

PLANNING COMMITTEE 9 SEPTEMBER 2010

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

Substitute Member :- Councillor Terry Sutton for Councillor Andrew Ellis*

Also in Attendance :- Councillor Dave Harris

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

77. Minutes

The minutes of the meeting held on 26 August 2010 were confirmed as a correct record.

78. 101253 The Oaks Hospital, Oaks Place, Colchester, CO4 5XR

The Committee considered an application for a single storey extension to the consultants suite, a single storey extension for a replacement physiotherapy department and a single storey corridor link in the courtyard, together with seven additional car parking spaces and other minor works. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

Sue Jackson, Principal Planning Officer, attended to assist the Committee in its deliberations. She referred to a section of the boundary adjacent to Hakewill Way and Hutley Drive which the ward councillor, Councillor Goss, considered suitable for fencing and/or planting on the grounds that the activity in that area was taking place twenty-four hours a day.

Members of the Committee were sympathetic to the needs of residents in the location identified but were mindful that some residents may not wish to have fencing imposed upon them. The planning officer confirmed that it would be possible to word an appropriate condition to require a boundary treatment scheme to be agreed in consultation with Myland Parish Council so that any residents who were content with the current boundary treatment would not be required to have the fencing imposed upon them.

RESOLVED (UNANIMOUSLY) that the application be approved with conditions and informatives as set out in the report, on the Amendment Sheet and an additional condition regarding a boundary treatment scheme adjacent to Hakewill Way and Hutley Drive.

Councillor Ann Quarrie (in respect of her home being in very close proximity to the application site) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Stephen Ford (in respect of his home being on the road that leads into the application site) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

79. 091559 Former Cooks Shipyard, Phase 3 Walter Radcliffe Way, Wivenhoe

The Committee considered an application for the erection of thirty-two dwellings, eleven office units within Class A2 Financial and Professional Services and Class B1 Business, garages, off street parking, roads and footpaths, public open space, foul and surface water drainage and hard and soft landscaping. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

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.

Sue Jackson, Principal Planning Officer, attended to assist the Committee in its deliberations.

Chris Fox, Wivenhoe Town Councillor, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He expressed concerns regarding the car parking situation, the open space treatment and public access routes, and the oppressive height of some of the buildings. In respect of issues connected with the car parks he wanted their surfaces to be permeable. He was concerned about the circuitous route to the dinghy park and slipway, the condition imposed by the Highway Authority requiring the car park to be for the exclusive use of the development, whether the arrangement for the Town Council to take responsibility for the management of the car park was satisfactory; and whether the parking requirement for the development had been met. Other issues of concern were the limited amount of planting indicated on the open space; a preference for the public access routes to have the protection afforded by a designation of Public Right of Way; and the possibility of the current obstruction to the public access route along the waterfront becoming permanent.

Some members of the Committee took the view that the development would lead to extra cars with the consequent impact of increased traffic on surrounding roads. Following the closure of Queens Road to through traffic, the current road access to the site was via the narrow and twisting roads in the historic part of Wivenhoe, and there was a view that all traffic to and from the site should be able to use all roads in the vicinity and that Queens Road should be re-opened to traffic to dilute the pressure on current access routes. It was considered that the Highway Authority should be requested to look into the matter. There was a request for a limited number of the commercial units to be allocated for retail use. Information on the provisions of the Section 106 Agreement was sought, with a comment that both schools were heavily over-subscribed. Also of particular concern was the number of parking spaces for the

commercial units, which at 13 spaces was considerably lower than the 31 required based on the calculation of one space for 30 square metres of business floor space. There was also a suggestion that permitted development rights be removed from garages to prevent them being converted into additional bedrooms.

In response the history behind the closure of Queens Road together with improvements in the historic core was explained. However, the Highway Authority had considered there would be no significant increase in traffic from the development. In respect of concerns about the amount of parking and its provision in rows, it was explained that the Urban Designer had been involved in the parking arrangements which did meet the parking standards. Neither the public nor the commercial car parking areas contained spaces identified specifically for disabled users, but it would be possible to identify such spaces in the public car park. In respect of cycle parking provision, there was rear access to all residential properties so any two wheeled vehicles could be stored in rear gardens and there would be 15 cycle spaces provided for the commercial units. All garages complied with the new size requirement. In respect of sustainability issues, it was confirmed that the surface treatments of the car park and the drainage systems were both to be agreed with the local authority, the latter also in consultation with the Environment Agency, and the scheme could be amended to require a sustainable drainage system. The houses had not been designed to meet the BREEAM standards but they did meet sustainable criteria for housing developments.

In addition it was confirmed that there would be public access along the waterfront and to the slipway, and that the Highway Authority had agreed to the temporary stopping up of the footway and to the diversion of the Public Right of Way onto public footways. At the outline permission stage there had been concerns that any retail unit provision might impact on the retail areas in Wivenhoe High Street, hence the restriction to commercial uses. A further obstacle could be that there was a higher parking space requirement for retail units than for commercial units. Regarding the heights of buildings, the commercial units were three storeys on the river frontage and the dwellings were a mix of two, two and a half and three storeys.

The Section 106 Agreement for this application had been subject to a financial appraisal and the package of contributions being offered were for open space, the provision and maintenance of the car park and the dinghy park together with five affordable housing units, three of which were to be provided offsite. This package was considered to be acceptable in terms of financial viability. In addition to the open space and play area there was an area of water meadow which the Borough Council had taken over. The applicant would be willing for the Town Council to take over the public access areas and this could be secured by the Section 106 Agreement. Finally, it was explained that there was a Section 106 Agreement for the whole site but because of the new layout the existing Section 106 Agreement would have to be amended to take account of the trigger points and other matters.

RESOLVED (UNANIMOUSLY) that consideration of the application be deferred for further consideration of the following matters:

- additional parking for the commercial units;

- the possibility and policy implications of one or two retail units being provided;
- drainage to include SUDS (Sustainable Urban Drainage System) and sustainable construction;
- the removal of permitted development rights for garages to be investigated;
- the Highway Authority to be asked to reconsider the closure of Queens Road and to provide further clarification on their consideration of this application.

80. 101311 88 and 90 Mersea Road, Colchester, CO2 7RH

This application was withdrawn from consideration at this meeting by the Head of Environmental and Protective Services because no new matters had been raised in the additional representations submitted.

Councillor Harris attended and presented a petition to the Chairman in the following terms:-

The residents respectfully wish all to know the strength of feeling over this item, the opposition and concern over its impact. Mersea Road, Dudley Close, and Bourne Court residents are deeply concerned over the approved development which will reduce parking for residents of Bourne Court / Dudley Close, and make an reduced visual outlook for Mersea Road. We ask respectfully that agent and owners reconsider this unpopular and deeply concerning “overdevelopment of our community”.

81. 101542 Plot 300 Severalls Business Park, Colchester

The Committee considered an application for the erection of a single storey sub station on plot 300. 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.

82. 101283 36 Marlowe Way, Colchester, CO3 4JP

This application was withdrawn from consideration at this meeting by the Head of Environmental and Protective Services because Councillor Hardy had withdrawn his request for the application to be determined by the Committee upon receipt of amended drawings. The application had been determined under delegated powers.

83. 101405 and 101408 25 High Street, Dedham, CO7 6DE

The Committee considered planning application 101405 for the change of use of the premises from A1 Retail to A2 Professional Services and a companion listed building

application 101408 for the change of use. The third application in the suite of applications, 101410 for advertisement consent for the erection of a hanging sign, would be determined under delegated powers. There were no physical alterations to the building resulting from this change of use. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

RESOLVED (UNANIMOUSLY) that –

(a) Planning application 101405 for a change of use be approved with conditions and informatives as set out in the report.

(b) Planning application 101408 for listed building consent be approved with conditions and informatives as set out in the report and on the Amendment Sheet.