

AMENDMENT SHEET

Planning Committee
25 April 2019

AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

7.1 180045 – Cowdray Centre, Mason Road, Colchester

1. Urban Designer Comments

The Council's Urban Designer has submitted further comments to confirm that they support the scheme subject to some minor amendments to landscaping and increase of roof pitches. Recommended conditions and informatives relating to detailed design.

Scheme highlights identified as being:

- Part-pedestrianised green infrastructure network; and
- Building designs are refreshingly contemporary though informed by historic forms and architecture and alluding to locally derived materials.

2. Public Comments

One objection received from Councillor Martin Goss, summarised as follows:

- Concern regarding impact on school places in the area, particularly Secondary School places; Essex County Council need to explain how they will be providing adequate Primary and Secondary School places for this application.

A 'general comment' has been received from Councillor Phil Coleman, summarised as follows:

- Access to and from the site needs serious consideration.
- Additional school places are needed (Essex County Council need to build the planned new schools in North Colchester to alleviate problems with allocating school places and additional car journeys to schools in other areas).

Case Officer Comment:

- Essex County Council have requested a monetary contribution to mitigate the impact of the development on both Primary and Secondary Schools in the area. The Applicant agrees to pay this contribution and provision for payment will be included in a Section 106 Agreement. Please see paragraph 14.3 of the Committee Report.
- The proposal has undergone extensive consultation with Essex County Council Highway Authority; please see paragraphs 8.15 and 15.17-15.28 of the Committee Report.

3. Information supplied by Agent

A Briefing Note has been sent by the Agent to Councillors providing details of the proposal, including details of 'transport and access', 'design and appearance', 'construction management', and 'planning obligations'.

4. Information supplied by Applicant

The Applicant has provided further information summarised as follows:

Housing Delivery:

Table: Anticipated Delivery Rates

	2019 [1 Jan 2019/ 31 Dec 2019]	2020 [1 Jan 2020/ 31 Dec 2020]	2021 [1 Jan 2021/ 31 Dec 2021]	2022 [1 Jan 2022/ 31 Dec 2022]	2023 1 Jan 2023/ 31 Dec 2023]	TOTAL
West	-	89	30	-	-	119
East	--	n/a	71	72	-	143
TOTAL	-	89	101	72	-	262

Road Adopting and Parking:

- The estate roads have been designed to adopted standards and it is the intention to put these forward for Adoption under the Highways Act. Should there be any non-adopted roads, these would be managed and maintained by an estate management company and private parking restriction would be used as necessary.
- Parking for the houses will be conveyed with the house to which it relates. Communal parking courts will be private and would be managed by an estate management company. Parking enforcement will be in place to ensure that parking is retained for residents and visitors.

Pre-Commencement Conditions:

Agreed subject to some minor changes to wording for conditions 19 and 20 (relating to SUDs) to allow for site clearance and archaeological works prior to SUDs details being submitted.

Case Officer Note: This is agreed. Some additional changes are proposed to these conditions to amend the sign-off procedure.

5. Section 106 Agreement

The S106 Heads of Terms set out in paragraph 14.3 of the Committee Report is updated in the following areas:

- Affordable Housing: Not more that 70% of the market dwellings shall be occupied unless the Affordable Housing Dwellings have been constructed and are available for Occupation and have been transferred to an Approved Body.

Additional Heads of Terms are as follows:

- Provision of on-site open space and amenity areas (including play area) secured.

6. Conditions

Conditions 19 and 20 are amended and combined as one condition as follows:

19. Surface Water Drainage Scheme

No works shall take place (other than site clearance, works of remediation and archaeological investigation) until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological

and hydro geological context of the development, has been submitted to and certified as technically acceptable in writing by the SUDs approval body or other suitably qualified person(s) . The certificate shall thereafter be submitted by the developer to the Local Planning Authority as part of the developer's application to discharge the condition. No development shall commence until the detailed scheme has been approved in writing by the Local Planning Authority. The approved scheme shall subsequently be implemented prior to occupation and should include but not be limited to:

- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- Management and Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies (including details of how maintenance will be recorded).

Reason: In order to prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the effective operation of SuDS features over the lifetime of the development, as well as to provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

The Applicant has confirmed that disabled car parking will be provided on site (contrary to paragraph 11.1 of the Committee Report). An additional condition is therefore recommended as follows (numbered Condition 20 to replace the condition omitted as per the above).

20. Disabled Car Parking

No works shall commence (other than site clearance, works of remediation and archaeological investigation) until details of disabled car parking arrangements are submitted to and approved, in writing, by the Local Planning Authority. The car parking spaces shall then be implemented and made available for use as approved prior to the occupation of the respective dwelling.

Reason: In the interests of providing accessible car parking for residents in accordance with the Vehicle Parking Standards Supplementary Planning Document.

7.2 190217 – Homelea, Birch Street, Birch

The applicants have chosen to advertise the scheme in the Colchester Gazette in an attempt to ascertain the legal owner of the access way referred to in the report. The advert was placed on the 11/4/19. If the legal owner does not come forward the applicants will then sign certificate C and will formally amend the application form. As this consultation period is currently underway the application cannot be determined at this time. The application has therefore been withdrawn from consideration at this meeting.

7.5 190551 – Town Hall, High Street, Colchester

An acceptable sample of the proposed replacement stone was submitted on 11 April 2019. As a result, it is recommended that:

Condition 3 “ The materials to be used shall be those specified on the submitted application form, the Access, Heritage and Planning Statements and the Assessment of Significance.

Reason: To ensure that materials are of an acceptable quality appropriate to the listed building.” and

Condition 4 “ Prior to the removal of the existing foundation stone, a sample of the proposed replacement stone including bedding shall be submitted to and agreed in writing by the Council’s Historic Buildings and Areas Officer. Reason: To ensure that materials are of an acceptable quality appropriate to the listed building.”

are replaced by:

Condition 3: “ The stone to be used shall match the sample submitted on 11 April 2019 (Portland Whit Bed Stone) and shall be laid on its natural plain bed.

Reason: To ensure that the material is of an acceptable quality appropriate to the listed building.”