

**COLCHESTER BOROUGH COUNCIL
PLANNING COMMITTEE
5 November 2009 at 6:00pm**

SUPPLEMENTARY AGENDA

Part A

(open to the public including the media)

Pages

10. Amendment Sheet

200 - 205

See Amendment Sheet attached.

AMENDMENT SHEET

Planning Committee
5th November 2009

AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

LATE AMENDMENTS HAVE BEEN INCORPORATED INTO THIS AMENDMENT SHEET AND ARE SHOWN AS EMBOLDENED

7.1 090752 – St. Botolphs Car Park, St. Botolphs Circus, Colchester

There is an error in the report at paragraph 5.4, the fourth bullet point “contribution of £11,035 towards pedestrian signage” should have been deleted. This sum has been combined into the sum of the sixth bullet point towards public realm improvements and transport initiatives.

Additional consultation responses:

The **Highway Authority** comments: “We have no adverse comments to make on the submission and our recommendation of the 13th August 2009 still stands.”

The **Conservation Officer** states “This application was deferred at 3 September 2009 Planning Committee for design changes to the tower with particular consideration being given to the introduction of a greater degree of verticality. The proposal to rotate the terracotta tiles and louvres combined with the introduction of a profiled version of the tile will introduce a greater degree of verticality to the tower. For greatest visual effect, there should be a subtle interplay between the colours of the proposed materials rather than a marked colour contrast between the various elements”

7.2 091063 – Former Focus Do It all Store, Moss Road, Stanway

Cllr Scott-Boutell is unable to attend Committee, but has sent the following message:

“ The young people of Stanway are frustrated by the lack of youth facility provision to the west of Colchester. The Stanway Youth Forum and I welcome the news that Mr Hunt has taken on board our and Stanway Parish Council’s request for discount for young people residing in Stanway. The Youth Forum and my understanding is that discount will be offered to Stanway residents under the age of 16 which we thank him for. Whilst we applaud this initiative we ask Mr Hunt to please consider extending it to students under the age of 18 residing in Stanway. From discussions that I have had with students at the Stanway School I know this is a facility that they are looking forward to and the fact that it will be within walking and cycling distance for them is to be welcomed”.

7.3/7.4 – 091115 & 091117 – Land adjacent south Grange Road, Tiptree

- 1) Amend recommendation for both applications 091115 & 091117 under the Town and Country Planning (Consultation) (England) Direction 2009, effective 20th April 2009, the use of the land as playing fields, and the erection of the associated building housing the changing room facilities, do not fall within the category where referral to Go East is required.

The recommendation should be amended to:-

Recommendation – Permission subject to conditions

- (2) Additional condition for 091117:-

- 34 - The proposed on site changing and toilet facilities, including provision for community use, shall be provided prior to the commencement of the use of the site for the purposes hereby approved or other such timescale as may be agreed in writing with the Council.

Reason: For the avoidance of doubt as to the scope of this permission and to ensure that the community facilities are provided where these are an important element of the development and the use of the site.

(3) Additional conditions for 091115 & 091117:-

“The use of the proposed four training pitches shall be restricted to use by Colchester United Football Club (CUFC) only, or for any community use that may at otherwise be agreed by CUFC, and shall be restricted to the use of a maximum of two of these pitches at any time.

Reason: For the avoidance of doubt as to the scope of this permission and to safeguard residential amenity.”

Paragraph 3.2 of the Committee report. Reference to “public” should be deleted. The Spatial Policy Manager has confirmed that the site is identified as “Open Space” (not specifically Private or Public).

The Parks & Recreation Manager comments that he believes the arrangements for community use and the pavilion proposal will meet the requirements for the community to have access to this new facility.

The Landscape Officer is satisfied with amended landscape details (submitted with drawings relating to minor amendments to the external appearance of the new building).

The occupier of Culver Farm, Pennsylvania Lane, Tiptree, in addition to concerns as to the increase in traffic on a substandard road network, potential impact upon users of the bridleway & noise pollution is concerned as to the impact of the building due to its height (over 9.5m) upon their property and surrounding area and potential overlooking from the open balcony. Clarification needs to be sought of the possible future phases, particularly in respect of the remaining area at the top north west corner of the site.

The occupier of 15 Harrington Close, Tiptree, has expressed concern that the Committee report in respect of the previous application 090217 has been reproduced as an appendix to the current reports. However two letters submitted by Barton Willmore on behalf of the Tiptree West Side Action Group, which were referred to in this previous Committee report, have not been reproduced.

The issues raised within these two letters by Barton Willmore were addressed in the previous Committee and do not raise any new issues. These issues were unsustainability, impact in terms of noise generation, proposals not appropriate for Tiptree, premature & 'piecemeal' in terms of the LDF, visual impact, contrary to PPS 7, minimal community provision, loss of high quality agricultural land & footpath improvements). These two letters have been available to view on the Council website.

Further objection received on the grounds that the "community facility" is misleading. The single pitch for community use has already been allocated to be used by two teams from the area who are funded by Jobserve (CUFC owner, Mr Cowling's company). This leaves only one possible time slot allocation for one other team. No other teams will have the opportunity to use these facilities on a regular basis. Generally a team could have some 20 players, so this facility could benefit approximately 60 people, which is a very small percentage of the residents of Tiptree. Only 20 of those 60 players may actually come from the wider community not involved with Jobserve.

The letters of support (many of which are identical) all refer to the community facilities and lack of them in Tiptree but do not appear to realise the restrictions on the community use of these facilities.

Planning Officers have not taken into consideration objections from residents.

Petition received supporting the proposal. CUFC is local professional football club, which has urgent need for permanent training facility. Provides high quality playing pitch surface and associated state of the art accommodation. Represents highest quality standard in the area for such a facility. Contains in excess of 260 signatures.

7.5 090692 – London Road, Stanway

The Highway Agency now has no objection to the proposal and comments as follows:-

“As with all developments that results in an increase in vehicular traffic, the Highways Agency is keen that every opportunity is taken to minimise that impact through effective travel plan measures. The Highways Agency has been involved with discussions on travel plan measures for the Sainsbury development with the applicant and Essex County Council. Whilst the Highways Agency is not intending to issue a direction to this effect, the Highways Agency would welcome any encouragement the Colchester Borough Council can give to the applicant on this matter.”

As a result of this response the recommendation should be amended with caveat (a) being deleted.

7.7 091084 – St.Pauls Hospital, Boxted Road, Mile End, Colchester

Application withdrawn by agent.

7.12 091262 – 1 Rosebank Road, West Mersea

A further letter of representation has been received in which the following comments are made:

- The proposed development is too close to the road and projects forward of the established building line.
- The submitted plans show the provision of a two metre high screen fence on the front boundary. In this situation only 1 metre high fences are permissible.

Officer comment: The plans show the provision of a 2m high fence but this would consist of the top section (approximately 900mm) being trellis. This is not considered to be unreasonable screening solutions given that privacy would be afforded to the rooms created in the proposed extension.

- A car port shown on the plans is used for a static caravan and vehicles currently park in the road
- The proposal would result in a reduction of the outdoor living space on what is an already limited plot.

Agenda Item 8 – Land at Hill House Farm, Colchester Road, West Bergholt

A letter from a local resident supports the serving of an enforcement notice for the following reasons:-

- The use of these barns for non-agricultural purposes may set a precedent for extension to existing village envelope.
- Access along a narrow, privately owned lane is difficult and potentially dangerous.
- Several large lorries pass along the lane each day and some start as early as 6.30 a.m.

Second letter from local resident expressing support for serving of Enforcement Notice for reasons as set out on Amendment Sheet 1.

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Part B

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Pages

There are no Section B Items