

**COLCHESTER BOROUGH COUNCIL
PLANNING COMMITTEE
9 September 2010 at 6:00pm**

SUPPLEMENTARY AGENDA

Part A

(open to the public including the media)

Pages

9. Amendment Sheet

66 - 75

See Amendment Sheet attached.

AMENDMENT SHEET

Planning Committee
9 September 2010

AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

**LATE AMENDMENTS HAVE BEEN INCORPORATED INTO THIS
AMENDMENT SHEET AND ARE SHOWN AS EMBOLDENED**

7.1 101253 – The Oaks Hospital, Oaks Place, Colchester

A revised plan has been received indicating 10 existing cycle spaces for staff and proposed 4 cycle parking spaces and 4 powered 2-wheeler parking for visitors.

Condition 5 and Condition 12 require amendment to take account of the revised drawing No. 6401-P27 Rev A and the proposed cycle and powered 2-wheeler parking.

7.2 091559 – Walter Radcliffe Way, Wivenhoe

Correction Page 27 – Paragraph 11.3 – Provision is made for 15 cycle spaces not 13.

Condition 6 should say garages not garage.

**A revised plan has been received indicating 4 public cycle and 4 powered 2-wheeler parking within the public car park.
Page 30 – Bullet Point 3 requires amendment to secure these additional facilities.**

An additional condition is required to ensure the development takes places in accordance with the approved drawings.

The Highway Authority comments have been received and the conditions required are attached.

A letter of objection has been received on behalf of residents and neighbours in Anglesea Road. The letter and response from the applicant are attached.

Officer Comment: The objection mainly relate to Phases 1 & 2 not the current application.

Point 2 – The approved plan indicates a 3-storey dwelling. Unfortunately a plan showing building heights incorrectly identified this building as 2-storey.

7.3 101311 – 88 and 90 Mersea Road, Colchester

Withdrawn by the Head of Environmental and Protective Services – no new matters raised in additional representations received.

7.5 101283 – 36 Marlowe Way, Colchester

Member call-in withdrawn following receipt of amended drawings. Application has been determined under delegated powers.

7.7 101408 – 25 High Street, Dedham

For the sake of clarity, it is recommended that Condition No. 4 in the Recommendation is amended to make clear that the final position of the sign should not project out from the face of the building by more than 600mm. The amended condition will therefore read:

- 4. The proposed hanging sign shall be erected in the indicative position indicated within the photographic montage submitted with the application. If it is necessary to alter the final position of the sign by more than 300mm (to take account of the building structure), further details shall first be submitted to and agreed in writing by the Local Planning Authority. The base of the hanging sign shall not be positioned lower 2.7m above ground level ***AND THE SIGN SHALL NOT PROJECT OUT FROM THE FACE OF THE BUILDING BY MORE THAN 600MM***, unless otherwise agreed in writing by the Local Planning Authority. (Reason: In accordance with the details submitted with the application and to ensure that the sign is sited in an appropriate position with regard to the character and appearance of the historic building and the conservation area).**

(Note: The amended wording is in Italics)

H&T/AJG
8 January 2010
Adam Garland

091559

Taylor Wimpey East London

Former Cook's Shipyard, Phase 3, Walter Radcliffe Way,
Wivenhoe

Erection of 32no dwellings, 11no office units (within class A2 –
financial and professional services and class B1 –
Business) garages, off street parking, roads and
footpaths (sic), public open space, foul and surface water
drainage, and hard and soft landscaping

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all purpose access) will be subject to the Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway by the ECC.

The Highway Authority raises no objection subject to suitable conditions to achieve the following: -

Condition: Prior to the commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that roads and footways are constructed to an acceptable standard, in the interests of highway safety

Condition: The carriageway(s) of the proposed estate road(s) shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road(s). The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling, prior to occupation has a properly consolidated and surfaced carriageway and footway between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any up-stands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and paths in front of each dwelling shall be completed with the final surfacing within twelve months from the first occupation of such dwelling.

Reason: *To ensure that roads and footways are constructed to an acceptable standard, in the interests of highway safety*

Condition: Each internal estate road junction shall be provided with a clear to ground level visibility splay with dimensions of x (measured along the centre line of the side road) by y (measured along the nearside carriageway edge) on both sides. Such visibility splays shall be provided before the road is first used by vehicular traffic and shall be retained free from obstruction at all times.

Reason: *To ensure a reasonable degree of intervisibility between drivers of vehicles at and approaching the road junction, in the interests of highway safety.*

Condition: The development shall not be occupied until such time as the car and boat parking area, indicated on the approved plans, including any spaces for the mobility impaired has been hard surfaced, sealed and marked out in parking bays. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development.

Reason: *To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety.*

Condition: The Developer shall be responsible for the provision and implementation of a Transport Information and Marketing Scheme for sustainable transport, approved by the Local Planning Authority, to include vouchers for 12 months free bus travel within (*insert here the applicable area covering the relevant zone as set out by the local Operator and Essex County Council*) for each eligible member of every household, valid for exchange during the first 6 months following occupation of the individual dwellings. Details of the uptake of the vouchers shall be provided to the Essex County Council's Travel Plan Team on a 6 monthly basis

Reason: *In the interests of promoting sustainable development and transport in accordance with Policy No.4 in Appendix G to the Local Transport Plan 2006/2011 as refreshed by Cabinet Member decision dated the 19 October 2007.*

Condition: No development shall be permitted to commence on site until such time as an Order securing the diversion of the existing definitive right of way to a route to be agreed with the Local Planning Authority has been confirmed and the new route has been constructed to the satisfaction of the Local Planning Authority.

Reason: *To ensure the continued safe passage of pedestrians on the definitive right of way in accordance with Policy 3.5 in Appendix G to the Local Transport Plan 206/2011 as refreshed by Cabinet Member Decision dated 19. October 2007.*

Note: It should be borne in mind that, unless otherwise stated, the base for these conditions is policy 1.1 in Appendix G to the Local Transport Plan 2006/2011 as refreshed by Cabinet Member decision dated 19. October 2007.

INF01: The above is required to ensure the proposal complies with the County Council's Highways and Transportation Development Control Policies as originally contained in Appendix G to the Local Transport Plan 2006/2011 and refreshed by Cabinet Member decision dated 19 October 2007.

INF02: All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made initially by phone on 01206 838696 or by email on www.highways.eastarea@essex.gov.uk.

INF03: The applicant is reminded of their duties and responsibilities with regard to the line of Public Footpath 13 which runs across the site. Should any works affect the line of the right of way these must be carried out in agreement with this authority and application for the necessary works should be made initially by telephoning 01206 838600.

.....
Area Highway Manager

Date.....

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Sue Jackson

From: Veronica Alexander [veronica.alexander@fuelmatters.co.uk]
Sent: 03 September 2010 11:12
To: Sue Jackson; David Whybrow
Cc: bo@hardyres.plus.com; jonathan bohman
Subject: Cook's Shipyard
Attachments: planning objection 30th august.doc; size of buildings030.jpg; col 051808031.jpg; COOK'S SHIPYARD 015.JPG; COOK'S SHIPYARD 016.JPG

Dear Ms Jackson and Mr. Whybrow,

Please find attached a letter which local residents would like you to consider.

We understand that Phase 3 of this development goes to committee next week and have some major concerns about this phase as well. Key to our concerns are that TW have not kept within their boundaries(col 05/1808 additional plan clearly shows that TW's boundary abuts the new house opposite New House Anglesea Road rather than what TW have done which is take their boundary considerable further), footpaths are drawn to go through houses(col 05/1808), the traffic assessment referred to is significantly out of date and there are some areas of the report which are factually incorrect such as 15.14 and 15.19 (Anglesea Road residents are overlooked by this development whether it is phase 2 or phase 3 is not clear because from the report it is not clear what is phase 2 and what is phase 3). There is also no parking plan attached to the committee report or plan of heights of buildings. These would be useful additions to assess some of the comments made in the report.

Kind Regards

Veronica Alexander on behalf of residents and neighbors in the vicinity of Anglesea Road

Sue Jackson
Principal Planning Officer
Colchester Borough Council
PO Box 889
Town Hall
Colchester
CO1 1FL

Mrs V Alexander on behalf of
Local Residents
New House
Anglesea Road
Wivenhoe
CO7 9JR

Dear Ms Jackson,

4th Sept 2010

Re: Taylor Wimpey Development on former Cook's Shipyard. Wivenhoe

I write on behalf of local residents neighbouring the above development. We really need your help to understand how Taylor Wimpey (TW) have been allowed to significantly alter the original approved plans in relation to the above development without notifying local and neighbouring residents of the changes and without giving this group an opportunity to object.

In terms of the modifications which TW have made and are making at this development we all strongly believe that the changes are not in keeping with the original planning approvals for this area.

The key areas of concern we have, which we would like you to respond on are:

1. TW are developing and utilising land which is not within their ownership. (See attached picture). How can they be prevented from doing this and what recourse do locals have to ensure TW re-establish to their satisfaction?
2. The house immediately opposite New House, Anglesea Road was agreed in the original plans to be 2 stories high. (see attachment) It appears this is now to be a 3 or 3.5 storey building. How can this happen without formal planning consent and effected residents being informed and allowed to object? How can TW be made to comply with the agreed plan?
3. The building currently under construction on the boundary to "The Old Fire Station" is being built so close to the open local drain that residents are worried there will not be sufficient access for maintenance and repair of this drain. The original approved plans clearly left enough space for any maintenance provisions. How can TW be made to comply with the original proposals?
4. The new foot path which TW have had to install to replace the old established right of way also now has the dual function of accommodating vehicular access for the Water Board onto the back of Border House. This road, which we understand will not be adopted by the council, will become blocked to anyone trying to use it unless there are double yellow lines. How can these be put in place unless the road is adopted? Can TW or the council be made to put these in place?

The residents of Anglesea Road also want to know what provisions will be put in place to stop this un-adopted road being used as a rat run into and from Sun Lane at the end of Anglesea Road.

Residents have had various miscellaneous verbal communications with the local representatives of TW. These have in large been in-conclusive with TW unprepared to retract any work to date despite the fact it is contrary to what has been approved by the planning authorities.

Can I ask that you look into these matters to ensure that the development at Cook's Shipyard is in keeping with what has been approved and that local amenities, rights of way and local residents' rights are protected? We would like you to respond by 10th September. If you would like an on sight meeting to look at any of these points before responding then I and/or other local residents would be only too happy to do this. Please telephone me to let me know if you'd like to arrange a meeting. (Phone: 01206 827 679).

Yours Sincerely

Veronica Alexander on behalf of local residents to Cook's Shipyard

CC. David Whybrow - Planning Enforcement Officer

Taylor Wimpey

Sue Jackson
Principle Planning Officer
Colchester Borough Council
PO Box 889
Rowan House
33 Sheepen Road
COLCHESTER
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CO3 3WG

Taylor Wimpey East London
Kings House
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T: 01277 236800
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www.taylorwimpey.co.uk

8 September 2010

Dear Sue

Cooks Shipyard Development

I write in response to your recent email regarding the letter of objection received from Mrs V Alexander on behalf of the local residents of Cooks Shipyard.

All the points raised appear to refer to the existing development and not to the current Phase III application and although not considered relevant to tomorrows meeting;

I am pleased however to comment on the points raised, in the same order as the letter.

1. I can confirm that the plot referred to (13) is being constructed within the Company's ownership. The enabling works are within untitled land, which the Company will make good to the satisfaction of the Council
2. All construction within Phases I and II are in accordance with approved details. (No development is proposed above the 3 storeys)
3. The plot (1) adjacent to the open culvert, when completed will not prevent access to the culvert as approved by the original consent
4. The length of the new footpath (dual function) within the Company's ownership is to be adopted under a variation of the S.38 agreement

It is my understanding that Sun Lane is intended to form part of the pedestrian permeability to and from the site, Taylor Wimpey will provide additional bollards as necessary (subject to Highways Approval) to prevent vehicular access.

All necessary diversion orders and permissions have been sought to allow the development to take place.

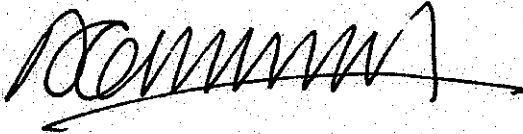
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I confirm that all current development has been constructed in accordance with the approved details. I hope that this letter fully answers the queries raised.

If you require any further information, please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A Middlebrook', with a long horizontal stroke extending to the right.

A Middlebrook
Senior Design and Planning Executive

Sue Jackson

From: Middlebrook, Tony - TW East London [Tony.Middlebrook@taylorwimpey.com]
Sent: 08 September 2010 15:27
To: Sue Jackson
Subject: RE: Cook's Shipyard
Attachments: SharpMFD@georgewimpey.co.uk_20100908_161958_001.jpg

Dear Sue,

I am sorry for any confusion that the Mel Dunbar storey height plan may have caused, as you have rightly confirmed plot 13 is approved as a 3 storey dwelling.

I attach an extract plan indicating (by orange hatch) the area of combined Footpath / Access (within the company's ownership) which Paul Bradford has agreed for adoption, the remaining access to the pumping station (blue line) is outside own title.

Regards

Tony Middlebrook

From: Sue Jackson [mailto:Sue.Jackson@colchester.gov.uk]
Sent: 08 September 2010 14:37
To: Middlebrook, Tony - TW East London
Subject: RE: Cook's Shipyard

Dear Tony,

Thank you for your comments re plot 13 I think this has arisen as the scale of buildings plan submitted by Mel Dunbar shows plot 13 as 2 storey whereas it is approved as 3 storey.

Can you clarify which is the length of new dual function footpath referred to in point 4?

Kind Regards
Sue Jackson
Principal Planning Officer
Environmental and Protective Services
Colchester Borough Council
33 Sheepen Road
Colchester
CO3 3WG

email sue.jackson@colchester.gov.uk
telephone 01206 282450
fax 01206 282598

Post Point 8

From: Middlebrook, Tony - TW East London [mailto:Tony.Middlebrook@taylorwimpey.com]
Sent: 08 September 2010 13:48
To: Sue Jackson

**COLCHESTER BOROUGH COUNCIL
PLANNING COMMITTEE
9 September 2010 at 6:00pm**

SUPPLEMENTARY AGENDA

Part B

(not open to the public or the media)

Pages

There are no Section B Items