

PLANNING COMMITTEE 2 DECEMBER 2010

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

Substitute Members :- Councillor Bill Frame for Councillor Helen Chuah
Councillor Sue Lissimore for Councillor Andrew Ellis*

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

132. Minutes

The minutes of the meetings held on 4 November and 18 November 2010 were confirmed as a correct record.

Councillor Bill Frame and Councillor Ray Gamble (in respect of being acquainted with a member of one of the Groups which submitted a formal objection to the application) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Theresa Higgins (in respect of her membership of the catholic parish to St James the Less and St Helena which includes St Joseph's, Mile End) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

133. 100646 Tubswick, Mill Road, Colchester, CO4 5LD

The Committee considered an application for the demolition of the remainder of the severely fire damaged dwelling and associated garage. 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.

Alistair Day, Principal Planning Officer, attended to assist the Committee in its deliberations. He referred to the engineers report and architectural appraisal which had been undertaken and whilst it might be technically possible to repair the building, it was considered that there had been so much damage that any attempt to restore the building would retain very little of its special interest. He also referred to a site visit made by the Georgian Group and to the comments from English Heritage.

Sharon Smith, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. She referred to the original building and that very little remained following the fire. Her client had suffered

huge personal and financial loss, not only of his home but also of his personal possessions. Both the Georgian Group and English Heritage had accepted the loss of the remaining structure and she asked that the Committee recognise the views of these two groups.

Councillor Goss attended and, with the consent of the Chairman addressed the Committee. He referred to several attempts having been made over the years to get some action taken on this property. He was aware that although the building was listed there was no insurance when fire occurred which resulted in there being no funding to rebuild the house. He did not want to see any more of Colchester's history destroyed and suggested that if a building was listed the owners should be required to have relevant insurance. He was in no doubt that once the building was demolished the site would be able to take several dwellings. Myland Parish Council had opposed this application and wanted to engage with the applicant to get a community use. There does not seem to have been much engagement with the community. He considered this application to be sad for the applicant, for the community and for Colchester.

Members of the Committee considered the building to be beyond restoration. This application was for demolition of the remaining structure and the Committee were aware they could not look at anything beyond that, including any future use for the site. Having seen the remains on the site visit, they were of the opinion that a rebuild would be a replica because most of the valuable features had been lost in the fire, and whilst there may have been opportunities to do more in the past, the Committee could only make a decision on this application. There was a hope that the applicants could capture the history of the site and possibly also reuse some of the materials on the site, in particular a brick inscribed with initials by Hannah De Foe. It was hoped that it might be possible to reuse the brick, possibly as part of a permanent record of the historical connection with the site.

The planning officer explained that there was no statutory obligation for owners to retain a listed building in good condition nor to have insurance. The listing process was the responsibility of the Secretary of State. This site was zoned as residential and subject to the approval being upheld by the Secretary of State, a residential scheme would very likely follow. In general terms, the remaining materials on the site were not in a condition fit for reuse. However, it would be possible to word an Informative note that if it is possible efforts should be made to try and retain the materials on the site in view of the historical link with Defoe. An Informative note in regard to the inscribed brick could also be added.

RESOLVED (ONE ABSTAINED from voting) that the recommendation to allow the demolition of Tubswick, Mill Road, Colchester be endorsed with additional Informatives regarding the reuse of materials on site, in particular the aforementioned brick, and the provision of a historical record on the site, and the application be referred to the Secretary of State for ratification.

134. 101416 Thatched Cottage, Vine Farm Lane, Tiptree, CO5 0LR

The Committee considered an application for the conversion of existing ground and first floor flats into one three-bedroom detached house. 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 on the Amendment Sheet.

Councillor Jackie Maclean (in respect of the applicant being known to her) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Peter Chillingworth (in respect of the applicant being known to him) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

135. 101463 Skills Kindergarten, Warrens Farm, Coggeshall Road, Great Tey, CO6 1AG

The Committee considered an application to vary Condition 2 of planning permission C/COL/04/1710 to restrict the number of children attending at any one time. The maximum number of children currently permitted is 30 and the application is to increase the maximum number to 60. 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 Sue Lissimore (in respect of her spouse on occasion having worked for the applicant) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

136. 101551 Turners, Bacons Lane, Chappel, CO6 2EB

The Committee considered an application for the erection of a detached single cartlodge. 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 on the Amendment Sheet.

Councillor Sue Lissimore (in respect of her spouse on occasion having worked for the applicant) declared a personal interest in the following item pursuant to the

provisions of Meetings General Procedure Rule 7(3)

137. 101556 Turners, Bacons Lane, Chappel, CO6 2EB

The Committee considered an application for the erection of a dwelling, a double (two bay) cartlodge and the formation of a new access. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

RESOLVED (UNANIMOUSLY) that –

(a) Consideration of the application be deferred for completion of a Unilateral Undertaking to provide for a contribution towards Open Space, Sport and Recreational Facilities in accordance with the Council's Supplementary Planning Document.

(b) Upon receipt of a satisfactory Unilateral Undertaking, the Head of Environmental and Protective Services be authorised to grant consent with conditions and informatives as set out in the report and on the Amendment Sheet.

138. 101954 Rawlings House, 45 Rawlings Crescent, CO4 9FB

The Committee considered an application for an alteration to the rear extension to form a new roof, a new extension to the side elevation, alterations to the roof space including velux windows, and new car and cycle parking facilities. The application is a resubmission of 100871. 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.