

PLANNING COMMITTEE 12 DECEMBER 2013

Present :- Councillor Theresa Higgins* (Chairman)
Councillors Peter Chillingworth*, Helen Chuah*,
Stephen Ford, Cyril Liddy*, Jackie Maclean*,
Jon Manning, Philip Oxford* and Laura Sykes*
Substitute Member :- Councillor Brian Jarvis for Councillor Sonia Lewis

(* Committee members who attended the formal site visit.)

93. Minutes

The Minutes of the meeting held on 31 October 2013 were confirmed as a correct record subject to the following amendment:

Minute Reference No. 81

(i) That the resolution be altered to:

“*RESOLVED* that –

(i) The Committee were minded to refuse the applications (THREE voted FOR, SEVEN voted AGAINST a proposal to accept the application) due to the unacceptable impact incurred on a Heritage Asset in a Conservation Area; and

(ii) The Delayed Decision Protocol be invoked (NINE voted FOR, ONE voted AGAINST) and the detailed reasons for refusal of the applications be submitted to a future meeting of the Committee for determination.”

Councillor L. Sykes (in respect of her position as a Colchester Borough Homes board member) declared a non-pecuniary interest in the items at Minute Reference 86, 87, 89, 90 and 91 pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Minutes of the meeting held on 14 November 2013 were confirmed as a correct record subject to the following amendment:

(i) That the sentence “*Committee members who attended the formal site visit.” be removed.

94. 131863 Asda Supermarket, 25 Church Road, Tiptree

The Committee considered an application for the variation of condition 2 of planning permission 121668 to amend the hours of opening of Asda Supermarket, 25 Church Street. The proposed variation in the hours of use was 06:00 to 24:00 (midnight) Mondays to Saturday. It was proposed Sunday trading remained unaltered. The Committee had before it a report and amendment sheet in which all the information was set out.

RESOLVED (UNANIMOUSLY) that the application be approved, subject to the conditions set out in the report.

95. 132157 30-32 Berechurch Road, Colchester

The Committee considered an application for the change of use of 30-32 Berechurch Road from shop store to form an additional house in multiple occupancy (HMO) bedsit. The Committee had before it a report in which all the information was set out.

RESOLVED (UNANIMOUSLY) that the application be approved, subject to the conditions set out in the report.

96. 132144 1 Hawthorns, The Retreat, Glebe Lane, Abberton

The Committee considered an application for a single storey room extension to 1 Hawthorns, The Retreat, Glebe Lane, Abberton. The Committee had before it a report in which all the information was set out.

RESOLVED (UNANIMOUSLY) that the application be approved, subject to the conditions set out in the report.

97. 131977 The Gilbert School, Brinkley Lane, Colchester

The Committee considered an application for a proposed new Sports Hall at The Gilbert School with ancillary accommodation including changing and storage. 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.

Ms Lucy Mondon, Planning Officer, presented the report and assisted the Committee in its deliberations.

Councillor G. Oxford attended the meeting and, with the consent of the Chairman, addressed the Committee. If Essex County Council was to propose an increase or alteration to a school, he believed that there should be a Section 106 Legal Agreement to allocate a sum of money to pedestrian safety. If this was not done, problems would arise at a later date and money would have to be provided to fix those problems. He accepted that this was not relevant to the application before the Committee tonight but would be relevant to future applications.

The Committee welcomed the proposal, stating that sports facilities were essential for young people.

It was explained by the Planning Officer that in relation to applications to extend the school, the Highways Authority had made several recommendations. No comment had been made on the application being discussed tonight. It was also explained that conditions were proposed requiring details of external lighting to be submitted to the Council and that all lighting be switched off when not in use.

RESOLVED (UNANIMOUSLY) that the application be approved, subject to the conditions set out in the report.

98. 131728 St Helens, Ferry Road, Fingringhoe

The Committee considered an application for the retention of the existing covered storage lean to at St Helens, Ferry Road, a replacement staircase to the existing first floor office, balcony guard rails and balustrade together with the installation of privacy screens with the change of use of the former hay loft to a home office. 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.

Ms Lucy Mondon, Planning Officer, presented the report and assisted the Committee in its deliberations.

Ms Karen Walden-Smith addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. She owned the property, Fenders, which neighboured the application site. She objected to the guard rails erected around the flat roof. She suggested that the Officer report was incorrect and that the use of the flat roof was not continued, as the roof had previously been dilapidated and without access. She believed that the proposal resulted in significant overlooking to the bottom of her garden, which had previously been a private area. She further suggested that the 'viewing area' served no purpose and that the plant screen proposed was unfeasible.

It was explained by the Planning Officer that there had always been a door leading to the flat roof area and that no planning permission would have been required to repair the roof and use it without the guard rails. The proposed relocation of the guard rails and plant screens lessened the overlooking that would otherwise result.

The Committee felt that the applicant had done all that was reasonable to prevent any overlooking to the neighbouring properties. As the flat roof could be used irrespective of the presence of guard rails, it was considered to be a more agreeable solution than removing the guard rails entirely because less overlooking would occur.

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