

**COLCHESTER BOROUGH COUNCIL
PLANNING COMMITTEE
7 October 2010 at 6:00pm**

SUPPLEMENTARY AGENDA

Part A

(open to the public including the media)

Pages

11. Amendment Sheet

62 - 64

See Amendment Sheet attached.

AMENDMENT SHEET

**Planning Committee
7 October 2010**

AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

LATE AMENDMENTS HAVE BEEN INCORPORATED INTO THIS AMENDMENT SHEET AND ARE SHOWN AS EMBOLDENED

7.2 101834 – Teybrook Farmhouse, Brook Road, Great Tey

Additional comments by agent in relation to sewage disposal and occupation of any residential annexe:-

1. I confirm I have obtained absolute confirmation from Mr Roger Browning that there is no main sewer serving Tey Brook hence the proposal to deal with foul sewage by means of a package treatment plant.
2. With regard to the S106, I see that the term “Family Members” is precisely defined and limits occupation to the owners of Tey Brook Farmhouse and/or the immediate family members of the owners – limiting it to parents, brothers or sisters, sons or daughters or grandchildren. I think this is very tightly confined to the immediate family and is tantamount to a Personal Consent for specified members of the owners or their immediate family.

The Environmental Policy Team comment as follows:-

“Planning Policy provided comments for Application 101070 and considers that these original comments are still appropriate and request that they be taken into account in the determination of this current application. The current application has failed to address the concerns raised in June 2010 with regards to the residential annexe element of this proposal in their design and access statement (dated May 2010). Planning Policy does not consider it appropriate to reconsider the position in light of the information submitted with this application.

The Council has recently received the Planning Inspector’s Reports into the Site Allocations and Development Policies Examination. The Inspector has found that these documents to be sound and has recommended that the Council adopts the documents subject to a series of minor changes. The policies within these documents will supersede previous Local Plan policies and are a material consideration at this point. Relevant policies within the Development

Policies document include DP1, DP8, DP9, DP10, DP13 and DP14. However then these emerging policies are considered alongside existing Core Strategy policies the position of the Planning Policy Team as outlined in the response to application 101070 remains unchanged.”

7.3 101254 – 1 Firs Road, West Mersea

Withdrawn from agenda by Head of Environmental and Protective Services for application to be assessed against the adopted guidance for backland and infill development. To come back to Committee.

7.4 101546 – 37 Mile End Road, Colchester

Withdrawn from agenda by Head of Environmental and Protective Services to ask the applicant to submit a drawing showing parking and turning facilities and to clarify uses on the site. To come back to Committee.

7.5 091245 – Bellwood, Colchester Road, Great Wigborough

The Major Applications Support Manager recommends that, in the event at Planning Committee resolve to agree the recommendation to refuse this application and are minded pursue direct enforcement action with regard to this site, the following would need to be taken into consideration:

- The cost of direct action v prosecution
- Liaison with the Police, they should be present to allow the Council to carry out their enforcement action unhindered.
- Liaison with the utilities, the electric disconnection will have to be done and arranged in advance, water and LPG normally will have stop valves available.
- A date period of action should be stated i.e. within 6 weeks, but with no specific date mentioned.
- The cost of ongoing storage of the residential caravan and removal/destruction of the septic tank
- The time the Borough will store the residential caravan before it can sell it to offset the direct action costs
- Should the sale of the residential caravan exceed the cost of direct action the mechanism of returning any such sums to the owner

- Recording of a legal charge on the land to recoup any outstanding sums should the sale of the residential caravan not meet the cost of the direct action

Agenda Item 8 – 101080 – Moler Works (Building 5 and 5A), Colne View, Colchester

Members are advised that the Environment Agency has confirmed that it does not have an objection to the submitted planning application subject to the imposition of conditions requiring that the development takes place in accordance with the submitted, and subsequently amended, Flood Risk Assessment.

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SUPPLEMENTARY AGENDA

Part B

(not open to the public or the media)

Pages

There are no Section B Items