

PLANNING COMMITTEE 2 JANUARY 2014

Present :- Councillor Helen Chuah* (Chairman)
Councillors Peter Chillingworth*, Sonia Lewis*,
Cyril Liddy*, Jackie Maclean, Jon Manning* and
Laura Sykes*

Substitute Members :- Councillor Michael Lilley for Councillor Stephen Ford
Councillor Peter Higgins
for Councillor Theresa Higgins*
Councillor Gerard Oxford for Councillor Philip Oxford*

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

99. Minutes

The Minutes of the meeting held on 12 December 2013 were confirmed as a correct record.

100. 132270 Cosway Caravan Park, Fen Lane, East Mersea

The Committee considered an application for the Variation of the holiday occupancy period at Cosway Caravan Park, Fen Lane from 1st March – 31st December to allow for a 12 month year round holiday season. The Committee had before it a report in which all the information was set out.

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.

RESOLVED (UNANIMOUSLY) that the application be approved, subject to the conditions set out in the report.

101. 132228 Longview, 216 Turner Road, Colchester

The Committee considered an application for the variation of condition 31 of Planning Permission 131287 at Longview, 216 Turner Road. The Committee had before it a report in which all the information was set out.

RESOLVED (UNANIMOUSLY) that the application be approved, subject to the conditions set out in the report.

102. 132255 Former Gym, Circular Road South, Colchester

The Committee considered an application for a 2.4 metre high timber hoarding to the

perimeter of the Former Gym, Circular Road South with two sets of double gates. The Committee had before it a report in which all the information was set out.

RESOLVED (UNANIMOUSLY) that the application be approved, subject to the conditions set out in the report.

103. 132233 Cosway Caravan Park, Fen Lane, East Mersea

The Committee considered an application for the use of land at Cosway Caravan Park, Fen Lane for the stationing of static holiday caravans and a children's play area. The Committee had before it a report and amendment sheet in which all the information was set out.

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.

Ms Sue Jackson, Principal Planning Officer, presented the report and assisted the Committee in its deliberations. She advised the Committee of the matters set out in the amendment sheet and that Natural England had not raised any objection to the proposal.

Mr Ian Butter addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He addressed the objection raised by Councillor Sutton regarding the need for a review of the policies surrounding this application. He believed that as the proposal was within an existing development, on land allocated as a holiday park within the Local Plan, it was entirely reasonable and adhered to policy. He suggested that the proposal had been considered within the National Planning Policy Framework and the Local Plan so any departures from policy would have been investigated. He urged the Committee to approve the application.

Councillor Sutton attended the meeting and, with the consent of the Chairman, addressed the Committee. He suggested that as an application to extend the holiday season of the caravan park to 12 months had been approved, the relevant policies should be reviewed. He suggested that a 12 month season effectively created permanent residences and policy should reflect this. He highlighted a recent residential application for a property on East Mersea that had been refused on the grounds that it was unsustainable. He believed that this application would encounter the same problem. He urged the Committee to defer the application in order to review the appropriate policies.

It was explained by the Principal Planning Officer that only policies that do not conform to the NPPF were currently being reviewed. However DP10, the policy relevant to this application, was considered to conform. As a modest extension to an existing tourist facility the application was not believed to be contrary to policy. It was clarified that, as planning application 132270 (above) for a temporary 12 month holiday season had been approved, this would also temporarily apply to the additional static caravans proposed within this application. However, permanent approval would

be provided for a 10 month season, if the Committee were to approve.

It was suggested by a member of the Committee that an increased number of static caravans on site may attract improved infrastructure. The Committee believed it was inappropriate to compare an application for additional static caravans on a pre-existing caravan site to an application for a residential bungalow.

It was suggested that a note be sent to the chairman of the Policy Review and Development Panel to consider a review of the policies in question.

RESOLVED (UNANIMOUSLY) that –

- i) the application be approved, subject to the conditions set out in the report; and
- ii) the Head of Professional Services write to the Planning Policy Team requesting a review of policies in relation to caravan sites and tourism.

104. 121354 Land at Former Cherry Tree Garage, 17 Blackheath, Colchester

The Committee considered an application for the variation / removal of condition 20 of Planning Permission 081300 at 17 Blackheath, Colchester. The Committee had before it a report and amendment sheet in which all the information was set out.

Mr Bradly Heffer, Principal Planning Officer, presented the report and assisted the Committee in its deliberations.

Councillor Harris attended the meeting and, with the consent of the Chairman, addressed the Committee. He explained that local residents were concerned about the impact of this application, if approved, on traffic safety and the safety of pedestrians, as the route was used by pupils walking to and from school. He also expressed concern about the protection of the verges on the road in question. He suggested that there were no traffic problems at the moment because the store was not yet opened, however problems would arise after opening. He believed that Enforcement Officers did not have enough resources to effectively monitor the area and that the double yellow lines would not be protected from abuse. He asked the Committee to leave condition 20 as it was and requested that bollards be put in place to protect the verge.

Several members of the Committee suggested that, as the Highways Authority had claimed the condition was unnecessary, it would be unreasonable to refuse the application. It was further suggested that if the application was refused, it would likely be overturned at an appeal.

Concern was raised by a number of Committee members that removing the condition would cause problems and that people's adherence to the double yellow lines could not properly be policed. It was suggested that the Committee should try to pre-emptively resolve these problems.

It was explained by the Principal Planning Officer that if, in the future, the Highways Authority believed there was a problem with the traffic on this road they could carry out works themselves. He also highlighted that the dwellings surrounding the supermarket had allocated parking and a car park was provided for the supermarket itself. It was envisioned that the majority of the visitors to the supermarket would travel by foot.

RESOLVED (SIX voted FOR, THREE voted AGAINST and ONE ABSTAINED from voting) that the application be approved, subject to the conditions set out in the report.

105. Discharge of Planning Obligation // Application F/COL/07/1046 - 127 Mersea Road, Colchester

The Committee considered the report of the Head of Commercial Services concerning an application to discharge a planning obligation in respect of application 071046. The Committee had before it a report and amendment sheet in which all the information was set out.

Ms Sue Jackson, Principal Planning Officer, presented the report and assisted the Committee in its deliberations.

Mr Keith Blackburn of Essex County Council addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He clarified that his objection related only to Colne Housing's obligations to Essex County Council regarding an education contribution. He explained that schools within the area were at capacity or nearing capacity and that the £32,500 which had been allocation to education would help open a new school in 2017. He emphasised that expenditure would be required in order to create new school places. He claimed that Colne Housing must have known what their obligations were when they purchased the site and that ECC had already compromised with them. He asked the Committee to consider the report and to not discharge the planning obligation relating to the education contribution.

The Committee determined that they had no power over the planning obligations to Essex County Council and, as such, would only consider that obligations to Colchester Borough Council in relation to open space. It was believed that the provision of more affordable housing outweighed the need for open space. The Committee suggested that affordable housing should be facilitated whenever possible.

RESOLVED (UNANIMOUSLY) that the outstanding obligation in respect of the community services contribution be discharged.