitts Hill, Colchester

The Committee considered an application for a proposed two storey rear extension at Bear House, 40 Chitts Hill, Colchester. The application had been referred to the Planning Committee because the agent works for the Council on a consultancy basis. 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.