

Rosemary Wilkins Cycling Officer

From: William [REDACTED]
Sent: 19 June 2012 09:16
To: Karen Syrett
Cc: Anne Turrell; [REDACTED]
Subject: Re: University scheme approved

Dear Karen

Many thanks for your swift reply, and I'll come back to the content in due course.

For now, however, could you answer these questions:

1 In his report at the bottom of 9:7 Bradly Heffer says:

Officer note: The parking standard referred to in the above consultation response is not correct as that standard refers to a new building to be used for D1 purposes i.e. a new academic building. This proposal is for a new car [park] and the adopted standards advise that such proposals are to be considered on their own merits.

In your opinion, is he correct in dismissing his colleagues' contribution in this manner? Surely current car parking levels are relevant when dealing with a planning application for a car park. My concern is that this statement dismisses the thrust of 9:7 rather than simply commenting on a detail. There is no substantial officer evaluation of the points raised.

2 At 14.1, Bradly states: "The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones". Can you please tell me which Origin and Destination studies were used to come to this conclusion, and whether university data on car commuting was included in the assessment?

3 Local policies on planning [still hold substantial weight](#) despite the advent of the NPPF. **In your opinion**, was this properly taken into account by your department with regard to this scheme?

4 At any stage, did any councillor (planning committee or otherwise) speak to any council officer to the effect that "this plan must go through"?

Best wishes

Will

On 15 Jun 2012, at 12:11, Karen Syrett wrote:

Dear Will

My apologies for not responding sooner to your email sent to Councillor Turrell. We have both been on leave and not had the opportunity to get in touch until now.

Councillor Turrell asked me to respond to your e-mail contending that the Council did not follow its own policies in reaching a decision on the University car park application. It is, however, considered that members did have regard to relevant national and local policy in reaching its decision and accordingly had sufficient information to reach a balanced view on the merits of the proposal. Your e-mail acknowledges that the report made reference to the policies quoted, so the issue is on the interpretation placed on them rather than on whether they were considered. Planning decisions frequently require detailed consideration to balance environmental considerations with economic and social ones.

It is easy to lift sections of a document to suit a particular argument whilst ignoring others. For example, the NPPF also says there is a presumption in favour of sustainable development and that 'Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.' Essex County Council did not consider that the provision of a car park created severe impact and did not recommend refusal. Lengthy comments from Spatial Policy were included in the Planning Committee report which discussed both the overall sustainability of the proposal as well as providing detailed comments on how the University could enhance its existing travel planning measures and accessibility to alternative modes of transport.

Clearly the decision to approve the scheme was a complicated one given that officers originally recommended refusal but the report was withdrawn just ahead of the Planning Committee, on the 26th April, and following changes a revised report was sent to the 24th May Committee. The report, however, made clear that refusal was based on design and mitigation concerns rather than the principle of development. The report noted that in spite of the University's efforts to manage car parking demand, pressure from student and staff demand continued to cause problems with unauthorised parking both within the University and in adjacent areas. The report, however then went on to note that 'as part of a holistic approach to the issue of sustainable transportation the provision of this type of facility on campus should be off-set by additional elements to encourage alternative travel modes parking on the campus' along with improvements to the cycle and pedestrian links between the campus and Wivenhoe. Members' decision to approve the scheme reflected the University's eventual agreement to contribute planning obligations to address these sustainable travel improvements.

Decisions on planning applications can be controversial but I assure you all relevant information is made available and taken into account. In this instance I know the outcome was not one that you supported but the Committee made a decision after full consideration of all the material factors.

Regards, Karen

Karen Syrett
Spatial Policy Manager
Strategic Policy & Regeneration
Colchester Borough Council

Tel. 01206 506477

Textphone users dial 18001 followed by the full number.

From: William [REDACTED]
Sent: 28 May 2012 21:33
To: Anne Turrell
Cc: Martin Goss - Cllr - own email; [REDACTED] Scott Greenhill - Cllr - own email; Theresa Higgins - Cllr - own email; [REDACTED]

[REDACTED]; Undisclosed-recipients:
Subject: Re: University scheme approved

Dear Anne

Further to my previous email, I have looked at what were classed "relevant policies" in the report to the planning committee. **Again, I would stress the need for you to call for a review of this decision to decide whether the committee has been poorly advised.**

In the excerpts below, please do not confuse accessibility [by all forms of transport] with mobility [by car].

I have looked at national and council policies, below, which the committee report judged to be relevant. These would have supported a case for refusal.

Regards

Will

The Local Development Framework (successor to the Local Plan)

Note that the LDF is the primary source when deciding on an application. The National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision-making.

The following excerpts are from CBC's LDF:

- The key aims of the transport strategy and policies are to improve accessibility and promote sustainable travel behaviour.
- Support development at accessible locations to reduce the need to travel
- Improve the strategic road network and manage car traffic and parking in urban areas.
- Create people-friendly streets and encourage walking and cycling
- Future growth in Colchester hinges on the expansion of alternatives to the car, including improved pedestrian and cycle links...the implementation of travel management schemes
- Provision of adequate transport, utilities and social infrastructure to meet existing deficits and to support growth
- Legacy of previous dispersed growth patterns has resulted in high levels of car dependency for travel
- Development of sustainable land use patterns that maximise accessibility between jobs, homes, services and facilities
- Manage car traffic in urban areas using alternatives and technology to minimise adverse impacts on the streetscape and local environment

The National Planning Policy Framework

Para 6: The purpose of the planning system is to contribute to the achievement of **sustainable** development.

Para 7: This defines the three strands of **sustainability: economic, social and environmental**. **If you accept that the car park will increase the number of cars using the university, this will lead to further jams in a town already famed for its car congestion. This will adversely affect the town's economy, for no gain, especially when you consider that the university already has far more than sufficient car parking (CBC report 9:7).** The NPPF defines the **social** role as supporting strong, vibrant and healthy communities. **Creating extra traffic does the opposite of this.** The **environmental** role talks of adapting to climate change including moving to a low carbon economy. !

Para 9: Making it easier for jobs to be created in cities, towns and villages - this could have been achieved by sticking to the car parking levels in the LDF and ensuring the university improves compliance with its travel plan. Improving the conditions in which people live, work, travel... - by increasing car congestion you have reduced the attractiveness of other forms of transport

Para 14: ...the golden thread is a presumption in favour of sustainable development. The university scheme is not sustainable by the definitions above.

Para 17: Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area - the university already has more than sufficient car parking (CBC report 9:7)

Para 17: Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs. The approval goes against this policy in its entirety.

Para 19 Significant weight should be placed on the need to support economic growth through the planning system: Creating further car congestion is not the way to support economic growth.

Para 21: Plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries: Knowledge Gateway has the correct amount of car parking built into its scheme, and is a separate issue. Even allowing for the relocation of the university business school, this would not increase the required parking provision above current levels.

Para 23: Ensuring the vitality of town centres. Given that university traffic exists throughout the day, adding extra parking will reinforce the perception that Colchester is a congested town, putting off shoppers and tourists.

Para 29: Wider sustainability and health objectives/smarter use of technologies to reduce the need to travel/giving people a real choice about how they travel Were these even considered by CBC?

Para 30: Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion Ditto - the Wivenhoe path does not offset the pollution and congestion that the car park will introduce

Para 32: All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Where was the transport statement? Many of the objectors are with CCC in warning of increased congestion and the effect on bus-users, cyclists and pedestrians. The CBC report mentions glibly that there is no effect on AQMAs in Colchester: how does the author know that no cars going to the university use Brook Street or High Street? Looking at the reasons given by objectors, the residual cumulative effects of development will be severe.

Para 34: ...use of sustainable transport modes can be maximised... There is proof that the university has drummed up demand for car parking by issuing too many passes, while its support for cyclist and bus users has been negligible. We now have £3.8m being spent on its car commuters compared with £? on its commuters who use sustainable transport.

Chapter 8: Promoting healthy communities As noted in the response to Para 32, CBC appears to have no idea which roads people use to get to the university. How many cut through Greenstead estate, Greenstead Road or Hythe Hill? All this affects how parents decide the way their children will get to school. There are knock-on effects on obesity, fitness and mental health.

Para 94: Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change

CBC transport policies

TA1 To maximise accessibility/to ensure new development is sustainably located

As a car park there is no way that this development is sustainably located. It will create more car traffic which will have an adverse effect on bus services and put off people from walking and cycling.

TA3 To provide the infrastructure needed and in the correct place to support sustainable modes of travel

See my response to TA1

TA4 Will work with partners to accommodate necessary car travel, manage demand in urban areas,

The key words are 'necessary' and 'manage'. As pointed out by CBC transport planning, the university is not complying with its own travel plan

TA5 To produce a balanced realistic parking strategy integrated with other demand management and public transport improvement measures/will work with partners to ensure that car parking is managed to support the economy

This mainly applies to town centre car parking. The university car parking, however, is not charged at a sufficiently high rate to encourage use of public transport and/or cycling.

Policy SA EC7 University of Essex expansion

This states that it this is expressly for academic expansion. The car park cannot be considered academic expansion. To quote from the policy: "Permission will be granted for academic expansion within the area denoted by UniversityPurposes on the Proposals Map provided that it relates satisfactorily to its setting on the edge of the built up area of Colchester."

On 28 May 2012, at 15:57, Anne Turrell wrote:

Hi Will

Its not as simple as you think. Planning is based on Laws of the land and Planning Policy which means that Planning Applications can only be refused if they do not follow the law and policy. If a

planning committee refuses an application that follows all the rules it will be overturned on appeal and the applications will go ahead with extra costs to the Colchester Tax payers.

The problem is not the Cllrs it's the law and policy that needs changing so you need to lobby for change to law and policy.

If planning applications could be refused because we don't like something or we feel it's the wrong direction eg being green or sustainable travel then many of the applications in Mile End would have been refused – but we didn't have a leg to stand on.

Hope that helps

Anne

From: William [REDACTED]
Sent: 24 May 2012 22:42
To: Yahoo Group CCC
Cc: [REDACTED] Theresa Higgins ecc; [REDACTED] Sir Bob Russell; [REDACTED]
[REDACTED] Anne Turrell; cllr.derrick.louis@essex.gov.uk; [REDACTED]
Subject: University scheme approved

To CCC email group

In the light of tonight's approval of the huge new car park at Essex university, this can't come too soon:
<http://www.thetimes.co.uk/tto/public/cyclesafety/article3425333.ece>

We do, at least, get £250,000 towards the Wivenhoe to University cycle path, and the uni's travel plan "will be scrutinised", though it is small comfort that the cycle path funding will mean that the University Quays cycle bridge cannot be straightened.

Never again do I want to hear any of the councillors ** who voted for ** this scheme whinging about congestion, or why children cannot walk or cycle to school. They've made their bed: they can lie in it.

Will

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