

**PLANNING COMMITTEE  
14 NOVEMBER 2013**

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

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

**85. Minutes**

The Minutes of the meeting held on 17 October 2013 were confirmed as a correct record.

**86. 131952 Garage Site, Holborough Close, Colchester**

**Councillor Lilley (in respect of his position as a Colchester Borough Homes board member) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an application for the demolition of 21 existing garages in Holborough Close and the construction of three 2 bedroom, 2 storey houses with associated parking, displacement parking spaces, external works, drainage and landscaping. 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.

**87. 131927 Garage Block, Windsor Close, Colchester**

**Councillor Lilley (in respect of his position as a Colchester Borough Homes board member) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an application for the demolition of 40 existing garages in Windsor Close and the construction of eight 2 bedroom, 2 storey houses with associated parking, displacement parking spaces, external works, drainage and landscaping. 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.

## 88. 131931 14 Boadicea Way, Colchester

The Committee considered an application for a single storey rear extension of 14 Boadicea Way with front and rear disabled ramps. 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.

## 89. 131957 Garage Site 1, Monkwick Avenue, Colchester

**Councillor Lilley (in respect of his position as a Colchester Borough Homes board member) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an application for the demolition of 43 existing garages at Site 1 on Monkwick Avenue and the construction of six 3 bedroom, 2 storey houses and eight 2 bedroom, 2 storey flats with associated parking, displacement parking spaces, external works, drainage and landscaping. The Committee had before it a report and amendment sheet in which all the information was set out.

Mr Andrew Tyrrell, Planning Manager, and Mr Lee Smith-Evans, Urban Designer, presented the report and assisted the Committee in its deliberations.

Mr James Catley addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He suggested that the proposed buildings looked nothing at all like the existing dwellings in the area and were out of character. He raised concerns about potential security problems resulting from the scheme and the inclusion of enclosed, unlit footpaths. He suggested that the two storey flats, with the upper floors in continuous occupation, would result in overlooking and loss of privacy. He also questioned whether there would be wheelchair access from the site to the local woodlands.

Councillor Harris attended the meeting and, with the consent of the Chairman, addressed the Committee. He praised the work done by Officers on this project and the community involvement. He said the fact that alternatives had been provided for individuals currently making use of the garages was very positive. He drew attention to the footpath issue and suggested that access to the nearby woodlands needed to be secured and open to all users.

Councillor Bourne attended the meeting and, with the consent of the Chairman, addressed the Committee. She explained that it had been 23 years since Colchester Borough Council had built housing and 31 years since the build before that. As such, she identified the group of applications before the Committee tonight as historic, with Colchester Borough Council acting as landlord and Colchester Borough Homes managing the scheme. She suggested that these schemes had been designed to a high specification with an over provision of parking and to a Code 4 sustainable homes

level. A high amount of consultation had been carried out before the application stage in order to put forward the best scheme possible and address any points of concern, such as the footpath to the woodlands.

It was explained by the Planning Manager that the design of the properties was a deliberate attempt by Colchester Borough Council to keep the traditional characteristics of Local Authority housing but to update the design for the 21st century. Privacy had been a key consideration within the design and all relevant distances and angles complied with policy. He explained that the footpath had been designed to direct pedestrians away from the private, sheltered areas and into public areas that were under surveillance. He clarified that when the details of the landscaping were finalised, hard standing for the footpath could be included.

The Committee was pleased to see the high specification proposed for the developments and the over provision of parking was welcomed, as it was important to ensure the first Council built properties for several decades were of a high standard. The importance of providing affordable housing was emphasised. The Committee was also pleased to note the level of community involvement and consultation carried out in relation to the proposals.

The Planning Manager clarified there had been discussions with Councillor Harris regarding the Public Art Space, which would be lost when the garages were demolished, and it was intended that a similar scheme would be set up in its stead. It was further clarified that several physical restrictions, such as the placement of the nearby electricity pylons and cables, limited the possible layout of the proposals.

In response to questions raised about the efficiency and environmentally friendly nature of the proposals the Urban Designer clarified that, as the development was of such a high specification, the dwellings would be very efficient. He suggested that it was impractical to include all the available efficiency making schemes within the proposals due to financial and logistical restrictions.

A member of the Committee questioned whether the education facilities had been considered and if provision to encourage the elderly to downsize had been included in the applications at any stage. The Planning Manager explained that Essex County Council had been consulted in relation to education facilities and no objections had been raised. Although schools may have limited spaces, the small number of houses proposed in each application would not make any significant difference. He clarified that the Strategic Housing Team were investigating schemes to encourage the elderly to downsize, however the affordable housing need was so great that these proposal could not be limited in such a manner.

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

## **90. 131956 Garage Site 2, Monkwick Avenue, Colchester**

**Councillor Lillev (in respect of his position as a Colchester Borough Homes**

**board member) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an application for the demolition of 39 existing garages at Site 2 on Monkwick and the construction of four 3 bedroom, 2 storey houses with associated parking, displacement parking spaces, external works, drainage and landscaping. The Committee had before it a report and amendment sheet in which all the information was set out.

Mr Andrew Tyrrell, Planning Manager, presented the report and assisted the Committee in its deliberations.

Mr Chris Parkin addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He spoke on behalf of all the residences that currently shared a boundary wall with the garages. He stated that the current wall was attractive and in keeping with the area, whereas a replacement fence of a lesser height would not offer sufficient protection to their properties. He claimed seclusion and security would be lost, along with the acoustic barrier currently enjoyed. He suggested that a fence with horizontal panelling would aid criminal activity. He also suggested that a fence would decay quickly, with a much shorter life span than a brick wall. He drew attention to the lean-tos currently relying on the garage walls, for which no provisions had been made.

Mr Scott Barlow of Ingleton Wood Building Consultancy addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He detailed the parking survey that had been carried out by Ingleton Wood regarding displacement parking. Taking into account those garages not in use, those used for storage and those with owners outside of the area it was determined that only five parking spaces needed to be displaced. The scheme provided 11 car parking spaces. As such six spaces would be available for those cars which currently parked on the road during the school rush. The road would be busy regardless of the development but, it was claimed, that this scheme would improve the situation.

Councillor Harris attended the meeting and, with the consent of the Chairman, addressed the Committee. He highlighted the great need in Colchester for affordable housing and the importance of the schemes before the Committee tonight. He suggested that parking would always be a problem in the area but that the spaces provided would help move some cars off the road. He suggested that a fence replacement at the boundary of the site would decay and the Committee should consider the ongoing maintenance cost of this in relation to a one off payment for a wall, which would uphold the status quo.

Councillor Bourne attended the meeting and, with the consent of the Chairman, addressed the Committee. She explained that where private landlords would charge rent at 100% of the market rate and housing associations would charge rent at 80% of the market rate, Colchester Borough Council would only charge rent at 60% of the market rate, making these schemes truly affordable. She stated that a long process of consultation had been carried out before any applications were submitted, with objections being addressed and plans re-drawn. She suggested that, whilst she

appreciated the benefits the wall provided the residents, the fence provided would be robust and would cost approximately £14,000 less than a new wall.

It was explained by the Planning Manager that a fence taller than 1.7 metres would be more desirable, although no acoustic barrier was considered necessary. He stated that under the landscaping condition, the detail of whether a fence or wall was provided would be decided in due course. He clarified that the current garage wall was within Council owned land and was under the Council's control. If local residents wanted to erect their own wall, they could do so.

The Committee requested that any replacement fencing be erected immediately after the garages were demolished.

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

## **91. 131929 Garage Block, Rosabelle Avenue, Wivenhoe**

**Councillor Lilley (in respect of his position as a Colchester Borough Homes board member) declared a non-pecuniary interest in this item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered an application for the demolition of 40 existing garages in Rosabelle Avenue and the construction of five 3 bedroom, 2 storey houses with associated parking, displacement parking spaces, external works, drainage and landscaping. The Committee had before it a report and amendment sheet in which all the information was set out.

Mr Andrew Tyrrell, Planning Manager, presented the report and assisted the Committee in its deliberations.

Mr Shaun Boughton addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He claimed that the objections of 97 residents had been ignored. He suggested that Wivenhoe was more deprived than Greenstead. He believed that the privacy of existing properties would be diminished and that the parking problems in the area had been underplayed. He claimed that the proposed dwellings were not in keeping with the locality, with bungalows adjacent to the development site. He suggested that a sustainable development should be proposed, such as retirement housing, which would be more appropriate. He requested that the Committee defer the application in order for further investigation to be carried out.

Mr Scott Barlow of Ingleton Wood Building Consultancy addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He suggested that, after factoring in empty garages, those used for storage, owners out of the area and owners with their own parking, the amount of cars

to be displaced could be as little as two. He stated that the parking stresses of the area never exceeded 80% and that displaced cars could be safely accommodated within the existing provisions.

Councillor Cory attended the meeting and, with the consent of the Chairman, addressed the Committee. He believed that many of the similar schemes presented to the Committee tonight were laudable. However he suggested that this particular site should be considered separately. He claimed that Wivenhoe was different in nature to other areas and a bungalow complex for the elderly would be more suitable. He requested that the application be deferred in order to consider all of the options for the site. He also suggested that the parking situation in the area was worse than outlined in the report and the development would have a detrimental impact. He believed that extra parking could be provided for this application, as with the previous applications.

Councillor Bourne attended the meeting and, with the consent of the Chairman, addressed the Committee. She suggested that the proposal was in keeping with the locality. She clarified that although Wivenhoe was more deprived than Greenstead in relation to fuel use, in all other areas it was better off. As such, she suggested, Wivenhoe needed these homes, which would be finished to a high standard and very efficient. She suggested that affordable homes in this area would be desirable and that the area itself was made up of a significant amount of ex-Local Authority housing.

It was explained by the Planning Manager that the displacement parking provisions were considered sufficient and that the Highways Authority had raised no objections to the proposal. The local school and doctor's surgery had both stated that they would be able to cope with the demands created from five more dwellings.

The Committee suggested that most of the objections made had been remedied prior to the application being submitted. It was claimed that the strongest objection, that of housing for the elderly being more appropriate, was not part of the application in front of the Committee and, as such, could not be considered. Some members of the Committee expressed their deep concern about the 4,000 strong waiting list for affordable housing and noted that this scheme identified as part of a rolling programme to address this issue.

A member of the Committee expressed disappointment at some of the representations received, relating to the 'fear of crime' affordable housing would attract and advised that representations be limited to objections on planning grounds.

A member of the Committee queried the ownership of the hedge and considered the view of the development from the adjacent property's window to constitute a demonstrably negative impact on their amenity. In response the Planning Manager stated that the existence or not of a hedge would not change the recommendation and that he believed the impact on neighbouring amenity would be minimal.

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

## **92. Delayed Decision Protocol Report - 131020 and 131023 Jumbo Water Tower, Balcerne Passage, Colchester**

The Committee considered the report of the Head of Commercial Services. It was resolved at the Committee meeting on 31 October 2013 that the Committee were minded to refuse planning applications 131020 and 131023 for the Jumbo Water Tower, contrary to the Officer recommendations and to defer the applications under the Delayed Decision Protocol. The report responded to this decision and set out detailed reasons for refusal.

Mr Simon Cairns, Planning Project Manager, presented the report and assisted the Committee in its deliberations.

*RESOLVED* (FIVE voted FOR, FOUR voted AGAINST and ONE ABSTAINED from voting) that applications 131020 and 131023 be refused, for the reasons set out in the report.