

**PLANNING COMMITTEE
1 OCTOBER 2009**

Present :- Councillor Ray Gamble* (Chairman)
Councillor Sonia Lewis* (Deputy Mayor)
Councillors Mary Blandon*, Mark Cory,
John Elliott*, Andrew Ellis, Stephen Ford*,
Theresa Higgins*, Jackie Maclean and
Jon Manning*

Substitute Members :- Councillor Laura Sykes
for Councillor Helen Chuah*
Councillor Richard Martin
for Councillor Ann Quarrie

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

Councillor Elliott, having declared a personal and prejudicial interest in one of the following applications, was also not present for the determination of applications at minute nos. 106, 107, 109 and 111 all of which were determined under the en bloc arrangements.

105. Minutes

The minutes of the meeting held on 17 September 2009 were confirmed as a correct record.

106. 091010 Sheepen Road Retail Park, Sheepen Road, Colchester

The Committee considered an application for a stand alone Class A1/A3 unit situated at the western end of the car park area backing onto the service road. It would be positioned in between the existing Unit C (Brantano) and B2 (Maplin).

The Committee had before it a report in which all information was set out together with additional comments on the Amendment Sheet.

RESOLVED that the application be approved with the conditions and informatives as set out in the report and Amendment Sheet.

107. 091060 23 Gladwin Road, Colchester, CO2 7HW

The Committee considered an application for a single storey lean-to

extension to the rear of a semi-detached house.

The Committee had before it a report in which all information was set out.

RESOLVED that the application be approved with the conditions as set out in the report.

Councillor John Elliott (in respect of his membership of Tiptree Parish Council) declared a personal interest in the following item which is also a prejudicial interest pursuant to the provisions of Meetings General Procedure Rule 7(10) and left the meeting during its consideration and determination.

108. 091094 Caxton Close, Tiptree

The Committee considered an application for the erection of a community hall. The proposed building was single storey, incorporating a hipped roof with gabled elements. The accommodation would comprise a central main hall, a smaller hall, and office, store and infant's toilet within a side wing, together with a meeting room, toilets, kitchen and store in a wing on the opposite side of the building. Two disabled parking bays would be provided on the Caxton Road frontage together with a vehicular turning area and bicycle racks. A secure play area to rear was also proposed.

The Committee had before it a report in which all information was set out together with additional comments on the Amendment Sheet.

RESOLVED that the application be approved with the conditions and informatives as set out in the report and the Amendment Sheet.

Councillor Richard Martin (in respect of his knowledge of the applicant) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor John Elliott (in respect of his membership of Tiptree Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

109. 090471 Gwynlian, Kelvedon Road, Tiptree

The Committee considered an application for the change of use of land from

agriculture to private gypsy caravan site. The proposal included hardstandings for four caravans, the erection of a communal dayroom/utility building and the formation of a new access. The application was a resubmission of application 082030. The application had been deferred at the Planning Committee meeting on 9 July 2009 in order for the site boundary to be clarified.

The Committee had before it a report in which all information was set out together with additional comments on the Amendment Sheet.

RESOLVED that the application be approved with the conditions and informatives as set out in the report.

Councillor Andrew Ellis and Councillor Richard Martin (in respect of having previously engaged the services of Mr Gittins) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Sonia Lewis (in respect of her husband having previously engaged the services of Mark Perkins Partnership) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

110. 090916 45 Cambridge Road, Colchester, CO4 4NR

The Committee considered an application for a single storey rear extension and loft conversion with new dormer windows.

The Committee had before it a report in which all 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.

John Davies, Principal Planning Officer, attended to assist the Committee in its deliberations.

Juliet Taylor addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application, representing the residents of nos. 1, 3, 5 and 7 Athelstan Road. Concern was expressed about the size and scale of the proposed extension. It would have an overbearing impact on the residents of Athelstan Road, who would suffer a loss of aspect. This impact was accentuated by the fact that the 45 Cambridge Road was at a noticeably higher level than the properties in

Athelstan Road. The retention of the existing boundary wall was welcomed, but concern was expressed about the proximity of the extension to the wall and it was requested that conditions be imposed to secure the wall and protect it during construction. Some relatively minor amendments could make the scheme acceptable to all.

Ted Gittens addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. The retention of existing features and the scale of the extension were in harmony with the existing building. The extension would be 4.5 metres high and therefore would not appear prominent to neighbouring properties. In addition, the length of the gardens in the properties in Athelstan Road would lessen the impact of the extension on the dwellings. The proposed windows would be either be high level or glazed and no overlooking would arise. This was a well designed extension which contributed positively to the existing building. The impact on neighbouring properties would be low and the environmental benefits would be significant.

Councillor Hunt attended and, with the consent of the Chairman, addressed the Committee to express concern about the impact of the extension on properties on Athelstan Road. Whilst this was not apparent from 45 Cambridge Road, the extension would have an overbearing impact, which was accentuated by the upward aspect from Athelstan Road. Concern was also expressed about the small distance between the existing boundary wall and the wall of the extension and guidance was sought as to whether there were any regulations governing this. A condition should also be imposed to ensure the wall was repaired should it be damaged during construction. Both of these issues could be addressed by making the extension slightly narrower and moving it further away from the wall.

Members of the Committee noted the concerns expressed by the objectors and ward councillor and considered whether the application should be deferred to explore whether there was scope for the extension to be moved or to be of slightly lower pitch to reduce the impact on properties in Athelstan Road.

It was explained that moving the extension would require a redesign. Planning rules would not normally specify the size of a gap between walls. The pitch had been kept as low as possible. The pitch and materials proposed reflected the existing house and the area. Any changes to these would compromise the quality of the design. The eaves height of the extension was not significantly higher than the height of the existing conservatory. As the gardens in Athelstan Road would be north facing there would be no loss of sunlight.

Members noted the quality of the design and the factors that would limit the impact of the extension on properties in Athelstan Road. Members supported the imposition of an additional condition to retain the existing boundary wall and to ensure that damage caused to it during construction works be made good.

RESOLVED that the application be approved with the conditions as set out in the report and an additional condition No. 4 requiring the adjacent boundary wall to be retained and any damage caused during construction works to be made good. (SEVEN voted FOR, FOUR voted AGAINST and ONE ABSTAINED from voting).

111. 090939 10 Drury Road, Colchester, CO2 7UY

The Chairman had agreed pursuant to the provisions of Section 100B (4)(b) of the Local Government Act 1972 to consider the following item at this meeting as a matter of urgency as a delegated decision had been issued that was outside the scheme of delegation and therefore the application needed to be considered at the earliest opportunity.

The Committee considered an application for the demolition of the existing rear extension and the erection of a new extension. The new extension would be 6 metres by 3.2 metres and would extend across the full width of the rear end of the dwelling.

RESOLVED that the application be approved with conditions and informative as set out in the report.