

PLANNING COMMITTEE

1 AUGUST 2013

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

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

36. Minutes

The Minutes of the meetings held on 11 July 2013 were confirmed as a correct record.

37. 120110, 120112, 120115, 120859, 121700 - Formerly Jewsons Ltd, Hawkins Road, Colchester

The Committee considered applications for the change of use of commercial space to residential units and for the reinstatement of the fifth floor to Block D and associated residential units at that level. 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.

RESOLVED (UNANIMOUSLY) that -

(a) subject to the Environment Agency lifting their objection and the completion of the Section 106 Legal Agreement within six months of the date of the Committee meeting to provide to following –

- five Affordable Housing Units; and
- nomination rights to the other housing units in Block D to be sold privately to a Registered Provider,

authority be delegated to the Head of Professional Services to approve the application, subject to the conditions set out in the report and amendment sheet.

(b) In the event that the Section 106 Legal Agreement is not signed within six months, authority be delegated to the Head of Professional Services to refuse the application.

38. 130956 - Co-op Fiveways & Homemakers Site, Peartree Road, Stanway

Councillor T. Higgins and Councillor Liddy (in respect of their membership of the East of England Co-operative) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).

The Committee considered an application for the variation of condition 25 of planning permission 111923 in order to vary the opening hours of Unit 4. 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.

39. 130858 - Colchester Wine Company, (Mixing Bowl), 117 Gosbecks Road, Colchester

The Committee considered an application for the demolition of an existing retail unit and industrial building and the erection of a supermarket with associated car parking and re-aligned access. The Committee had before it a report and amendment sheet in which all the information was set out.

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

40. 122238 - International Farm Unit, Hall Road, Tiptree

The Committee considered an application for the removal of conditions 13 and 14 attached to planning permission 121071. The Committee had before it a report and amendment sheet in which all the information was set out.

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

41. 130631 - Visitors Centre, Turner Road, Colchester

The Committee considered an application for free standing entrance signage at the driveway to Highwoods Country Park. 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.

42. 131130 - Colchester Town Centre, St Botolphs Circus, Colchester

The Committee considered an application for the removal or variation of conditions 2, 3, 12, 13, 14 and 15 of planning permission 111981 for the development of the town station approach area, including removal of the parking area, to form a new pedestrian space. Works include new paving, lighting and bespoke artwork for seating, guarding / gates and feature rails. The Committee had before it a report and amendment sheet in which all the information was set out.

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

43. 131210 - 1 Launceston Close, Colchester

The Committee considered an application for a single storey extension to create disabled facilities. 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.

44. 121949 - Highfields Farm, Highfields Lane, Messing

The Committee considered an application for the construction of a 36.54 hectare solar park, to include the installation of solar panels to generate electricity, with transformer housings, security fencing and cameras, landscaping and association works. 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.

Mr Simon Osborn, Planning Officer, and Mr Adam John, Landscape Planning Officer, attended to assist the Committee in its deliberations and explained the several alterations to Conditions that had been included in the amendment sheet.

Ms Kate Innes, of The Old Rectory, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. She explained that she was objecting, not to the principle of a solar park on the site but to the large size proposed, rural situation, visual impact and proposed access. She referenced the National Planning Policy Framework (NPPF), which stated that development should enhance an area. She made the point that the site would be 50 metres from a public footpath and that the proposed control room would be highly visible, with trees and hedgerows taking several years to become established. She requested that the control and converter room be moved.

Ms Peta Donkin, of Pegasus Planning Group, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application.

She explained that local residents had been consulted on the development, which had resulted in a reduction in size to 29 hectares. She emphasised that existing hedgerows would be used to minimise visual impact, with new hedgerows being introduced where this is not possible. She indicated that environmental diversity would be improved on the site, in this manner. She explained that the Parish Council had removed their objections and that a survey would be undertaken of Windmill Hill and Marlborough Cottage to assess traffic movement.

The Planning Officer explained that, in accordance with the NPPF, he believed that the removal of two fields from the development had made the proposal acceptable and, in the long term, the site would be improved. He stated that there would be visual impact from the site but all that could be done had been done to keep this at a minimum.

The Committee recognised that this was the first application of its type in the Borough and that several alterations had been made to make it more acceptable for residents. It was suggested that this proposal was a step in the right direction in relation to environmental issues and, although the residents concerns were understood, significant mitigation measures had been achieved.

In response to questions raised regarding construction times the Planning Officer clarified that HGV delivery was limited to between 10:00am and 4:00pm and that other works could take place between 8:00am and 6:00pm, Monday to Friday and 8:00am to 1:00pm Saturdays. He also explained that conditions had been suggested in order to achieve the best position for the control room.

In order to address concerns about traffic, the Planning Officer suggested that wording stipulating the use of advanced warning signs could be added into the Informative from the Highways Authority.

RESOLVED (UNANIMOUSLY) that subject to no objections being raised by National Grid, the Head of Professional Services be authorised under delegated powers to grant planning permission subject to the conditions set out in the report and amendment sheet and an addition to the Informative regarding the use of advanced warning signs.

45. 131131 - Land Adj to 20 Swan Grove, Chappel

The Committee considered an application for the erection of 2 no. 3 bed affordable houses with associated parking. The application was a resubmission of planning application 121486. The Committee had before it a report and amendment sheet in which all the information was set out.

Mr David Whybrow, Principal Planning Officer, attended to assist the Committee in its deliberations and explained that he was satisfied that there was no net loss in overall car parking spaces.

Ms Hazel Oliver addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. She stated that in her

opinion the development would result in an overall loss of 13 car parking spaces and that cars were already parking in the spaces proposed, so no improvements would be seen. She suggested that the lack of allocated parking would cause problems and that vehicles would be forced to park closer to the bend in the road. She urged the Committee, if they could not make the situation better, to not make it worse.

Ms Charmaine Biggle addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. She stated that similar schemes introduced in Essex had received positive feedback. She said the development provided good space at a low cost and would remain low in cost. Following a previous refusal of permission, the issues raised had been addressed and the Committee's comments taken on board.

The Committee admitted that there was a problem with parking on the estate generally, however believed this application was providing more than adequate parking. A Member of the Committee highlighted an issue involving a gap between the application site and the adjoining dwelling on land owned by the Council which was causing a security problem for number 20 Swan Grove.

The Principal Planning Officer explained that the passage was gated and could be locked, as it wasn't providing access to anywhere. Mr Andrew Tyrrell, Planning Manager, explained that, when the sites were first surveyed, it had been assumed that this gate belonged to the neighbour and there had been an encroachment. However, if this were not the case, as it had transpired, then it seemed that all the parties were willing to resolve the situation. It was suggested that the matter was not planning related and the issue could be raised with Colchester Borough Homes for them to resolve outside of the planning application.

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

46. 131043 - Clear View, Colchester Road, Chappel

The Committee considered an application for a single storey rear extension, loft conversion including roof alterations and the formation of front and rear roof dormers. These were revisions to the design of a previous planning application which had been granted permission. 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.

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

Mrs Rampley addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. She explained that the application had been submitted in order to address the objections raised by her

neighbours. She hoped that the flat roof of the proposed extension would alleviate their concerns. She also drew attention to the fact both neighbours had extended their properties on plots of about the same size.

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

47. Request to Amend the Scheme of Delegation to Officers Following Changes to the General Permitted Development Order

The Committee considered the report of the Head of Professional Services requesting that the Committee agree that all applications for a determination as to whether the prior approval of the Authority is required would be exempt from the Member Call-In process. The Committee had before it a report in which all the information was set out. A summary of the changes to the General Permitted Development Order on 20 May 2013 was included in Appendix A to the report.

Mr Andrew Tyrell, Planning Manager, attended to assist the Committee in its deliberations.

The Committee suggested that this was a sensible proposal but requested clarification regarding what decisions Officer would be making and whether Ward Councillors could register any objections.

The Planning Manager explained that only adjoining land owners could object and that only issues of amenity would be taken into account when considering applications, which were mainly technical. He clarified that Parish Councils would not be consulted and that Ward Councillors could be notified, but it would be for information only.

RESOLVED (UNANIMOUSLY) that all applications for a determination as to whether the prior approval of the Authority is required under the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2013 be exempt from the Member Call-In process.