

# **Planning Committee**

## **Thursday, 03 November 2016**

**Attendees:** Councillor Lyn Barton (Member), Councillor Helen Chuah (Member), Councillor Pauline Hazell (Group Spokesperson), Councillor Theresa Higgins (Chairman), Councillor Brian Jarvis (Member), Councillor Cyril Liddy (Deputy Chairman), Councillor Derek Loveland (Member), Councillor Jackie Maclean (Member), Councillor Philip Oxford (Group Spokesperson), Councillor Rosalind Scott (Member)

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

### **401 Site Visits**

Councillors Barton, Chuah, Higgins, Jarvis, Loveland and Scott attended the site visits.

### **402 Minutes**

There were no minutes for confirmation at the meeting.

### **403 162308 Magdalen Hall, Wimpole Road, Colchester**

**Councillor Barton (in respect of her membership of the Liberal Democrats Group) declared a non-pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(5).**

**Councillor Chuah (by reason of her ownership of shares in the Magdalen Hall Company) declared a pecuniary interest in the following item pursuant to the provisions of Meetings General Procedure Rule 9(5) and left the meeting during its consideration and determination.**

**Councillor Higgins (in respect of her membership of the Liberal Democrats Group) 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 change of use for the rear part of the existing hall from B1 (Business) to D1 (Non-residential Institutions) at Magdalen Hall, Wimpole Road, Colchester. The application had been referred to the Committee because the application site was the local headquarters of the Liberal Democrats Group. The Committee had before it a report and 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.

**404      162242 11 Tumulus Way, Colchester**

**Councillor Barton (by reason of having already formed a view on the application) declared an interest in the following item pursuant to the provisions of Meetings General Procedure Rule 9(5) and left the meeting during its consideration and determination.**

**Councillor Hazell (by reason of having already formed a view on the application) declared an interest in the following item pursuant to the provisions of Meetings General Procedure Rule 9(5) and left the meeting during its consideration and determination after she had made representations as a visiting ward councillor.**

**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 movement of the existing fence line to the site boundary line and the laying of an extended block paved driveway on the existing driveway and part of the side garden at 11 Tumulus Way, Colchester. The application had been referred to the Committee because it had been called in by Councillor Chaplin and the applicant was an employee of Colchester Borough Homes. 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.

Eleanor Moss, Planning Officer, presented the report and assisted the Committee in its deliberations.

Matt Armstrong addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He explained that the application was important for he and his wife as it would mean that they would have an opportunity to enjoy the property to its full potential. Moving the line of the fence would increase the size of the garden by 20% and as such would be of benefit to them as they enjoyed gardening and had a dog. They had lived in the house for eight years and intended to stay on a long term basis. The land outside the boundary fell within the deeds of the property but was currently not usable by them. Nearby residents did make use of the land in order to manoeuvre their vehicles but he was of the view that they had sufficient parking space within their own curtilage, having recently paved the area to the front of their property. He considered a close boarded fence would not negatively impact

the neighbours, in fact he considered the visual impact would be improved and there would be no loss of light as a direct consequence.

Councillor Chaplin attended and, with the consent of the Chairman, addressed the Committee. She explained that she had called in the application so the Committee had an opportunity to consider the views of the neighbours. She explained the neighbours assertion that they needed to use the grassed area adjoining their frontage in order to turn their vehicles and they were also of the opinion that they should be permitted to retain their open view. They considered the application would be a loss of amenity and objected to the erection of a fence close to their lounge window.

Councillor Hazell attended and, with the consent of the Chairman, addressed the Committee. She was of the view that the application did not transgress any planning policies. She was confident in supporting the applicant as there would be no material harm to the amenity or privacy of the neighbours, no diminution of daylight and no negative impact. She could not understand the views expressed by the neighbours as she couldn't see why the removal of the grassed area would impact upon them in any way. She considered matters of highway safety were concerns for all road users and, as such, it was the responsibility of all to ensure that vehicle movements were undertaken appropriately with due regard for other road users. She was also aware that there had been no reports of traffic accidents in the area whilst the applicant could not be held responsible for cars parked on the highway by other road users. The neighbouring residents had recently paved the front garden of their property to provide additional parking space and, as such, there was no need for them to transgress to the grassed area adjacent which was, in any event, causing detriment to the applicant.

In response to comments raised, the Planning Officer confirmed that the application would not infringe on access or affect neighbouring parking spaces. In terms of amenity, the line of the fence would move two metres closer to the neighbour's property but as the height of the fence was 1.8 metres, the loss of light would be minimal and there would be no overbearing impact.

Members of the Committee were of the view that the application accorded with all necessary planning policies.

RESOLVED (UNANIMOUS) that the application be approved subject to the conditions set out in the report.

#### **405     162360 32 Dyers Road, Stanway, Colchester**

The Committee considered an application for a two storey front extension and part single storey rear extension at 32 Dyers Way, Stanway, 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.

**406      162372 64 Kingsland Road, West Mersea, Colchester**

The Committee considered an application for the variation of condition 2 of planning permission 151820, to permit amended elevations at 64 Kingsland Road, West Mersea, Colchester. The application had been referred to the Committee because the agent works 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.