

**COLCHESTER BOROUGH COUNCIL
PLANNING COMMITTEE
25 August 2011 at 6:00pm**

SUPPLEMENTARY AGENDA

Part A

(open to the public including the media)

Pages

10. Amendment Sheet

128 - 134

See Amendment Sheet attached.

AMENDMENT SHEET

Planning Committee
25 August 2011

AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

7.1 110983 - Hallfields Farm, Manningtree Road, Dedham

This application has been called in by Councillor Garnet due to the level of support and objection from local residents.

Ward Councillor's Notes resulting from his "call in" of the above application.

1. Compliment all the Officers responsible for the 21 page report especially the Case Officer, Ms Sue Jackson.
2. The site is important as it is on a busy road into the Village and previous applications have acknowledged this fact and permissions were granted for small developments within the farmyard curtilage.
3. This outline application gives scant information and one can only assume from the site plan that this development has a strong urban flavour out of keeping with either a farmyard or the village character.
4. Nearby affordable housing provides community benefit (the Surgery) and local needs in Constable Cottages. These two sites are complimented by disabled affordable accommodation and one site of affordable accommodation on Long Road, Dedham. This represents 15 units from 27 units built in the Ward.
5. All these sites were prepared after proper checks carried out by the Housing Associations involved and an independent body (Rural Housing Enabler for Essex).
6. All current affordable housing is administered by a RSL, and closely follows the policies laid down in the Core Strategy and elsewhere.
7. The Applicant/Parish Council figures appear from the Village Design Statement and the Parish Plan. These indicate local wishes but lack substance.
8. Reason for refusal is clearly laid out showing that this application is contrary to the Core Strategy and Government advice.

9. The report is largely based on the policies in the absence of much detail on the outline application. Were these omissions overcome then it would be simpler to review the application in a more favourable light.
10. Therefore I commend the report and support the Officers recommendation for refusal.

One additional letter of objection has been received but no new issues are raised.

Late letter received from Highway Authority – see attachment

7.2 110023 – Land to west of 21 Regent Street, Rowhedge

Additional conditions added:

Additional drawings that show details of proposed new windows, doors, eaves, verges and cills to be used, by section and elevation, at scales between 1:20 and 1:1 as appropriate, shall be submitted to and approved by the local planning authority in writing, prior to commencement of any works. The development shall be implemented in accordance with the approved additional drawings.

To ensure that the windows have an appearance appropriate to the character of the building and the surrounding area.

All external joinery shall be coloured white and where glazing bars are to be used they shall be affixed to the external face of the glass unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development has a visually satisfactory appearance appropriate to the architectural character of the buildings.

7.5 110751 – Former Adult School and Canteen, Le Cateau Road, Colchester

The Council's Arboricultural Planning Officer has confirmed that he is satisfied with the additional information submitted by email on Monday 15 August 2011 relating to the proposed construction and its relationship / impact on the nearby trees and has recommended the following conditions:

The construction shall take place solely in accordance with the terms of the Methodology Statement received at 10:26am on 15th August 2011, which forms part of this permission, and no other works shall take place that would effect the trees unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the continuity of amenity afforded by existing trees.

C10.15 Tree & Natural Feature Protection: Protected

No work shall commence on site until all trees, shrubs and other natural features shown to be retained on the approved plans, are safeguarded behind protective fencing to a standard to be agreed by the Local Planning Authority (see BS 5837). All agreed protective fencing shall be maintained during the course of all works on site. No access, works or placement of materials or soil shall take place within the protected area(s) without prior written consent from the Local Planning Authority.

Reason: To safeguard the continuity of amenity afforded by existing trees

C10.16 Tree & Natural Feature Protection: Entire Site

No burning or storage of materials shall take place where damage could be caused to any tree, shrub or other natural feature to be retained on the site or on adjoining land (see BS 5837).

Reason: To safeguard the continuity of amenity afforded by existing trees

C10.18 Tree and Hedgerow Protection: General

All trees and hedgerows on and immediately adjoining the site shown on the approved plans to be retained shall be protected from damage as a result of works on site, to the satisfaction of the local Planning Authority in accordance with its guidance notes and the relevant British Standard. All existing trees to be retained shall be monitored and recorded for at least five years following contractual practical completion of the approved development. In the event that these trees and/or hedgerows (or their replacements) die, are removed, destroyed, fail to thrive or are otherwise defective during such a period, they shall be replaced during the first planting season thereafter to specifications agreed in writing with the local Planning Authority. Any tree works agreed to shall be carried out in accordance with BS 3998.

Reason: To safeguard the continuity of amenity afforded by existing trees

and

No works or development shall take place until a scheme of supervision for the arboricultural protection measures required by conditions as set out in this decision notice have been approved in writing by the local planning authority. This scheme will be appropriate to the scale and duration of the works and will include details of:

- a. Induction and personnel awareness of arboricultural matters
- b. Identification of individual responsibilities and key personnel
- c. Statement of delegated powers
- d. Timing and methods of site visiting and record keeping, including updates
- e. Procedures for dealing with variations and incidents.
- f. The scheme of supervision shall be carried out as agreed.

g. The scheme of supervision will be administered by a qualified arboriculturist instructed by the applicant and approved by the local planning authority.

Reason: To safeguard the continuity of amenity afforded by existing trees

The above conditions replace the tree conditions set out in the recommendation.

Other amendments to the proposed planning conditions:

Condition 4

The wording of condition 4 is amended to include: viii access and exist arrangement by construction, site operative and visitor vehicles.

Conditions 15 and 16 as set out in the report are replaced with:

15. Prior to the commencement of development details of the temporary scheme for the storage and collection of refuse and recycling shall be to submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to the occupation of the building and shall be maintained to the satisfaction of the Council until such time that permanent facilities (approved under condition 16) have been brought into use at which time the temporary storage facilities shall be removed and the land made good to the satisfaction of the Council.

Reason: To ensure that adequate temporary arrangements are made for refuse and recycling storage and collection.

16. Prior to the occupation of the building, details of the permanent scheme for the storage and collection of refuse and recycling shall to be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented within six months of the substantial completion of the new road providing access to this building and shall thereafter retained as such to the satisfaction of the Council.

Reason: To ensure that adequate temporary arrangements are made for refuse and recycling storage and collection.

Condition 18 is amended to exclude the words “(in consultation with the Director of Environmental Services)”.

Condition 20 is amended to exclude the words “of the operation”

Your Ref:
Our Ref: ESH/SPD/AG/110983
Date: 25th July 2011



Essex County Council

CC:

Robert Overall
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Recommendation

Application No.	110983
Applicant	The Owner and/or Occupier
Site Location	Hallfields Farm, Manningtree Road, Dedham, Colchester
Proposal	Outline application for demolition of existing buildings and erection of thirteen dwellings.

This recommendation supersedes the recommendation of refusal issued to Colchester Borough Council on 11th August 2011.

There have been a number of applications and developments along Manningtree Road in recent years which have increased traffic volumes in this quiet rural environment; these have included housing, business parks, and medical facilities. Manningtree Road is a narrow country lane and a development of thirteen houses in this location would increase private vehicle levels in an area where there are limited services and irregular public transport facilities. However following receipt of additional information from Intermodal Transportation on 15th August 2011 the Highway Authority would not wish to raise an objection to the above application subject to the following:

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

1. Before development commences, the provision of:

- a. adequate turning and off loading facilities for delivery /construction vehicles within the limits of the site
- b. an appropriate construction access
- c. an adequate parking area clear of the highway for those employed in developing the site
- d. wheel cleaning facilities

The aforementioned provisions to be provided at commencement of development and maintained during the period of construction. Details to be submitted to and agreed in writing with the Local Planning Authority and implemented.

Reason: In the interests of highway safety

2. Before development commences details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

3. Before occupation of any dwelling the provision of an access formed at right angles to Manningtree Road, to include:

- a. Visibility splays with dimensions of 2.4m by 60m to the west and 2.4m by 87m to the east, as measured from and along the nearside edge of the carriageway, such visibility splays shall be retained free of any obstruction in perpetuity
- b. 6m junction radii together with a carriageway width of 5.5m
- c. A pedestrian link measuring not less than 2m width to exit the development opposite the existing footway to the north of Manningtree Road serving the Health Centre, to include dropped kerb crossing facilities on both sides of Manningtree Road and appropriate visibility splays.
- d. Width improvements to Manningtree Road along the site frontage to form an appropriate transition to existing road widths to the east and west of the site.

Details to be submitted to and agreed in writing with the Local Planning Authority in consultation with the Highway Authority, prior to commencement of development.

Reason: To provide highway safety and adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access.

4. Before development commences details of the estate roads and footways to accord with the Essex Design Guide (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety, efficiency and accessibility.

5. Before occupation of any dwelling the parking provision for cars, cycles and powered two wheelers should accord with the requirements of the Parking Standards Design and Good Practice guide dated September 2009 unless otherwise agreed by the Local Planning Authority. Details to be submitted to and agreed in writing with the Local Planning Authority and implemented.

Reason: In the interests of highway safety, efficiency and accessibility

6. Before occupation of any dwelling the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for

sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. Details to be submitted to and agreed in writing with the Local Planning Authority and implemented.

Reason: In the interests of promoting sustainable development and transport

Note: Via S.106 or Unilateral Undertaking

The above measures are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1, GEN2, GEN6 and GEN8.

Informative:

- I. The above requirements should be imposed by way of negative planning conditions or a planning obligation.
- II. All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made to the Essex County Council on 0845 603 7631.
- III. Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
- IV. The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/ pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.
- V. The Travel Information and Marketing Scheme pack can be provided by the developer but will require approval from Essex County Council, alternatively packs are available to purchase for £20 each from Essex County Council, vouchers are an additional cost. The developer should liaise with Essex County Council Sustainable Travel Team. The packs should form an obligation within the Section 106 agreement.



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PLANNING COMMITTEE
25 August 2011 at 6:00pm**

SUPPLEMENTARY AGENDA

Part B

(not open to the public or the media)

Pages

There are no Section B Items