

**COLCHESTER BOROUGH COUNCIL  
PLANNING COMMITTEE  
21 October 2010 at 6:00pm**

**SUPPLEMENTARY AGENDA**

**Part A**

(open to the public including the media)

**Pages**

**. Amendment Sheet**

**130 - 137**

See Amendment Sheet attached.



# **AMENDMENT SHEET**

**Planning Committee  
21 October 2010**

## **AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED**

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

### 7.1 & 7.2 – Le Cateau Road, Colchester

Following the adoption of the Development Plan Document (Oct 2010) the following planning policies are now relevant:

DP1 – Design and Amenity  
DP3 – Planning Obligations and the Community Infrastructure Levy  
DP4 – Community Facilities  
DP10 – Tourism, Leisure and Culture  
DP11 – Flat conversions  
DP12 – Dwelling standards  
DP14 – Historic Environment Assets  
DP16 – Private Amenity Space and Open Space Provision for New Development  
DP17 – Accessibility and Access  
DP19 – Parking Standards  
DP21 – Nature Conservation and Protected Lanes

The above policies supersede the Saved local plan policies from the Colchester Borough Review Local Plan (March 2004) referred to in the committee report.

### 7.3 101080 – Moler Works, Building 5 and 5A, Colne View, Colchester

Members are advised that the current planning application is accompanied by a Parking Management Strategy which includes the following information:

The scheme would comprise undertakings to implement the following measures: -

- Introduction of parking permits for all residents (including those already living there, to be renewed annually) and vouchers for their visitors;
- Cars not displaying valid permits and/or parking outside designated parking spaces, including on footways, within the site being towed away by the enforcing company – appropriate warning signing will be displayed prominently within the car park;
- Monitoring of off-site parking in the event that demand from the site overflows into the B&Q car park and/or onto the A134 Colne Causeway, resulting in complaints from B&Q and/or ECC/CBC;
- Subject to the agreement of ECC and CBC, possible introduction of additional on-street parking restrictions in the area by means of a Traffic Regulation Order (TRO) on the Colne Causeway if subsequent monitoring shows that this is required;
- Extension of the management and enforcement scheme if requested by B&Q to include their nearby car park in the event of subsequent monitoring in response to complaints showing demand overflowing from the site.

The applicant's agent also makes the following comments:

'Further to our recent discussion, I visited the site this morning, and Peter Biggs from Barratt visited this afternoon whilst the Members site visit took place. I attach a typical photograph taken this morning, and understand from Peter that the situation was the same this afternoon. I will forward some more photos.

You have as part of the appeal evidence seen the position at weekends, evenings, and bank holidays, and now have the position at 10.30 and 2.30 on a weekday. On every occasion, no parking problem is evident. You also have a management plan which could deal with any problems that could arise in the future, although given the substantial number of surplus spaces it is unlikely to ever be needed.'

The following further comment has been received from the objector to the scheme:

‘With regards to the photos that have been taken of car park spaces at Colne View. These photos are taken of the area where the apartments and noodle bar is not going to be.

The area that the parking is already a problem is on Quayside Drive its self. All day and even more so every night there is a problem with the parking. The area on the photos is not where the proposed build is going to be from looking at the plans or the footings and building works that Barratt have already started.

The month that these photos were taken is also the time when alot of the students living in the apartments are back home as this is their summer holiday.’

The full text of the representations above is available to view on the Council’s website.

**Following the formal adoption of the Development Plan Document by the Council the policies of the Adopted Local Plan have been superseded and the following DPD policies are relevant to the following agenda items as listed below:**

- DP1 - Design and Amenity**
- DP6 - Colchester Town Centre Uses**
- DP12 - Dwelling Standards**
- DP16 - Private Amenity Space and Open Space Provision for New Residential Development**
- DP17 - Accessibility and Access**
- DP19 - Parking Standards**
- DP20 - Flood Risk and Management of Surface Water Drainage**

**7.4/7.5 – 101428 & 101430 – Wivenhoe House Hotel, Wivenhoe Park, Colchester**

**Following the formal adoption of the Development Plan Document by the Council the policies of the Adopted Local Plan have been superseded and the following DPD policies are relevant to the following agenda items as listed below:**

- DP1 - Design and Amenity**
- DP10 - Tourism, Leisure and Culture**
- DP14 - Historic Environment Assets**
- DP17 - Accessibility and Access**
- DP19 - Parking Standards**
- DP21 - Nature Conservation and Protected Lanes**

7.7 101564 – 3 Highfield Drive, Colchester

An email has been received from the applicant's agent as follows:

"I would be grateful as per our discussion yesterday if you would ensure that a note goes with the report to committee about condition 5 not being imposed should the Council be minded to approve the application.

Also could you convey to the officer/s who will be presenting the application about the garaging. Para 4.1 of your report talks about the garage and it not being clear as to which property it relates. The Waterman Boreham highway report para 3.2 spells out that there will be a new double garage with dividing wall so that each of the existing and proposed properties have a garage and parking space. I think it is important to make this clear as a number of residents have objected re parking etc and it could be an issue that members pick up on."

Condition 05 is therefore removed, but an extra condition is proposed which will prevent the opening up of the front of 3 Highfield Drive in the future, to stop vehicles parking there.

7.8 100928 – Messing Road, Tiptree

**Planning Policy comment as follows:-**

**"Any references to Local Plan policies and designations in the Committee report, in particular para 7.1, should be deleted and not form part of the consideration of this application as the Development Policies Document of the Local Development Framework was adopted by the Council on the 13<sup>th</sup> October 2010. The policies contained therein supersede the remaining saved Local Plan Policies with immediate effect."**

***Additional Consultation Response***

***The following comments have been received from the Highway Authority.***

***"Please be advised that following discussion and investigation on the above application, this Authority has received the two versions of the access plan showing the 2 options for visibility splays.***

***Whilst option 2 is preferred, were the Local Planning Authority to grant permission for option 1 no objections would be raised.***

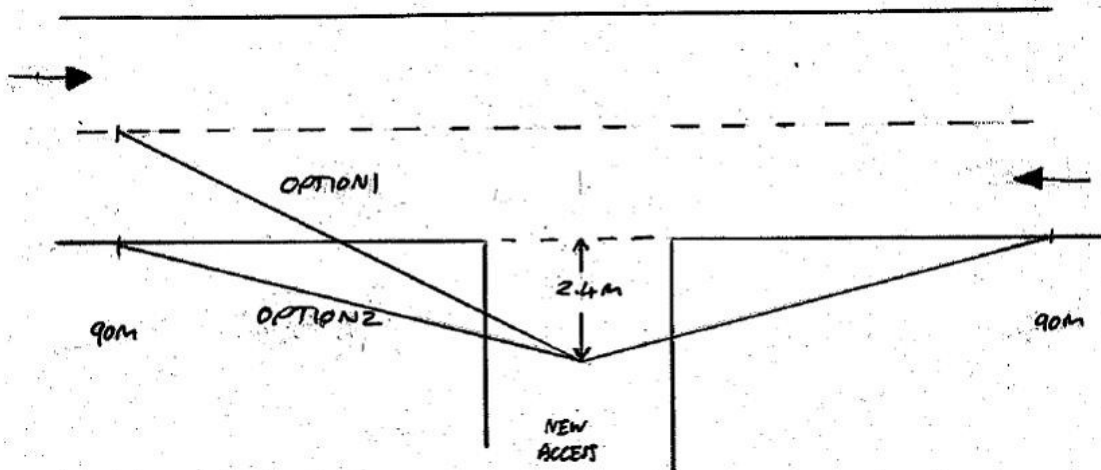
***It is requested that in the event of permission being granted the following conditions should be applied;***

- 1) Provision of visibility splays measuring 2.4m x 90m in both directions,***
- 2) Pedestrian visibility splays measuring 1.5m x 1.5m on both sides of the access***

3) **No loose or unbound material on the surface of the access within 10m of the highway**  
**In addition the usual informative regarding the works being undertaken in agreement with this Authority should be appended."**

**Officer Comment**

**The highway response refers to two options showing the vehicular access. Both options show visibility splays measuring 2.4 metres by 90 metres to the south and 2.4 metres by 90 metres to the north. However, 'Option 1' shows to the 2.4 metres by 90 metres splay measured from and along the highway boundary to the north, while to the south it is measured from the highway boundary to the centre line of the road. 'Option 2' shows the 2.4 metres by 90 metres splay measured to the edge of the highway in both directions, as would normally be required.**



Not to scale

The Highway Authority would prefer 'option 2', however, this option would require the removal of a greater length of hedgerow in order to facilitate sight splays which would conflict with the Hedgerow Regulations 1997. As mentioned in para 11.4 of the report 'option 1' was developed to avoid the need to remove a larger section of hedgerow in order to facilitate sight splays and can be achieved by facing back a section of the existing hedge.

The Highway Authority have confirmed that they would not object to permission being granted for 'option 1' as is recommended here. This would still allow for visibility of oncoming vehicles in both directions.

### **Additional Conditions**

The following condition to be added to the recommendation:

- 10. The development hereby permitted shall be carried out in accordance with the following approved plans: 08/6024/01A, 08/6024/02B, 08/6024/03A, 08/6024/04B (option 1).  
Reason: For the avoidance of doubt and in the interests of proper planning.**
- 11. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details and retained as such thereafter.  
Reason: To ensure the use of appropriate materials in the interests of visual amenity in this rural setting.**
- 12. Prior to the first use of the new access, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 90 metres to the south and 2.4 metres by 90 metres to the north, as shown on drawing no 08/6024/04B (option 1). Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.  
Reason: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety.**
- 13. Prior to the first use of the new access, a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.  
Reason: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety.**
- 14. No unbound material shall be used in the surface treatment of the vehicular access within 10 metres of the highway boundary. Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.**



## 7.9 101510 – Chicken Shed, Meeting Lane, East Mersea

A further letter has been received from the applicant's agent that advises as follows:

- The building was originally erected for agricultural purposes in 1986 but was subsequently used for a number of unauthorised commercial uses including car breaking and paint spraying which caused harm to amenity
- Land registry entries were only recently updated with correct information and the applicant was therefore unable to submit a planning application in July 2009 due to the requirement for a Section 106 unilateral undertaking.
- The building has a lawful use for storage of materials in connection with the applicant's business and there have been few if any complaints regarding this use.
- Although the site is outside the defined village envelope it is not in a Conservation Area and forms part of the established cluster of development at Meeting Lane.

*The full text of the letter is available to view on the Council's website.*

**Following the formal adoption of the Development Plan Document by the Council the policies of the Adopted Local Plan have been superseded and the following DPD policies are relevant to the following agenda items as listed below:**

**DP1 - Design and Amenity**

**DP5 - Appropriate Employment Uses and Protection of Employment Land and Existing Businesses**

**DP9 - Employment Uses in the Countryside**

**DP12 - Dwelling Standards**

**DP19 - Parking Standards**

**DP23 - Coastal Areas**

## 7.10 101766 – St Pauls Hospital, Boxted Road, Colchester

Following the adoption of the Development Plan Document (Oct 2010) the following planning policies are now relevant:

DP1 – design & amenity

DP4 – community facilities

DP17 – accessibility & access

The above policies supersede the Saved local plan policies from the Colchester Borough Review Local Plan (March 2004) referred to in the committee report.

**No response has been received from the Environmental Control Team or the Environment Agency.**

**Recommendation amended as follows:-**

**Defer, to await comments of Environment Agency and Environmental Control Team. In the event of that their observations do not raise objections to the scheme, officers be authorised to grant planning permission under delegated powers. The conditions to be set out in the report and to include any additional conditions recommended by the 2 consultees.**

**COLCHESTER BOROUGH COUNCIL  
PLANNING COMMITTEE  
21 October 2010 at 6:00pm**

**SUPPLEMENTARY AGENDA**

**Part B**

(not open to the public or the media)

**Pages**

**There are no Section B Items**