

# PLANNING COMMITTEE

## 19 MAY 2011

- 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
- Also in Attendance :-* Councillor Nick Barlow  
Councillor Martin Goss  
Councillor Anne Turrell

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

### 3. Minutes

The minutes of the meetings held on 14 April and 28 April 2011 were confirmed as a correct record.

### 4. 100502 Former Severalls Hospital Site, Boxted Road, Colchester, CO4 5HG

The Committee considered an application for a development to provide 248 residential units, representing phase 1, of the development of Severalls Hospital Site. 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.

David Whybrow, Principal Planning Officer, attended to assist the Committee in its deliberations. He referred to a further change to the scheme to be added to those listed in paragraph 1.1 of the report in respect of seeking to reinforce the green link from the Country Park to Tower Lane. In respect of the site drainage requirements, he referred to further works having been identified by the Environmental Agency to remove blockages downstream which had been costed, and a signed Unilateral Undertaking was required before commencement of the development. In respect of reducing the impact of the development on Thomas Wakely Close, he explained in detail the changes that had been made to the new properties as set out on the Amendment Sheet and it was suggested that the two metre separation strip of soft landscaping to be provided at the rear of the gardens of Thomas Wakely Close be covered by a covenant and/or a Tree Preservation Order as a safeguard and that this strip and all other landscaping areas be put into the control of a management company so that residents would be able to control their use. He explained that there were some play areas to be provided as part of phase 2 of the development, but that it might be

possible for an attenuation pond in this phase to be covered over to provide a kick about or other recreation facility. The bus gate would be similar to the one provided in Mile End Road.

Mrs Louisa White addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. She explained that the developers had held a number of meetings with residents and their concerns had been taken into consideration and amendments made to the scheme. The ward councillors had also been supportive of the residents. She thanked the architects who had understood the problems and assisted in devising solutions. The planning officer had facilitated the meetings and also answered residents' questions.

Councillor Turrell attended and, with the consent of the Chairman, addressed the Committee. Although she was not happy about development in this location, in this instance the developers and the planning officer had worked with the residents and gone to extraordinary lengths to solve the problems, and for this she thanked them both.

Councillor Goss attended and, with the consent of the Chairman, addressed the Committee. Contrary to his expectations he now believed that this would be one of the best developments in Colchester and a benchmark in developments for the next twenty years. He did not want the 2,200 new homes either and had not changed his stance on that, however this scheme was now the best outcome for existing residents and the future community on this site. He referred to the model of a management company which councillors and residents could both be part of. He considered that planning officers had done a sterling job and all developers should use this model and engage with the local community.

Members of the Committee paid tribute to the applicants for the work and compromises that they had been prepared to make. Queries were raised about the removal of permitted development rights and whether that would impinge on existing residents. The committee referred to this development being comprised of sustainable homes to a very high level. They would be interested to see how the scheme developed in the future. They believed the two metre strip between Thomas Wakely Close and the new development needed to be protected and they were aware that a covenant was not a long term protection. It would be necessary to apply a TPO to the strip of land.

The planning officer explained that a TPO could only be placed on the strip when the development was complete, however, officers would ensure the two metre strip was subject to a covenant. He confirmed that Permitted Development Rights were to be removed.

*RESOLVED* (UNANIMOUSLY) that –

(a) Consideration of the application be deferred for a linking to the amended Section 106 Agreement agreed earlier in anticipation of this application being approved and the A12 junction opening earlier than originally phased.

(b) Subject to such linking to the amended Section 106 Agreement, the Head of Environmental and Protective Services be authorised to grant consent with conditions and informatives, the heads of which were set out in the report.

**5. 101541 and 101543 Lower Park, Colchester Road, Dedham, CO7 6HG**

These applications were withdrawn by the Head of Environmental and Protective Services in order that various matters could be clarified. The applications to come back to a future meeting.

**6. 100383 Nos. 9, 11, 13, 125, 135, 137 and 139 Albany Gardens, Colchester, CO2 8HQ**

This application was withdrawn by the Head of Environmental and Protective Services. The application to come back to a future meeting providing there was further clarification on the justification for the affordable housing contribution.

**7. 110573 61-67 Rectory Road, Wivenhoe, CO7 9ES**

The Committee considered an application for a residential development of nine dwellings, carports, landscaping and access, including partial demolition of existing building. The application is a resubmission of application 102585. 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.

Bradly Heffer, Principal Planning Officer, attended to assist the Committee in its deliberations. He confirmed that the scheme which comprised residential and industrial units achieved the council's current parking standards for both elements but commented that the parking area behind the dwellings facing onto Rectory Road needed further consideration. He also confirmed that there was no overshadowing or loss of light in terms of impact on windows of existing properties and that an existing access onto Ernest Road would be permanently closed. A further condition was suggested requiring final details of a building referred to as a car port as no drawings for it had been submitted.

Peter Johnson addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He was content with the development in terms of its relationship with the existing residential area. He noted that the roofs were hipped and there was no impact on neighbouring properties. He was also satisfied that the vehicular access had been upgraded and that current parking standards were met. He referred to comments made by the occupiers at 113 Ernest Road regarding a one metre distance between the boundary and the car part.

Members of the Committee were comfortable with the design, style and use of materials and considered the development fitted in with the street scene. There was some concern about whether the amended plan showed the amended number of parking spaces and there were further concerns about parking spaces being the correct size, the apparent lack of disabled parking spaces for the industrial units, and these being family homes and the lack of spaces in the local school. Referring to the continuous metal railings along the Rectory Road frontage, there was a comment that there should be a gap for residents to access the pavement directly without having to walk around the rear.

The planning officer confirmed that the plan had changed in respect of parking spaces and the scheme now included twelve parking spaces for the existing industrial unit and thus complied with the standards. He also referred to the iron railings needing to be continuous in order for it to act as a deterrent to on street parking. It was confirmed that car ports were not required to be the new size of parking spaces.

*RESOLVED* (UNANIMOUSLY) that –

(a) Consideration of the application be deferred for the completion of a Section 106 Legal Agreement to secure a contribution towards Open Space, Sport and Recreational Facilities and Community Facilities in accordance with the Council's Supplementary Planning Documents.

(b) Upon receipt of a satisfactory Section 106 Legal Agreement, 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 with an additional condition requiring that disabled parking spaces are allocated in accordance with adopted standards.

## **8. Performance Monitoring // Application Determination and Appeals**

The Head of Environmental and Protective Services submitted a report giving details of planning application determination performance together with an appeals analysis update for the period 1 January to 31 March 2011, and also a year end analysis of National Indicator 157, eight week and thirteen week performance, and appeal performance both for the year ended 31 March 2011.

Andrew Tyrrell, Development Manager, attended to assist the Committee in its deliberations. He referred to the National Indicator 157 performance which for Major applications, Minor applications and Other applications was above the targets.

*RESOLVED* that the report be noted and officers be congratulated on the performance achieved.

## **9. Performance Monitoring // Enforcement**

The Head of Environmental and Protective Services submitted a report giving details of the performance record of the Enforcement Team for the period 1 January to 31 March 2011.

Andrew Tyrrell, Development Manager, attended to assist the Committee in its deliberations.

Members of the Committee commented that the new system was very efficient.

RESOLVED that the report be noted and officers be congratulated on the performance achieved.

#### **10. Performance Monitoring // Actions to improve customer service for period 1 January 2011 to 31 March 2011**

The Head of Environmental and Protective Services submitted a report detailing the progress being made in terms of improving the quality of customer service.

Andrew Tyrrell, Development Manager, attended to assist the Committee in its deliberations. He referred to the Team achieving a score of seven on a scale of one to ten for customer service. Customers have noticed a marked improvement in the last six months and the service had achieved an award for customer services since the report was written. The council was now one of the leading councils in the country as a result of the measures put in place to improve service to customers.

Members of the Committee commented that the duty officer system was working well and they hoped the improvements made would be continued.

RESOLVED that the report be noted.