

PLANNING COMMITTEE 1 NOVEMBER 2012

Present :- Councillor Theresa Higgins (Chairman)
Councillors Nick Barlow, Nigel Chapman,
Peter Chillingworth, Cyril Liddy, Jackie Maclean,
Jon Manning and Laura Sykes

Substitute Members :- Councillor Barrie Cook for Councillor Helen Chuah
Councillor Marcus Harrington for Councillor John Elliott
Councillor Michael Lilley for Councillor Stephen Ford
Councillor Sue Lissimore for Councillor Sonia Lewis
Councillor Peter Higgins for Councillor Nigel Offen

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

50. Minutes

The minutes of the meeting held on 11 October 2012 were confirmed as a correct record.

51. 121547 14 Honywood Road, Colchester

The Committee considered an application for a variation/removal of Condition 17 of planning permission 111842 and Conditions 16 and 18 of planning permission 112480, relating to boundary treatments. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

Mark Russell, Principal Planning Officer, attended to assist the Committee in its deliberations.

Richard Spooner addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He was concerned that he and other neighbours had not had the opportunity to consider the late amendment set out on the Amendment Sheet. He was concerned that such a late amendment did not comply with due process and neither did it comply with adopted policy for Backland and Infill. He considered that the feather-edged wood fencing was an improvement but asked that the application be deferred so the neighbours could give more consideration to the latest proposal.

Councillor Cope attended and, with the consent of the Chairman, addressed the Committee. He queried whether the amendments adhered to the Council's policies. He would be willing to agree the proposal on the Council's website for a compromise of half the vegetation retained and level planting along Honywood Road. He speculated whether this compromise would be further changed in the future. He would prefer the Committee to adhere to the conditions which have already been agreed. Repeatedly revisiting conditions undermines trust in the process.

The planning officer explained the sequence of events. In respect of the Backland and Infill Supplementary Planning Document, any required boundary treatment was dealt with on a case by case basis taking into account amenity value. In this case, individual specimens were not of great value and removing one or two holly trees did not constitute a great loss. Any proposed amendment would be assessed on its merits.

Members of the Committee considered it unfortunate that residents had not had sufficient time to consider the amended boundary scheme and in the spirit of the process being open and transparent by allowing residents time to look at the new scheme, they were minded to defer the application for a seven day consultation with residents and the ward councillor. If there were no further objections the Head of Environmental and Protective Services be authorised to approve the application. If there were further objections, the matter would come back to Committee.

RESOLVED (UNANIMOUSLY) that –

- (a) The application be deferred for a seven day consultation with residents and the ward councillors.
- (b) In the event that there were no further objections, the Head of Environmental and Protective Services be authorised to grant consent with conditions and informatives as set out in the report and on the Amendment Sheet.
- (c) In the event that further objections were received, the matter to come back to the Committee for determination.

52. 121476 High Woods Country Park, Visitors Centre, Turner Road, Colchester

The Committee considered an application for internal remodelling to convert the existing public toilets into office space, and a new stand alone building for public toilets and additional office space. The Committee had before it a report in which all information was set out.

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

53. 121289 Colchester Leisure World, Cowdray Avenue, Colchester

The Committee considered an application for internal remodelling and refurbishment, a single storey main entrance and cafe extension, and external works including drainage and relocation of cycling facilities. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

David Whybrow, Principal Planning Officer, attended to assist the Committee in its deliberations.

Members of the Committee were content with the proposal having had the opportunity to view the drawings and considered it would be a useful addition. Members of the Committee were particularly supportive of the additional cycle parking and the link with cycle routes.

It was confirmed that the majority of cycle parking would be under cover.

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

54. Construction of a new 300 place primary school with external hard and soft play areas, canopy and 20 space car park

The Chairman agreed, pursuant to the provisions of Section 100B(4)(b) of the Local Government Act 1972, to consider the following item at the meeting as a matter of urgency because the deadline date for a response to the consultation by Essex County Council was 26 October 2012.

The Head of Environmental and Protective Services submitted a report on a consultation by Essex County Council for a proposed 300 place primary school with external hard and soft play areas, canopy and a twenty-space car park. Appended to the officer report was a holding letter of objection to Essex County Council setting out in detail this Council's objections to the proposal which encompasses issues relating to design, heritage, landscape and arboriculture, community use, amenity, air quality, contamination and highway matters. The Committee was requested to endorse the holding letter of objection and to send officer/member representation to the Essex County Council Development and Regulatory Committee meeting. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

Alistair Day, Principal Planning Officer, and Andrew Tyrrell, Planning Manager, attended to assist the Committee in its deliberations.

The planning officer referred to the site being allocated for educational use on the Garrison master plan and its location within a conservation area. There were a number of retained buildings around Abbey Field with strong character and classical design. Although the Design and Access Statement stated that the proposal should reflect the character of these retained buildings, he did not believe the proposal as submitted had achieved that objective. This view was supported by English Heritage. Amended drawings had been submitted subsequent to the committee report being written; however the proposed changes, which included superficial projections to the front elevation, and modification of the entrance, the arrangement of windows and changes to the brickwork, did not address the fundamental concerns that the planning officer had in respect of the proposed design and the detrimental impact the building would have on the character and appearance of the conservation area.

The planning officer stated that although the parking provision was below the standard, it was acceptable given the central and sustainable location of the site. In respect of cycle parking, the standards indicated 104 cycle spaces would be appropriate, and

whilst planning officers accepted that this figure was overly generous, the proposal to provide some twenty cycle spaces was considered woefully inadequate. Concerns were expressed regarding the robustness of the submitted Travel Plan and that this document would need to be strengthened. It was proposed to relax the parking regulations in Circular Road East to enable dropping off and picking up at the start and close of the school day, together with the provision of parking permits for the Napier Road public.

Rachel Moulton, LSI Architects LLP, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. She referred to the application having been submitted to the Borough Council in September after a lengthy consultation process which included other organisations and the local community. The design was similar to baseline designs for a school of this size and as such was appropriate in this situation. She referred to the stepping of the elevations, the arrangement of the fenestration, the red and gold brick pattern and the string courses which provided detailed decoration. She considered the modified scheme to be a great improvement.

In response, the planning officer referred to the late submission which was set out on the Amendment Sheet. He did not consider the notice in the local press and the public consultation events held in a local school to be an appropriate way to conduct a pre-application consultation with a local authority. In contrast he described the close collaborative working arrangements this Authority had developed with major and smaller house builders, the Primary Care Trust and the medical centre on the Garrison site to produce buildings befitting a conservation area. It was not considered that the applicant had consulted widely enough or in sufficient detail.

Members of the Committee expressed their views on the following matters:-

- neither the Colchester Borough Ward Councillor nor the Essex County Councillor for the area had been invited to a consultation;
- the site is within a conservation area;
- a landmark building was considered to be appropriate for this prominent location;
- English Heritage had raised strong concerns but Members were uncertain whether those concerns had been relayed to Essex County Council and they wanted their response to be attached to the planning officer's letter of objection;
- the design was problematic in this location. It might suit some sites in Colchester but not this particular site;
- it would have no context and resembled a factory or a workhouse, these were not building types that would inspire children to learn;
- in particular the saw tooth design was awful and did not fit with the surrounding area;
- the entrance was atrocious. It was not sufficiently prominent and welcoming. It should be bigger;
- the design should have a wow factor and be sympathetic to the area by picking up on local elements, as in the nearby flats which take their cue from the surrounding retained buildings;
- in contrast there was respect for the idea of consistency, but an imitation of a garrison building would not be acceptable;

- the Travel Plan should be provided at the outset because it was difficult to get one at a later stage. Members wanted parents and staff to travel to the site by any means other than by car because of the Air Quality Management Area nearby at the end of Mersea Road;
- there were concerns that the cycle spaces provided within the site was inadequate, with Councillors recognising that from an early age schools promote cycle proficiency and they had observed significant shortages of cycle parking in other Colchester schools due to higher demand. Education was about a healthy lifestyle and the inadequate number of cycle spaces gave the wrong message;
- the cycle spaces should be covered and secure;
- parents could walk across Abbey Field;
- there were car parking problems at other schools in the Borough, the number of car parking spaces was inadequate. Ten classes, each with a teaching assistant equated to twenty spaces. There were concerns about parking in Napier Road;
- this area was desperately short of community space – evening rentals for schools were more and more important; it was an Ofsted criteria and a revenue stream;
- a number of Members expressed support for the letter of objection whilst others considered it to be restrained;
- the comments from the applicants in response to the lack of consultation demonstrated an arrogant attitude. Essex County Council appear to have a disregard for Colchester's planning officers.

The planning officer responded to these points. There needed to be a high quality design. It was accepted that there was a baseline design model in terms of how the school functioned internally. However there were concerns relating to the design of the elevations and how they related to the building's context. Planning officers were not looking for a copy of the old buildings but considered that the architecture should reinterpret the consistent characteristics in the area, whether this be in a contemporary manner or a more traditional approach. In terms of context and isolation, the design needed to be taken from the surroundings. If a poor precedent was set in this location it might influence the design for sites nearby which had not yet been developed. The design requirement was for a school that reflected its surroundings and was not about taking a lead from a building which was out of context.

It was intended that a Travel Plan would be subject to condition. There needed to be a more robust provision for cycle spaces and changing facilities which should be available from day one. As the Highway Authority, Essex County Council was able to determine whether or not the relaxation of Traffic Regulation Orders in Circular Road East was appropriate. This authority was reliant on Essex County Council for developing Travel Plans and it was hoped that what had been proposed was the basis of a more robust Travel Plan document, both for teachers and children. When the Garrison site was fully developed there would be around 1,500 homes surrounding Abbey Field and on the adjacent Hyderabad Barracks, all within walking and cycling distance, and it was hoped that these would be the preferred modes of travel. It had been suggested that the school had a community use outside school hours and the response had been that that was the responsibility of school governors. Undoubtedly the educational use would be the primary function, but it was hoped that such a building could embrace community facilities and that this could be secured through a legal

agreement.

It was noted that representatives from Essex County Council were present at this meeting and able to hear Members' comments. The letter of objection could be strengthened by inclusion of the points put forward by Members of the committee. It was also suggested that a planning officer attend the Essex County Council committee meeting, and Members may wish one of their number to represent this Council.

The Planning Manager drew attention to the apparent lack of understanding of the context of the building. The Borough Council had been raising the quality of buildings in the area and bringing in the principle of localism. It was apparent that the lack of local involvement had resulted in a lack of local architectural understanding. It was suggested that this point should be strengthened in the Borough Council's reply to Essex County Council with more regard to context, understanding and locality.

Members requested that one of their number act as a representative at the Essex County Council meeting, and that this minute be attached to the letter of objection.

RESOLVED (UNANIMOUSLY) that –

- (a) The holding letter of objection be fully endorsed with the addition of the following comments :- the grave misgivings of the Planning Committee in respect of the design of the school, its failure to relate to the historic context, the poor approach and design of the main entrance, the underprovision of cycle parking and the absence of a robust Travel Plan, relaxation of the existing traffic regulations and the failure of Essex County Council to consult with Colchester Borough Council at an early stage of this proposal resulting in references to the wrong local characteristics.
- (b) Planning officers and committee members to attend the Essex County Council Development and Regulation Committee meeting.
- (c) A copy of this minute and advice provided by English Heritage to be sent to Essex County Council.