

PLANNING COMMITTEE
12 APRIL 2012

Present :- Councillor Ray Gamble (Chairman)
Councillors Peter Chillingworth, John Elliott,
Stephen Ford, Peter Higgins, Theresa Higgins,
Sonia Lewis, Jackie Maclean, Jon Manning,
Philip Oxford and Laura Sykes

Substitute Member :- Councillor Nigel Chapman
for Councillor Christopher Arnold

(The Committee did not undertake any formal site visits.)

135. 120321 Colchester Mercury Theatre, Balkerne Passage, Colchester, CO1 1PT

The Committee considered an application for a replacement roof covering and replacement windows on The Mercury Theatre. The Committee had before it a report in which all information was set out.

RESOLVED (UNANIMOUSLY) that the application be approved with conditions and informatives as set out in the report.

Councillor Jackie Maclean (in respect of her business association with the applicant's company) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

136. 120270 100 Coast Road, West Mersea, CO5 8NA

The Committee considered an application for the removal or variation of Condition 2 of planning approval 111470 to allow minor material changes to onsite construction details. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

RESOLVED (UNANIMOUSLY) that the application be approved with conditions and informatives as set out in the report, see also Amendment Sheet.

137. 120352 11 Campbell Drive, Colchester, CO4 0JN

The Committee considered an application for a proposed single storey rear addition. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

RESOLVED (UNANIMOUSLY) that the application be approved with conditions and informatives as set out in the report, see also Amendment Sheet.

138. Proposed Variation to Section 106 Legal Agreement // Grove Road, Tiptree

The Head of Environmental and Protective Services submitted a report in respect of a variation of the terms of a Section 106 Legal Agreement attached to the planning permission for residential development on land off Grove Road, Tiptree. The Legal Agreement as written required land which had been allocated for the purpose of a cemetery and currently under the ownership of the developer of the site, to be transferred to Colchester Borough Council. The proposed variation would allow the transfer of land direct to Tiptree Parish Council, thereby avoiding the requirement for the land to be transferred twice. The Committee had before it a report in which all information was set out.

Sue Jackson, Principal Planning Officer, attended to assist the Committee in its deliberations. She confirmed that other than the variation described in the report, there were no other changes to the Section 106 Legal Agreement.

A member of the Committee referred to the Borough Council benefitting from the proposed action because it would not be liable for any on-going costs yet the Borough Council had not offered any financial assistance in respect of the fees for the transfer of the land, for which Tiptree Parish Council would be responsible. However, members of the Committee were aware that this matter was not a planning consideration.

RESOLVED (UNANIMOUSLY) that the proposed variation to the Section 106 Legal Agreement be approved for the purpose set out above.