

**COLCHESTER BOROUGH COUNCIL
PLANNING COMMITTEE
1 December 2011 at 6:00pm**

SUPPLEMENTARY AGENDA

Part A

(open to the public including the media)

Pages

. Amendment Sheet

54 - 56

See Amendment Sheet attached.

AMENDMENT SHEET

Planning Committee
1 December 2011

AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

7.1 111335 – Orchard Place, Vernons Road, Chappel

- 1) Two further letters of objection have been received. These do not raise any new issues.
- 2) Correspondence has continued between Essex County Council's Highway Authority and Chappel Parish Council.

On 21st November, Robert Overall (Executive Director for Environment, Sustainability & Highways) wrote to the Parish as follows:

“Thank you for your letter dated 1 October 2011 in respect of the above. Firstly, please accept my apologies for the delay in responding.

I confirm that I have investigated the issues raised within your letter and I am confident that the consultation response reference 111335 issued by the Highway Authority to Mark Russell of Colchester Borough Council dated 22 July 2011 is fully justified and accurate.

With reference to paragraph 5 of your letter you are correct in your assumption that the material changes between the 2009 planning application and the time when advice was provided to Colchester Borough Council in March 2010 was the reduction in the number of pitches, but more significant is the report dated March 2010 prepared by Richard Martin. It is also relevant that during this time period Manual for Streets 2 was also emerging as government guidance and following its publication in September 2010; Essex County Council issued a Practice Note in November 2010 clarifying the situations where the guidance contained with Manual for Streets would apply.

Richard Martin's report contained a speed survey that was not available to the Highway Authority at the time of the 2009 planning application. You made reference in your letter to the fact that this speed survey does not fully accord with guidance but we must be pragmatic here, the road is a single track lightly trafficked rural road and the speed survey contained within Richard Martin's report gives a good indication of the speed of vehicles that use Vernons Road. As a result of this a visibility

splay of 43 metres was required but it is acknowledged that this splay is appropriate for vehicle speeds of 30 mph which is above the actual vehicle speed recorded on Vernons Road.

Further site investigations were carried out in July 2011 at the time of the most recent planning application. The officer concerned visited the site on several occasions as a result of the planning application and during this time observed vehicles using the lane. As a result of this and again taking account of the traffic data collected by Richard Martin it was considered that visibility splays of 32 metres would be appropriate in this circumstance in accordance with the Manual for Streets guidance.

Since receiving your letter I arranged for additional spot checks of vehicle speeds to take place in Vernons Road using a radar speed gun. This time they were taken from a vehicle parked in the proposed site entrance and as a result of this I am confident that visibility splays of 32 metres are appropriate.

I thank you for contacting me in respect of this issue and hope you find the above information useful.”

A response was then sent to Mr Overall by Chappel Parish Council on 27th November 2011 as follows:

“Thank you for your letter dated 21st November 2011. Chappel Parish Council feel sure that the original letter posted early October had, without a doubt, been ignored and if the Parish Council had not chased the issue on three occasions by e-mail, and one on the telephone, we would not have had a reply at all. The time delay in responding to our letter has lead to insufficient information being available regarding highways and the reasons for the change in the visibility splay. The reply time of 52 days and the wholly inadequate response has left the Council with a significantly reduced confidence level in the advice supplied by Essex County Highways.

Chappel Parish Council feels your reply is clearly unsatisfactory, as does not address the vast majority of issues raised. The Parish Council are very concerned that other planning applications in our Village have been subject to far more rigorous highway consultations and they are situated on less dangerous single track, lightly trafficked, rural roads. It would seem that on this occasion the Highways Department are nonchalant to our concerns that Vernons Road will become a very dangerous, heavily trafficked, single track rural road if Application No: 111335 is approved.

In your letter, you refer to site investigations that were carried out in July 2011. Under the Freedom of Information Act 2000, Chappel Parish Council would like to request copies of the investigations and the data received from these investigations. In terms of time to receive this information, the application is due to be heard by the Planning Committee in Colchester on

Thursday 1st December 2011 so a prompt response would be appreciated.

Finally Chappel Parish Council do not understand how the Highways Department as a Statutory Consultee to Colchester Borough Council have the authority to be negotiating pitch numbers direct with the applicant as was stated in a letter by ECC Highways, it would be good to have this explained.”

Chappel Parish Council has also written to Colchester Borough Council, questioning why the site was included in the Site Allocations document. It also states *‘Chappel Parish Council believes the current planning application is invalid for a number of reasons and on that basis we do not consider how the Planning Committee scheduled for 1 December has the jurisdiction to determine.’*

This request was dated 23rd November and a response regarding the Site Allocations document is awaited. In relation to validity, the application is indeed valid and can be determined by Members tonight.

7.2 111582 – 251 Bergholt Road, Colchester

Paragraph 13.2 – Line 7 – Amend 800mm to read 500mm

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Part B

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Pages

There are no Section B Items