

Planning Committee

Thursday, 19 January 2017

Attendees: Councillor Lyn Barton, Councillor Pauline Hazell, Councillor Theresa Higgins, Councillor Brian Jarvis, Councillor Cyril Liddy, Councillor Derek Loveland, Councillor Jackie Maclean, Councillor Philip Oxford

Substitutes: Councillor Jessica Scott-Boutell (for Councillor Helen Chuah), Councillor Dave Harris (for Councillor Rosalind Scott)

429 Site Visits

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

430 Minutes of 5 January 2017

The minutes of the meeting held on 5 January 2017 were confirmed as a correct record.

431 162790 Dunelm, Unit 1, Turner Rise Retail Park, Petrolea Close, Colchester

The Committee considered an application to vary condition 12 following grant of planning permission 91/0887 at Dunelm, Unit 1, Turner Rise Retail Park, Petrolea Close, Colchester. The application had been referred to the Committee because it had been called in by Councillor Goss. 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.

Sue Jackson, Principal Planning Officer, presented the report and assisted the Committee in its deliberations.

Lucy Turner, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. She explained that the mezzanine floor in the store was currently used for storage and the intention was to make it accessible to the public which would provide for a new store concept bringing a greater range of goods, wider aisles and an improved café. It was anticipated that the development would enhance Turner rise generally. The applicants had been made aware of concerns from local residents, as a result of which discussions had taken place on site and plans had been put in place to manage potential noise issues through

conditions providing for an agreed management plan to ensure noise was self-contained. In addition a 24 hour telephone number would be available for residents to report any concerns and a maximum noise level would need to be adhered to at all times. In response to concerns regarding trolley collections, a condition was also being made to provide for the management of the trolleys. She considered the proposal to be an exciting opportunity for Colchester and hoped the Committee would consider it favourably.

Councillor Goss attended and, with the consent of the Chairman, addressed the Committee. He was aware that the Colchester Dunelm store was one of the most successful in the country and welcomed the expansion proposed. However, he was concerned about disturbance for residents, particularly regarding the proposed 24 hour operation for the construction. However, he had been impressed with the information set out in the Committee report and welcomed the many issues which had been addressed. He remained concerned however in relation to the applicant's poor track record in response to reports of abandoned trolleys and he advocated a condition seeking the adoption of the Trolley Wise system which enables the reporting of abandoned trolleys via Twitter.

In response to comments raised, the Principal Planning Officer explained that a condition was proposed for the management of trolleys but that it had not been considered reasonable to impose a particular management system upon the applicant.

RESOLVED (UNANIMOUSLY) that the application be approved subject to the conditions set out in the report and the amendment sheet and with a further informative suggesting the applicant consider the adoption of Trolleywise or a similar trolley management service.

432 161380 Land north of Wyvern Farm, London Road, Stanway

The Committee considered an application for a revised development to provide 176 one, two, three and four bedroom houses and apartments, plus associated road and parking, public open space, landscaped buffers and drainage works at land north of Wyvern Farm, London Road, Stanway. The application had been referred to the Committee because it was a major application and objections have been received. The Committee had before it a report and an 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.

RESOLVED (UNANIMOUSLY) that the Head of Commercial Services be authorised to approve the planning application subject to the signing of a legal agreement under Section 106 of the Town and Country Planning Act 1990 within six months from the date of the Committee meeting to link this application to the legal agreement for application 145494, in the event that the legal agreement is not signed within six months, authority

be delegated to the Head of Commercial Services to refuse the application, or otherwise to be authorised to complete the agreement, subject to the conditions set out in the report and the amendment sheet.

433 163132 Sheepen Road, Colchester

The Committee considered an application for advertisement consent for one vehicle direction sign and one pedestrian direction sign at Sheepen Road, Colchester. The application had been referred to the Committee because the applicant was Colchester Borough Council. The Committee had before it a report in which all the information was set out.

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

434 162639 White Lodge, Roundbush Road, Layer Marney, Colchester

Councillor J. Maclean (in respect of her previous attendance at a Parish Meeting at Layer Marney) 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 change of use and alterations to a rural outbuilding to form one dwelling with new access (a resubmission of application 160537) at White Lodge, Roundbush Road, Layer Marney, Colchester. The application had been referred to the Committee because it had been called in by Councillor A. Ellis. 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 proposals upon the locality and the suitability of the proposals for the site.

Mark Russell, Principal Planning Officer, presented the report and, together with Simon Cairns, Major Development and Projects Manager, assisted the Committee in its deliberations.

Ted Gittins, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. He explained that the application was a serious attempt to overcome the issues which had come to light in relation to the previous application. He explained that the applicant had genuinely believed the building was Listed but had found that it had actually been erected 30 years ago. The previous proposal to remove a section of the building had not been welcomed and, accordingly, the current application had revised this element by means of the creation of an opening through the building so that there would be no harmful effect on the building. He was of the view that Layer Marney was not a remote community but that it had very few

opportunities to increase the housing stock. He considered the proposal to be sensitive to the location and that it was appropriate for this limited change to be embraced by the Committee.

Councillor A. Ellis attended and, with the consent of the Chairman, addressed the Committee. He thanked the Committee members for visiting the site, from which they could see that the site was tucked away but not remote. He confirmed that the vast majority of people who lived in the countryside needed to use a car and acknowledged that the rural bus services were poor. He considered that little harm would be caused by the proposal and that it had much to commend it – Tiptree was only 1 ½ miles away, the building already existed and the proposal would make a modest contribution to the community's housing stock. Village meetings were well attended 2 or 3 times a year by community members who had expressed support for the growth of the settlement by means of a few small dwellings. He considered the proposal was one on which the Committee members could take a balanced view such that, although the report was recommending refusal, he considered the proposal would make a positive contribution to the community.

In response to comments raised, the Principal Planning Officer explained that the proposal was considered harmful to the setting of the building, the building could not be considered to be a heritage asset and he confirmed the isolation and remoteness of the location due to its considerable distance from the nearest settlement and community facilities. He also explained the implication, should this application be approved, in terms of a precedent being set in relation to this type of building in the countryside.

Members of the Committee sympathised with the views expressed by the ward councillor and the aspirations of the local community in relation to modest growth of its housing stock. However the importance of complying with relevant policies was also acknowledged as well as the need not to create a precedent for the future.

The Major Development and Projects Manager confirmed the requirement for the Committee members to determine applications in accordance with the development plan and he explained that there was a legitimate mechanism to enable rural communities to respond to housing need. He advised against the acceptance of the current application as the principle associated with the conversion of generously-sized garages situated in the countryside would create an unwelcome precedent.

RESOLVED (SIX voted FOR and FOUR ABSTAINED) that the application be refused for the reasons set out in the report.

435 162723 Colchester Leisure World, Cowdray Avenue, Colchester

Councillor Liddy (in respect of his Directorship of Colchester Borough Homes) 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 construction of a single storey, 246 m² extension to the current fitness suite (Gymnasium) located at Leisure World, Colchester at Colchester Leisure World, Cowdray Avenue, Colchester. The application had been referred to the Committee because the applicant was Colchester Borough Homes. 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.