

Planning Committee

Thursday, 02 February 2017

Attendees: Councillor Helen Chuah, Councillor Pauline Hazell, Councillor Theresa Higgins, Councillor Cyril Liddy, Councillor Derek Loveland, Councillor Jackie Maclean, Councillor Philip Oxford

Substitutes: Councillor Patricia Moore (for Councillor Brian Jarvis), Councillor Chris Pearson (for Councillor Rosalind Scott)

436 Site Visits

Councillors Hazell, Higgins, Jarvis, Liddy, Loveland, J. Maclean and J. Scott-Boutell attended the site visits.

437 Minutes of 19 January 2017

The minutes of the meeting held on 19 January 2017 were confirmed as a correct record.

438 162607 Equity House, 2 Bergholt Road, Colchester

The Committee considered an application for change of use of office building B1(a) to 67 self-contained apartments (C3 use) and the erection of additional floor and alterations to the building's external appearance at Equity House, 2 Bergholt Road, Colchester. The application had been referred to the Committee because it was a major application to which objections have been received. 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 proposals upon the locality and the suitability of the proposals for the site.

Daniel Cameron, Planning and Contributions Officer, presented the report and, together with Simon Cairns, Major Development and Projects Manager, assisted the Committee in its deliberations.

Yvonne Grindrod, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. She explained that she was a resident from 4 Bergholt Road and, whilst recognising the need for housing in Colchester, she did have issues in relation to the proposed development. She was concerned regarding potential overlooking from the proposed additional floor of the

property, damp problems from the site and persistent maintenance issues in relation to significant annual leaf fall from two established trees on the site.

Robert Pomery, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He explained that the application had been submitted as the permitted development of the building to provide for 64 apartments would not allow the applicants to improve the appearance of the building or to provide benefits for the Council and the community in the form of financial contributions for affordable housing and for medical facilities. Discussions had therefore taken place with the planning officers and the ward councillor which had included the provision of an additional floor. He understood that the ward councillor had found the scheme to be acceptable subject to amendments to address access issues and to provide cycle storage facilities. He was aware of concerns expressed by neighbours but confirmed that the proposal complied with the Essex Design Guide and the impact of the proposal would, in his view, be similar if the already permitted scheme were implemented. He had not previously been aware of issues in relation to the management of existing trees but confirmed the applicants' willingness to work with the Council's Arboricultural Officer to determine an appropriate resolution.

Councillor Goss attended and, with the consent of the Chairman, addressed the Committee. He confirmed that he had been party to very productive discussions in relation to the application, however he was concerned about a number of issues the subject of previous discussions which had not been referred to in the Committee report. He sought confirmation regarding security measures to the building including the installation of CCTV, access for deliveries and secure mailboxes. He referred to maintenance issues in relation to the trees to the rear of gardens in Three Crowns Road as well as the two trees on the corner of Bergholt Road, as mentioned by the objector. He considered that any measures which could be secured to improve the situation for residents would be welcome. He sought information in relation to visitor parking, the location of vehicle charging points, the arrangement for the management of the parking spaces, whether the mural referred to by Myland Community Council had been found onsite and confirmation as to what proportion of the £50k contribution would be utilised within the Mile End ward. He also asked for details about the suggested land transfer to the Council.

In response to comments raised, the Planning and Contributions Officer explained that the trees on the corner of Bergholt Road, identified as T13 and T14, London Planes, in the arboricultural report were Category A trees and, as such, would be protected from complete removal although they could, along with the conifer trees between the site and Three Crowns Road, be included in the proposed condition providing for tree and hedgerow protection. He confirmed that security measures including CCTV, access for deliveries and secure post boxes were being provided. Details of layout of the visitor parking spaces had yet to be determined but the car parking management scheme proposed by the developer would be submitted for approval. He confirmed the proposed

location of the vehicle charging points. The financial contribution of £50k, offered within a unilateral undertaking by the developer, was to be divided between the provision of affordable housing within Colchester Borough and the provision of medical facilities in Mile End ward itself. He also explained that a proposed transfer of land to the south of the site had been included within the unilateral undertaking, potentially to provide for an enhanced station forecourt area and / or a cycle lane.

Members of the Committee sympathised with the views expressed by the residents, referring to indications that the two London Plane trees had previously been lopped to a height of seven metres and suggesting the possibility of car parking spaces being offered to nearby residents for sale or rent. Reference was also made to potential site access/egress issues, particularly at rush hour times. It was, however, considered that the proposals would enhance the area and the willingness of the developer to work to address concerns expressed by local residents was welcomed.

The Planning and Contributions Officer confirmed that the proposed access arrangements had been considered satisfactory by Essex County Council as Highway Authority whilst he considered the concerns regarding overlooking were mitigated sufficiently due to the existence of the line of conifers which provided a substantial screen and the fact that the view to the rear of the neighbouring properties was not a strictly back to back view.

The Major Development and Projects Manager advised against the addition of a further condition referring specifically to the management of the two London Plane trees, indicating that this would not meet the tests for a planning condition and could be addressed using existing measures.

RESOLVED (UNANIMOUSLY) that the application be approved subject to the conditions, informatives and positivity statement set out in the report and the amendment sheet and also subject to the prior completion of the agreed unilateral undertaking under Section 106 of the Town and Country Planning Act 1990.

439 163101 Wood Cottage, Station Road, Wakes Colne, Colchester

The Committee considered an application for a double garage at Wood Cottage, Station Road, Wakes Colne, Colchester. The application had been referred to the Committee because the agent worked for the Council on a consultancy basis. The Committee had before it a report and an 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.

440 163109 43 Oaklands Avenue, Colchester

The Committee considered an application for a first floor extension to convert a bungalow into a house at 43 Oaklands Avenue Colchester. The application had been referred to the Committee because the agent worked for the Council on a consultancy basis. 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.

441 163095 23 Shears Crescent, West Mersea, Colchester

The Committee considered an application for Single storey rear extension, first floor side extension, brick plinth and cladding to external walls at 23 Shears Crescent, West Mersea, Colchester. The application had been referred to the Committee because the agent worked for the Council on a consultancy basis. The Committee had before it a report in which all the information was set out.

Bruce O'Brien, Planning Officer, presented the report and assisted the Committee in its deliberations. He explained that, due to the existence of protected trees on the site, the Council's Arboricultural Officer had requested the submission of an Arboricultural Impact Assessment by the agent but this had not yet been received. He also confirmed that a condition had been proposed to provide for obscured glazing to the window which overlooked 8 Broomfield Road, which had been the subject of an objection from the neighbour.

Steve Miller, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He explained that he was a neighbour living at 8 Broomfield Road. He acknowledged his concerns regarding privacy would be addressed by the provision of a condition to provide for obscured glazing and he wished to ensure that this condition would be imposed as part of any planning permission. He was also concerned regarding potential loss of light to his kitchen and asked for the roof line of the side extension to be as low as possible.

Mark Anstey, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He confirmed that the window overlooking 8 Broomfield Road would have obscured glazing but he was confused regarding the neighbour's concerns regarding over shadowing and did not consider this to be relevant.

In response to comments raised, the Planning Officer confirmed that the proposed roof line of the side extension would be subservient to the main dwelling and, as such, he did not consider that this would result in a significant loss of light to the extent that it warranted a refusal of the application.

Members of the Committee were of the view that the application complied with the Council's policies and potential overshadowing would not be significant. Clarification was sought, however, regarding the applicant's request to change the materials cladding the external walls

RESOLVED (UNANIMOUSLY) that the Head of Professional Services be authorised to approve the planning application subject to the submission of a satisfactory Arboricultural Impact Assessment report and agreement being reached in relation to the external materials.