

**PLANNING COMMITTEE
28 APRIL 2011**

Present :- Councillor Ray Gamble (Chairman)
Councillor Helen Chuah (Deputy Mayor)
Councillors Peter Chillingworth, John Elliott,
Theresa Higgins, Jackie Maclean, Jon Manning,
Philip Oxford and Ann Quarrie

Substitute Members :- Councillor Christopher Arnold
for Councillor Andrew Ellis
Councillor Michael Lilley for Councillor Stephen Ford
Councillor Barrie Cook for Councillor Laura Sykes

Also in Attendance :- Councillor Henry Spyvee

(* There were no site visits for this meeting.)

216. 110503 Tubswick, Mill Road, Colchester, CO4 5LD

This application was withdrawn by the applicant/agent.

217. 110314 222 St Andrews Avenue, Colchester, CO4 3AG

The Committee considered an application for the erection of a two storey side extension. 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.

218. 110523 33 Barrack Street, Colchester, CO1 2LL

The Committee considered an application for a change of use of the ground floor from a bookmakers, Class A2, to an office, Class B1. 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 and a reworded Condition 6 on the Amendment Sheet.

Councillor Ray Gamble (in respect of his former acquaintance with the public speaker, Peter Evans) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

219. 102070 3 Roman Road, Colchester, CO1 1UR

The Committee considered an application for the conversion of an existing three bedroom house into two one bedroom flats and insertion of a new conservation roof light to the rear elevation. The Committee had before it a report in which all information was set out.

David Whybrow, Principal Planning Officer, attended to assist the Committee in its deliberations. He referred to the basement flat which did not benefit from a planning permission but there was evidence that it had been a separate unit since the 1980s/1990s and as such was an established use. He also referred to the parking situation. However, it was considered that the conversion would not generate any additional requirement for parking spaces above the current requirement for two parking spaces for the house, thus the status quo was maintained. This was considered to be a sustainable location and under such circumstances the parking standard could be relaxed where frequent public transport was available with pedestrian and cycle links and opportunities for food shopping, education, healthcare, recreation and employment. He also referred to the house having two parking permits which could be allocated one for each flat.

Peter Evans addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He had lived in Roman Road for 29 years and was a member of the residents' association. He was concerned about the parking situation in the area which was at a chronic situation. The number of permits issued far exceeded the number of parking spaces and in the evening there were no spaces available. Any increase in parking permits would put pressure on the parking available and he asked the Committee not to grant permission.

Councillor Spyvee attended and, with the consent of the Chairman, addressed the Committee. There were one hundred and thirteen parking permits for seventy-four parking spaces. Most people had only one car per family; nineteen percent had no permits and fourteen percent had two permits. This site has two permits and a unilateral undertaking was proposed to allow one parking permit per unit which was a pragmatic solution to the situation. The parking situation would not change for the existing basement flat. He asked the Committee to refer policy DP11 to the Local Development Framework Committee to review as this situation occurred elsewhere in the town centre and needed to be addressed. Conversion of the building would result in three flats which all required some amenity space under policy DP16.

Members of the Committee expressed sympathy for the residents, but they were aware of the parking problems in the area, and as far as planning was concerned the Committee could do nothing about the situation. However, they were aware of the unilateral undertaking and agreed that the Local Development Framework Committee should be asked to look at the situation. They acknowledged that possession of a permit did not guarantee a parking space within an area. There were also concerns regarding the availability of school places, although the development of one bedroom flats was unlikely to generate a demand for primary school places.

The planning officer explained that although the amenity space requirement of 25 square metres per flat was not met in this instance, the site was in close proximity to the quality open space of Castle Park, and a range of amenities was available in the town centre. It was considered that the conversion would not lead to a worsening of the situation.

RESOLVED (MAJORITY voted FOR) that –

- (a) Consideration of the application be deferred for completion of a legal agreement under Section 106 of the Town and Country Planning Act 1990 to provide for a Unilateral Undertaking to ensure that the two proposed flats can only apply for one residential car parking permit for each flat.
- (b) Upon receipt of a satisfactory legal agreement, the Head of Environmental and Protective Services be authorised to grant consent with conditions and informatives as set out in the report.
- (c) The case officer to refer the matter to the Local Development Framework Committee for consideration of Policy DP11(iii) in relation to flat conversions in areas where off street parking was unavailable especially where a parking permit system operates.