

Planning Committee

Thursday, 19 October 2017

Attendees: Councillor Pauline Hazell, Councillor Theresa Higgins, Councillor Brian Jarvis, Councillor Cyril Liddy, Councillor Derek Loveland, Councillor Jackie Maclean, Councillor Philip Oxford, Councillor Chris Pearson

Substitutes: Councillor Nick Cope (for Councillor Lyn Barton), Councillor Dominic Graham (for Councillor Helen Chuah)

Also Present:

526 Site Visits

Councillors Cope, Hazell, Higgins, Jarvis, Liddy, Loveland and J. Maclean attended the site visits.

527 Minutes

There were no minutes for confirmation at the meeting.

528 151004 16 Crouch Street, Colchester

The Committee considered an application for the conversion and provision of an addition to the roof of the front range of the former cinema to create eleven apartments and the demolition of the auditorium and the erection of a new building to provide 46 one and two bed apartments, the refurbishment of two existing retail units (A1 retail use) and the creation of 28 basement car parking spaces at 16 Crouch Street, Colchester. The application had been referred to the Committee because objections had been received to the proposals and the viability of the scheme was such that it could not afford to fund the Section 106 contributions that had been requested to mitigate the impact of the development. 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.

Alistair Day, Principal Planning Officer, presented the report and assisted the Committee in its deliberations. He confirmed that representations were still awaited from the Theatre Trust and, as such the amendment sheet had included an amended recommendation to reflect this.

Robert Pomery addressed the Committee pursuant to the provisions of Planning

Committee Procedure Rule 8 in support of the application. He explained that the proposal had been a challenge to deliver as the site was a difficult one with a number of constraints and he had not been surprised that the building had been empty for around 13 years. The main difficulty was that the site had heritage value and it was located in a conservation area which meant that aspects of the building needed to be preserved. To achieve this the architecturally designed front range had been incorporated into the final scheme. He also considered that the design of the replacement building would actually enhance the surrounding street scene. The site was significantly constrained and it had taken time to make the viability of the scheme work and he was of the view that this may yet prove challenging. He was confident that the rejuvenated shop fronts would enhance the street scene and he confirmed that the proposal accorded well with planning policy requirements.

Members of the Committee welcomed the proposal on the basis of the imaginative design, the enhancement of the area and the benefits to the other shops in the street. The work undertaken by officers working with the developer was fully supported. In particular the retention of the façade was fully supported and the design of the scheme was commended. Concern was nevertheless expressed in relation to the scheme's viability and its inability to deliver an affordable housing contribution as part of the Section 106 obligations. Clarification was sought in relation to the car parking space allocation, potential for contributions towards enhancement of cycle way facilities and the mitigation measures proposed in relation to the night time economy noise disturbance.

The Principal Planning Officer explained that the scheme was eligible for Vacant Building Credit, making use of changes in the National Planning Policy Framework to the way that affordable housing contributions could be sought where a vacant building was brought back into use or demolished and replaced by a new building. He also referred to the viability and development obligations and explained that there was a difference of opinion regarding the bench mark land values and build costs and, as such, it was proposed to carry out further viability review once build tender prices were known and likely sales values could be assessed and to use the Council's consultant bench mark land value. If it was determined that the scheme was viable it was recommended that the Section 106 contributions be allocated first to the identified local open space scheme at Hilly Fields and strategic recreational facilities and then to education schemes. He confirmed that any improvements to the local cycle paths were likely to require a significant financial contribution which would not be within the scope of this proposal. The application had been subject to a noise assessment and a condition had been included to provide for specified noise insulation to windows and floors. In terms of parking spaces, the site was in a very sustainable location and the developer had been able to exploit the excavation within the former cinema building in order to deliver a number of spaces, as such, the scheme was policy compliant.

RESOLVED (UNANIMOUSLY) that, subject to no objection being received from the Theatres Trust (or comments that could not be satisfactorily addressed through

amended plans or additional condition(s), the Assistant Director Policy and Corporate be authorised to approve the planning application subject to the conditions set out in the report and the amendment sheet 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, in the event that the legal agreement is not signed within six months, authority be delegated to the Assistant Director Policy and Corporate to refuse the application, or otherwise to be authorised to complete the agreement to cover an updated viability appraisal and potential contributions in relation to open space and education facilities.

529 172172 Castle Park, High Street, Colchester

The Committee considered an application for the development of a Christmas attraction for Colchester including temporary structures and incorporating vintage rides, side stalls and other attractions - set – up on 18 November 2017, event operating from 25 November 2017 to 7 January 2018 (maximum, likely to be less) and site clearance on 10 January 2018 at Castle Park, High Street, Colchester. The application had been referred to the Committee because the Council was the applicant. 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 and the amendment sheet.

530 171933 Alexander Cleghorn Ltd, Newbridge Road, Tiptree, Colchester

The Committee considered an application for the demolition of existing office buildings and canteen, provision of a new service road including junction to the highway, erection of a new two-storey office building and new one-storey staff canteen with associated car parking external works at Alexander Cleghorn Ltd, Newbridge Road, Tiptree Colchester. The application had been referred to the Committee because it was a major application and had received material objections. The Committee had before it a report 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, determination of the application be deferred pending the resolution of Sustainable Drainage System matters, following such successful resolution, authority be delegated to the Assistant Director Corporate and Policy to approve the application subject to the conditions set out in the report and the amendment sheet.

531 172233 and 182234 Holly Cottage, Straight Road, Boxted, Colchester

Councillor J. Maclean, on behalf of the members of the Conservative Group (in

respect of their acquaintance with the applicant) declared a non-pecuniary interest pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Committee considered a planning application and listed building consent for the raising of the existing chimney stack to 1.8 metres above the thatch and the replacement of the existing casement window in the end elevation at Holly Cottage, Straight Road, Boxted, Colchester. The application had been referred to the Committee because the applicant was a councillor. The Committee had before it a report in which all information was set out.

RESOLVED (UNANIMOUSLY) that the planning application and listed building consent be approved subject to the conditions set out in the report and the amendment sheet.