

# **Planning Committee**

## **Thursday, 05 September 2019**

**Attendees:** Councillor Lyn Barton, Councillor Pauline Hazell, Councillor Brian Jarvis, Councillor Cyril Liddy, Councillor Derek Loveland, Councillor Andrea Luxford Vaughan, Councillor Jackie Maclean, Councillor Philip Oxford, Councillor Martyn Warnes

**Substitutes:** No substitutes were recorded at the meeting

**Also Present:**

### **733 Site Visits**

Councillors Barton, Hazell, Jarvis, Liddy, Loveland, Luxford Vaughan and J. Maclean attended the site visits.

### **734 Planning Committee minutes 30 May 2019**

The minutes of the meeting held on 30 May 2019 were confirmed as a correct record.

### **735 190699 Land at the rear of AGM House, 83A London Road, Copford, Colchester**

**Councillor Bentley (by reason of his responsibility as Essex County Council Cabinet Member for Infrastructure) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

The Committee considered a planning application for the erection of a business park, comprising 3,009 sqm of B1(a) offices in three two-storey blocks with associated parking at land at the rear of AGM House, 83A London Road, Copford, Colchester. The application had been referred to the Committee because it was a major application with material planning objections and the recommendation constituted a departure from adopted Local Plan policy.

The Committee had before it a report in which all 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.

Benjy Firth, Planning Officer, presented the report and, together with Simon Cairns, Development Manager, assisted the Committee in its deliberations.

Alan Beasley addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He explained that the proposal would provide 3,000 sqm of office space which could theoretically accommodate 550 office workers whilst 140 new car parking spaces had been proposed which he considered to be inadequate despite the expectation that some workers would use alternative accommodation. He was concerned that visitors to the site currently opted to park on London Road and he was of the view that any overspill parking at the extended site would make this situation worse. He also noted that no cycle way or footpath for use within the site had been identified in the application drawings and he anticipated there would dangerous conflict between pedestrians and cyclists within the site and on the pavement on London Road. He asked what measures would be introduced to mitigate this danger. He disputed the comments in the application that cyclists would not need to use single or dual carriageways on the basis that there were no designated cycleways in the local area. He referred to the traffic assessment's conclusion regarding numbers entering and leaving the site at morning and peak times and considered them to be inadequate. He also did not consider that the application had adequately identified the business needs for the site nor had there been satisfactory justification regarding the need to depart from the Council's Local Plan policies. Accordingly, he asked the Committee to refuse the application.

Robert Pomery addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He acknowledged that part of the site fell outside the village envelope however the site had previously had the benefit of approvals for very large industrial building which had not been built due to operational changes to the business at the site. He also explained that the Local Plan and the National Planning Policy Framework supported development in rural areas outside settlements. He further explained that the proposal had been assessed by the Council's policy team who had advised that the proposal was compliant. He confirmed that 20 to 30% of the proposed development was required by the applicant's company which would allow growth within the business and create new job opportunities. Regarding the need for the remaining accommodation, he referred to the report from Fenn Wright that there was demand in Colchester for this type of office provision due to existing stock in the town centre being old, with no parking and much having been converted to residential use. He explained that if there proved to be less demand than anticipated then the offices would not be built with the rest of the site remaining as it was currently. He was of the view that concerns raised by the Council's urban designer and landscape officer had not had regard to the site's planning history or the current planning policy position. He also explained that the proposals had far less impact on neighbouring dwellings than the previous proposals and, as such, had been considered acceptable in residential amenity terms. He was of the view that the occupiers of the houses closest to the site would have been aware of the planning permissions which existed at that time and that the current scheme was an improvement. He confirmed that the parking provision exceeded the maximum standard and he expressed concern about problems

of parking on London Road that there was currently an over supply of parking provision when the overspill area was taken into account.

Councillor Bentley attended and, with the consent of the Chairman, addressed the Committee. He had no objection to the provision of local business accommodation in principle but he had concerns regarding associated highways matters. He was of the view that consideration needed to be given to the impact on the neighbouring area which needed to be done in relation to the current Local Plan and the emerging Local Plan and what mitigation was proposed to address issues which were planned for 20 years' time. He referred to the need to encourage people to not use their cars, to adopt alternative forms of transport and for such transport to be safe. He referred to the details of the application and the lack of detail in respect of infrastructure for cycleways and pedestrianisation. He referred to the proposed Travel Plan and the lack of details in relation to the appointment of a Travel Plan co-ordinator, the monitoring and enforcement of the plan and for how long the co-ordinator would be employed. He was also of the view that the detail of the Highways Authority assessment of the impact on the local road network needed to be provided to the Committee members for their consideration and for an explanation as to what it would mean for the next 5, 10 years and beyond. He acknowledged the previous planning permission for the site and the implications in terms of the Committee's ability to refuse the application, but he strongly suggested the Committee consider deferring their consideration in order to seek further evidence on the matters he had raised concerning the highway implications for the area and its residents now and in the future. He was also of the view that this would ensure that applications in the area which would be coming forward in the future could be considered in a join-up way, rather than each application in complete isolation of others. He suggested further information be sought on cycle provision, pedestrianisation, details of the Travel Plan and its monitoring, the appointment of a Travel Co-ordinator and for how long and to ask the Highway Authority how the proposals would fit with the current Local Plan and for modelling for the next 10 to 15 years.

The Planning Officer confirmed that the proposed parking provision was policy compliant. It was proposed to deliver an over provision of 50 general parking spaces whilst retaining the total number of disabled spaces at six, which delivered the required 5% of the total provision for the disabled spaces had the general provision been limited to the maximum stipulated in the parking standards. He confirmed that the Highway Authority had been consulted as the statutory consultee in relation to the access road, who had confirmed that they were satisfied with the parking and access proposals. He also confirmed that the proposals had been considered by the Council's Development Team which had concluded it would be appropriate to seek improvements to the two bus stops on London Road and which had been included as conditions. He confirmed that there was a proposed condition providing for a Travel Plan to be prepared and adhered to which would be monitored by the Council's Enforcement Team.

One member of the Committee acknowledged the need for the provision of business

units but commented on the benefit of additional evidence to demonstrate the level of need. Comment was also made about the site's partial location outside the settlement boundary and the policies in place to protect the settlement boundary. She also confirmed that there were ongoing parking problems along London Road but that they were not related to the application site, which had an abundance of parking for staff and customers. Comment was made regarding the prematurity of the application, given the current situation in relation to the examination of the emerging Local Plan, the outcome of which would assist in determining the needs for Copford as a whole. Reference was made to the current status of the application site, as open space backing onto farmland, that there were a number of planned developments which were likely to affect the area and the need for further information in order to better inform the Committee's consideration of the matter.

Another member of the Committee sought additional conditions to provide for improvements to footpaths and cycleways in order to encourage alternative means of transport.

The Planning Officer explained that there was a policy requirement to evidence the need for business accommodation which had been provided by means of a report from Fenn Wright. He also confirmed that the site was not allocated in the current or the emerging Local Plan, it being open countryside currently and, as such, the progress of the new Local Plan would not change the designation of the site. He confirmed that contributions had not been sought for infrastructure improvements which was likely due to the small scale of the development.

Other members of the Committee expressed concern regarding the emerging Local Plan and it was considered that the Highway Authority assessment may well be very different if it was to take into account what development proposals would be forthcoming in the future and, as such, it was agreed that the proposal was premature. Concern was also expressed regarding the amount of traffic using London Road and the need for the Highway Authority to consider the application in the context of future developments as well as the current problems facing local residents.

Concern was expressed regarding the need to allow the existing business to expand and the implications if the Committee's consideration of the application was deferred. Clarification was sought on conditions relating to light pollution in a rural setting and the mitigation measures recommended by the Highway Authority. Comment was made to the previous planning permission for industrial units which had not been implemented whilst the applicants had been in ownership of the site for a number of years. As such, clarification was sought regarding the need for the development at this time. Reference was also made to the development being largely car dependent, the need for the number of likely employees on the site and the implications of that, particularly in relation to parking provision.

The Planning Officer confirmed that it would be possible to consider an additional condition to provide for the phasing of the development, should the Committee consider this to be necessary. He confirmed that the proposed conditions included provisions for light pollution for minor developments in urban and rural areas. He also clarified that the Highway Authority mitigation requirements comprised the laying out of the car park prior to the occupation of the units, along with details of bike storage, wheel washing facility during the construction phase, the provision of a travel plan and improvements to the two bus stops on London Road.

The Development Manager commented on the Council's adopted parking standards which had been significantly exceeded, as such there would be no grounds upon which to seek further parking provision. He confirmed that the Highway Authority, in accordance with the requirements of the National Planning Policy Framework, had not identified any severe highway network capacity issues that would warrant a refusal of the application. He confirmed that it would be possible to seek further information from the Highway Authority, should the Committee consider this to be appropriate.

Another Committee member welcomed the application in terms of the economic benefits to the area and the arguments made within the report by Fenn Wright were considered to be interesting and potentially credible. However, it was acknowledged that concerns expressed during the Committee's consideration remained in relation to increased traffic, highway safety and access safety.

*RESOLVED* (FIVE voted FOR, ONE voted AGAINST and THREE ABSTAINED) that consideration of the application be deferred and the Highway Authority be requested to undertake a review of the case and to provide further detailed information for consideration by the Committee:

- (i) Explaining the impact of the proposals on the highway network in relation to increased traffic;
- (ii) Measures to improve safety on the site and to improve safety at the access point for egressing vehicles.

## **736 191676 60 Creffield Road, Colchester**

The Committee considered a planning application for proposed refurbishment and replacement dwellings to provide six flats and two houses with associated parking and landscaping including demolition of ancillary buildings and change of use from C4 (large HMO) to C3 (dwelling houses), resubmission of application no. 190750 at 60 Creffield Road, Colchester. The application had been referred to the Committee because the applicant was Colchester Amphora, a company owned by Colchester Borough Council and the proposal had also been called in by Councillor Cope.

The Committee had before it a report and an amendment sheet in which all 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.

James Ryan, Principal Planning Officer, presented the report and assisted the Committee in its deliberations.

Roger Gilles addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He explained that he had been appointed in June 2018 by Colchester Amphora Ltd. to produce a scheme which would bring 60 Creffield Road back into use and repair the damage to the attractive and significant building. The building's most recent use had been for a house in multiple occupancy which had brought downgrading of the interior and a lack of repairs and considerable resources would be required to return it to a satisfactory condition. A sympathetic remodelling of the interior had been devised along with repairing the architectural features which remained and to completely restore the exterior of the building so it could make a positive contribution to the street frontage. He considered comments about restoring the building as a single-family home were unrealistic as a viable option, whilst providing six well-proportioned flats and two new semi-detached houses in the grounds would create sufficient resources to fund the work required. There would also be a positive contribution to the local housing supply, together with providing affordable housing. He also referred to adverse comments about the design of the new houses and confirmed that the proposals had been the subject of extensive work with consultees and council officers and the design had been complimented by the President of Colchester Civic Society. The had been intended to provide a transition scale from the height of the application building to the much lower adjacent property at 27 Inglis Road, with the relationship of the new houses being an important consideration and they had been careful to strike a balance between the three elements. He was of the view that the proposals would not have an overbearing effect on the neighbouring property and, as the building lay to the north of the adjacent property in Inglis Road, over-shadowing would not be an issue.

Councillor Higgins attended and, with the consent of the Chairman, addressed the Committee. She explained that she was attending on behalf of Councillor Cope who had called in the application and she referred to the reasons he had cited in relation to overcrowding on a small site, inappropriate design, overbearing for the occupiers of 27 Inglis Road and the unsympathetic design of the new houses. She explained that these comments actually related to a previous application for 12 flats on the site and understood that Councillor Cope was content with the current application with the exception of the over-bearing nature of the new houses for the occupants of 27 Inglis Road.

Members of the Committee referred to the local listing of 60 Creffield Road, demonstrating its value to local residents, whilst the building's poor condition was well

known and its previous use as a house in multiple occupation had been unfortunate, generating episodes of anti-social behaviour. Accordingly, the proposed restoration of the building was warmly welcomed.

One member of the Committee sought reassurances in relation to the provision of two new houses in addition to the flats and the proposed provision of only one parking space per dwelling, which was considered inadequate for a family home and in respect of visitor parking. Clarification was also sought in relation to the garden provision for the two new houses.

The Principal Planning Officer acknowledged the comments regarding parking provision but he was of the view that it was acceptable given the highly sustainable location of the site, along with the opportunity to deliver two more family houses in the area and the restoration of a much-valued building in the community. He confirmed that the surrounding road network benefitted from a residents' parking scheme which applied during short time periods in the middle of the day, with free parking otherwise and the area was generally very quiet with the exception of the school start and finish times. He also confirmed that the proposed garden provision complied with policy for the two houses and the ground floor flats and, as such, was considered entirely appropriate for the area. Accordingly, he was of the view that the benefits of the scheme strongly outweighed the drawbacks.

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