

AMENDMENT SHEET

Planning Committee
9 June 2022

AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

7.1 210965 – Land at Broadfields, Wivenhoe

Further Representation

Following the drafting of the report a further objection was received. This noted similar issue to those covered in the representations section of the report.

Draft Section 2 Local Plan

The Local Plan Committee papers have now been published for the meeting of the 13/06/2022. This contains the Adoption Version of the Section 2 Local Plan. Section 2 Policy SS16 – Wivenhoe, now carries very significant weight. It set out how the made Wivenhoe Neighbourhood Plan will guide development in that area.

Conditions

The applicants have commented on the suggested conditions and have requested new wording to numbers 4 and 5. This is because the applicants don't have control over the land where the footpath ends so cannot provide it along the road but can provide it as inset (i.e. inside the tree line) as shown on the drawings. Both conditions will be amended to reflect that.

Condition 25 was held to be unworkable and the applicants have requested it is reworded so construction traffic avoids Clingoe Hill at the peak times stated.

Anglian Water and Essex County Fire and Rescue

Anglian Water have considered the submitted FRA and have now removed their holding objection.

The applicants' engineers (Stormor) and their planning team have been liaising with Essex County Fire and Rescue and are aiming to agree matters in the next day or so.

Other Matters

It is noted that at paragraph 13.1, 5.81ha should read 5.18ha. It is correctly referenced elsewhere. Paragraph 16.30 should read WIV29 not 28.

7.2 211788 - Land west of 194 and east of 202 Old London Road Marks Tey,

At a recent meeting with Marks Tey PC a request was made to seek to suspend upgrading of Old London Road highway in the event that the A12 upgrading works were delivered in advance of occupation of the development with the relevant costs of these works being diverted to National Highways to contribute towards the new junction works. We now have in principle agreement with Marks Tey Ltd that they are agreeable to this request namely that should the A12 works progress in concert with the developer's programme, then the Old London Road works will be negated in favour of a commensurate financial contribution to the A12 improvement works and the delivery of a direct access. We have also secured agreement from the applicants and National Highways/ECC Highways that this approach is acceptable to them both. Please note this would not delay implementation of the development.

This would necessitate a change to the wording of proposed planning conditions (Conditions 3 and 4) and potentially the relevant undertaking in the s.106 Agreement (the requirement to provide and retain the 5 no. resident/visitor spaces) to allow that, in the event that road improvement works on the A12 deliver a new direct access between the site and the trunk road network prior to first occupation of the development, then the required improvements to Old London Road and the easing of the radius kerb at the junction between the Old London Road and the A120 as shown on Link Engineering drawing nos. MTS-LE-GEN-XX-DR-CE-001 Rev.A dated 13 May 2021 and MTS-LE-GEN-XX-DR-CE-010 Rev.A dated 6 May 2021) will not be required and instead an appropriate contribution should be paid to National Highways. The relevant clause in the s.196 agreement would need to reflect this with a simple form of wording such as "*unless an alternative scheme of access together with any appropriate financial contribution as is agreed/approved in writing between the parties*" but the precise wording would need to be agreed with legal input as part of the s.106 drafting.

7.3 220959 – Rear of 192-200 Mersea Road, Colchester

Since the time of writing the report two further objections have been received. The main reasons given for objecting relate to impacts on visual and neighbouring amenity, with these issues already addressed in the report. One comment of support from a neighbouring property has also been received.