

Minutes of the meeting of the Development and Regulation Committee, held as an online video conference on Friday, 24 July 2020

Present:

Cllr C Guglielmi (Chairman)	Cllr D Harris
Cllr J Aldridge	Cllr M Maddocks
Cllr B Aspinell	Cllr J Moran
Cllr D Blackwell	Cllr J Reeves
Cllr M Garnett	Cllr M Steptoe

1. Membership, Apologies, Substitutions and Declarations of Interest

Apologies were received from Cllr M Mackrory, Cllr J Jowers and Cllr S Hillier (substituted by Cllr M Maddocks).

There were no declarations of interest.

2. Minutes

The minutes of the meeting held on 26 June 2020 were agreed as a correct record.

3. Identification of Items Involving Public Speaking

There were none.

4. Pitsea Landfill, Pitsea

The Committee considered report DR/20/20 by the Chief Planning Officer.

Members noted the addendum to the agenda, providing the appendix referred to in the report.

Members noted that permission had been resolved to be granted to extend the life of the landfill site in September 2015, subject to conditions and legal agreements. The legal agreements included carrying forward an obligation to provide a pedestrian bridge at Pitsea Hall Lane where it passes over the railway line and the completion of a legal agreement between Veolia and the RSPB for the long-term management of the site. Neither of these legal agreements had been completed.

The Committee resolved in January 2020, that it was not expedient to take enforcement action, but to allow Veolia time to submit revised proposals with respect to the pedestrian bridge and long-term management of site.

The Committee noted the current position. Veolia had submitted revised proposals in May 2020 which included providing funding for enhancement to the existing bridge to improve pedestrian and cycle access and alternative arrangements for the long-term management of the site. The revised details had been subject to consultation and negotiations to resolve the issues were ongoing. The report

sought to allow a further three months to allow resolution of the outstanding issues.

Members noted the addendum to the agenda.

Members noted:

- Veolia was committed to the long-term management of the site. It was considered unlikely that a resolution would not be found to the outstanding issues within the proposed three month period.
- Due to a change in financial circumstances, the RSPB were no longer able to take over the long-term management of the site, but were still interested in its management due to the proximity to their reserve.

There being no further points raised, the resolution was proposed and seconded. Following a unanimous vote of ten in favour, it was

Resolved

That it is not expedient to take enforcement action at this time and that a further 3 months be given to allow resolution of the outstanding issues with respect to the submitted revised proposals. If within 3 months a report has not been brought before the Committee with a recommendation for approval, then the situation with respect to enforcement action will be reviewed again at that time.

5. Paxman Academy, Colchester

The Committee considered report DR/21/20 by the Chief Planning Officer.

Members were informed that the application was for a new Multi-Use Games Area (MUGA) pitch. A 4.5m high twin bar fence would be erected around the perimeter of the proposed MUGA and a 2.4m high acoustic fence would be erected to the northern and western. No floodlighting or community use of the pitch was proposed as part of this application. The provision of a new vehicular emergency access from Paxman Avenue was proposed to replace the existing emergency access from Walnut Tree Way.

Members noted the addendum to the agenda, including an additional letter of representation and an amendment to Condition 2 of the recommendation.

Policies relevant to the application were detailed in the report.

Details of consultation and representations received were set out in the report.

The Committee noted the key issues:

- Need
- Policy Considerations & Impact on Existing Playing Field
- Location and Layout of MUGA
- Impact on Natural Environment
- Impact on Historic Environment
- Impact on Residential Amenity
- Traffic & Highways

Following comments made by Members, it was noted:

- That there would be a gap of approximately 3 metres between the acoustic fence and the residential boundary, allowing the area to be maintained. Additional planting within this area had been considered but was not proposed as it could lead to more maintenance issues.
- The site would comply with building regulations with respect to drainage.
- The colour of the fencing could be stipulated in a condition.
- The land to the east of the site was not part of the school site and could not be considered for use by the Academy as it was owned by Essex County Council.
- There were no current time restrictions on the use of the playing fields. The playing fields were currently unusable during the winter months; the MUGA would provide the option of all year round usage.
- In relation to concern that if there was a sports event that there would be insufficient parking, that out of school hours events would be able to use staff parking areas.

Several concerns were raised by Members including:

- That the proposal did not include specific time restrictions for use, particularly evenings and weekends to limit any adverse effect on local residents.
- Whether all possible locations for the MUGA had been considered to reduce the adverse effects on local residents.
- Whether the Academy had sufficiently engaged the local residents regarding the residents' concerns and possible adverse effects of the MUGA.
- That the acoustic fence did not extend beyond the southern limit of the MUGA although it did enclose the northern boundary.

Councillor Maddocks left the meeting for a short period during the discussion due to a technical issue.

A proposal was made to defer consideration of the application to enable the Academy to address the issues raised by Members and to engage with residents regarding the potential adverse effects of the proposal on them. This having been seconded, Members voted on the proposal to defer consideration of the report. Following a vote of five in favour and three against (Cllr Maddocks and Cllr Guglielmi not voting), it was

Resolved

That a decision on report DR/21/20 be deferred and that the applicant be given the opportunity to reconsider certain aspects of the application, to include: the proposed usage of the facility outside of school hours, the location of the MUGA and engagement with the residents regarding their concerns and potential adverse effects of the MUGA.

6. Enforcement of Planning Control – Quarterly Update

The Committee considered report DR/22/20, updating members of enforcement matters for the period 1 April to 30 June 2020 (Quarterly Period 1).

The Committee NOTED the report.

7. Applications, Enforcement and Appeals Statistics

The Committee considered report DR/23/20, applications, enforcement and appeals statistics, as at the end of the previous month, by the Chief Planning Officer.

The Committee NOTED the report.

8. Date of Next Meeting

The Committee noted that the next meeting was scheduled for 10.30 am on Friday 28 August 2020, to be held as an online meeting.

There being no further business, the meeting closed at 11:53am