

PLANNING COMMITTEE
29 MARCH 2012

Present :- Councillor Ray Gamble* (Chairman)
Councillors Christopher Arnold*, Peter Chillingworth*,
John Elliott*, Stephen Ford, Peter Higgins*,
Theresa Higgins*, Sonia Lewis*, Jackie Maclean*,
Jon Manning and Laura Sykes*

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

128. Minutes

The minutes of the meeting held on 15 March 2012 were confirmed as a correct record.

Councillor Peter Chillingworth (in respect of his acquaintance with Robinson & Hall, the applicant's land and property consultants) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

129. 111529 Barratts Farm, East Lane, Dedham, CO7 6BE

The Committee considered an application for a proposed training centre for horses for recreational carriage driving and livery, with manager's accommodation. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

RESOLVED (UNANIMOUSLY) that –

- (a) Consideration of the application be deferred for completion of a Unilateral Undertaking to provide for a contribution towards Open Space, Sport and Recreational Facilities in accordance with the Council's Supplementary Planning Document.
- (b) Upon receipt of a satisfactory Unilateral Undertaking, the Head of Environmental and Protective Services be authorised to grant consent with conditions and informatives as set out in the report.

130. 112183 Jarmin Road Industrial Units, Jarmin Road, Colchester, CO1 1XW

The Committee considered an application for the erection of fifty-seven residential units, consisting of forty-five houses and twelve flats, and the construction of a fifty-five space public car park. The Committee had before it a report in which all information was set out, see also Amendment Sheet. 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.

Lee Smith-Evans, Urban Designer, attended to assist the Committee in its deliberations.

Councillor Frame attended and, with the consent of the Chairman, addressed the Committee. He congratulated the developers in producing a better scheme than the previous one for 116 units. This scheme provided an improved design and layout, and affordable homes would be provided on site. He had two concerns, one being the retention of the greensward in Catchpole Road which was shown as broken up by a series of driveways, and the other being a blank imposing wall on a three storey block. He urged the committee to come to an agreement with the developer to retain the greensward as it was and he requested that the blank wall be broken up by the use of materials.

The planning officer stated that since the development brief for an earlier scheme had been agreed the council had adopted revised parking standards and the earlier development brief was not now in accordance with the revised standards. In terms of the solid blank wall, he considered it would be possible to negotiate with the developers to break up the appearance of the wall by using design elements elsewhere in the development.

Members of the Committee were of the opinion that this scheme was a vast improvement over the previous scheme, particularly the increase in parking provision, and the retention of the greensward strip and the trees along the Catchpole Road frontage.

The planning officer confirmed that garages would be constructed to the standard size, and the layout of the adjacent public car park was required to be agreed with this authority; therefore any provision for disabled parking could be included at that stage. In terms of visitor parking, it was noted that the provision was below the standard across the scheme, however, the site was considered to be a town centre site with a public car park adjacent. He confirmed that permitted development rights would be removed on the development and no hard landscaping would be permitted on the greensward areas in front of properties.

RESOLVED (UNANIMOUSLY) that –

(a) Consideration of the application be deferred for completion of a Section 106 legal agreement to provide for the following:-

- four affordable houses provided as three three-bedroom units and one four-bedroom unit;
- a fully functional, marked out and fully equipped public car park given over to the Council prior to occupation;
- a contribution towards facilities within Castle Park.

(b) Upon receipt of a satisfactory Section 106 legal agreement, the Head of Environmental and Protective Services be authorised to grant consent with conditions

and informatives as set out in the report, on the Amendment Sheet and including detailing to be added on the blank wall, permitted development rights to be removed and provision for disabled parking bays to be made in the public car park area.

Councillor Christopher Arnold, Councillor Peter Chillingworth, Councillor John Elliott, Councillor Sonia Lewis and Councillor Jackie Maclean (in respect of the applicant being a member of the Conservative Group) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

131. 112297 14 Church Lane, Colchester, CO3 4AF

The Committee considered an application for a new step outside the front door of a veterinary practice, with a hand rail both sides for disabled and infirm clients. 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.

132. 100927 Land to the rear of 19 and 21 Empress Avenue, West Mersea

This application was withdrawn from consideration at this meeting by the Head of Environmental and Protective Services because of issues relating to land ownership. The application to come back to the committee at a later date.

133. 111999 57 Rectory Road, Rowhedge, CO5 7HX

The Committee considered an application for alterations to 57 Rectory Road and the erection of two four-bedroom dwellings. The Committee had before it a report in which all information was set out, see also Amendment Sheet. 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.

Lucy Mondon, Planning Officer, attended to assist the Committee in its deliberations.

Tom Richardson addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He referred to there being no supporters of the proposal. He also referred to gardens having been re-classified as greenfield land and there was a presumption against garden grabbing. There was no need to cram in as many dwellings as possible as density targets were no longer applicable. One of the new dwellings would be one metre from his fence and would cut out all sunlight. The upstairs rooms would overlook his property and garden, making it unsafe for his children. Rectory Road was effectively a single carriageway road with no space for on-street parking and no provision for visitors cars.

John McClarty addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 on behalf of the applicant in support of the application. He commented that Colchester had a good pre-application process with which they had engaged. He referred to there being a difference in a number of plots in the area. During the application process they took note of objectors comments and had addressed their concerns by reducing the scale of the development. They had also looked to reduce the height, frontage and overlooking, the latter of which was not an issue. The scheme complied with policies in the recently adopted local plan.

Councillor Lilley attended and, with the consent of the Chairman, addressed the Committee. The main issues of concern were traffic, cramming buildings onto the site and the loss of the badger sett. The site was next to a school bus stop, the area was congested at weekends and night times, and there were no parking spaces nearby, and this proposal would add to existing problems. He presented the view that cramming the new buildings onto the site was a money making exercise and he stated that the badger sett should not be touched. The agent had quoted localism and local people did not want this development on such a small site. It was not in keeping with the surroundings and the new building next to no.55 was huge.

The planning officer explained that the development provided two parking spaces per dwelling which accords with the parking standards; one visitor parking space should also be provided but that would require more groundwork at the front of the site. In terms of impact on no.55, there were no windows overlooking and there was no overshadowing on the side of the dwelling which was not a primary amenity area.

Members of the Committee were concerned at the lack of provision of visitor parking spaces having regard to the narrowness of the road and the on-street parking situation. They also sought confirmation that the proposal complied with the Backland and Infill SPD and the distance between the new property and 55 Rectory Road.

Members were of the opinion that the development filled in the street scene, both plots providing reasonable sized gardens and both would receive sunlight.

The planning officer confirmed that visitor parking spaces could be included; the proposal did comply with the requirements of the Backland and Infill SPD; gardens had been removed from the definition of brownfield land, and the new National Planning Policy Framework did not rule out development on garden land but referred back to the Local Plan. She also confirmed that plot 3 was one metre from the boundary with no.55 but would be four metres from its side wall to the side wall of no.55; she also gave the height and length of the building. The Development Manager explained that visitor spaces could be secured by condition, notwithstanding the layout of the frontage areas, and although two visitor spaces would exceed the requirements it was important for there to be one visitor space per new dwelling, albeit at the expense of the frontage landscaping.

RESOLVED (MAJORITY voted FOR) that the application be approved with conditions and informatives as set out in the report together with a condition to require the submission of details of two additional visitor spaces, one for each of the new dwellings at the front of the properties, and that the landscaping condition will require

the details submitted to be amended to make provision for the two additional visitor parking spaces.

134. 120012 and 120013 St John Ambulance Site, Chapel Road, Wivenhoe, CO7 9DX

These applications were withdrawn from consideration at this meeting by the Head of Environmental and Protective Services. The applications to come back to the committee at a later date.