

**COLCHESTER BOROUGH COUNCIL
PLANNING COMMITTEE
6 November 2008 at 6:00pm**

SUPPLEMENTARY AGENDA

Part A

(open to the public including the press)

Pages

. Amendment Sheet

See Final Amendment Sheet.

**No Page
Numbers**

AMENDMENT SHEET

Planning Committee
6 November 2008

AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

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

7.3 081732 – 33A Church Road, Tiptree

Tiptree Parish Council has no objection.

7.5 081727 – Westview Cottage, Long Road West, Dedham

Paragraphs 9.11 and 9.12 refer to amendments to the plans that were being sought at the time the report was written. These amendments have now been secured by revised plans. The amendments is that the garage is now located a minimum of 1200mm from the boundary to allow for a hedge to survive.

7.7 072956 – East Street, Wivenhoe

- 1. In response to the following comments from English Heritage (already included in the report): “The best course of action would be to design a new building for the site. This could be shallow in plan and therefore neither too bulky nor too high. Given the right mass and disposition a new building could be much simpler in its articulation than the proposed scheme.”**

The agent has clarified that this is not an option:

“Following my meeting with Mr & Mrs Papadamou they restate that the existing PAPAS fish shop is to remain as an on-going business and service to Wivenhoe. The application is to go ahead with two flats above as proposed. Only one flat would not make the project viable, and in order to achieve the rear north access to the flats entrance doors without going onto the church's land, a linked walkway at the upper level whether open or enclosed is the only practical solution.”

- 2. By way of clarification regarding objection point 13, balconies are excluded from the proposal and amended drawings have been received to reflect this point.**

3. The agent for the application has asked for it to be pointed out that "Structural engineer Ken Rush has inspected the site and in his opinion from previous extensive knowledge of Wivenhoe buildings, the structure of the existing PAPAS building is able to support a timber frame upper storey as proposed. His report is available".
 - (1) **Parts of the report refer to all of the roof being slate. In fact, after amendments, the right hand section is now to be tiled.**
 - (2) **A late email of objection has been received (below) on Tuesday 4th November from 69 High Street, Wivenhoe. This does not raise any new points and all the issues raised have already been dealt with in the report.**

"Dear Sirs/Madams

We have monitored the newspapers regarding the proposed development of the Chip Shop site here in lower Wivenhoe. We, amongst many others, are utterly opposed to any further development given the proximity to the Grade 1 Listed Garrison House plus the development being adjacent to suitable local housing and the huge unsold developments already in lower Wivenhoe. The "quirkiness" referred to in the planning application is a nonsense in architectural terms. Designed for purpose is the nicest way to put it; others may describe it as "cheap and cheerful".

The traffic problems we already encounter in the Avenue and High Street will be exacerbated by the denial of parking and through access to the proposed development of the chip shop area in East Street. Construction vehicles will be a huge problem and if the shop remains open as well East Street will be a nightmare. Driving down the Avenue and High Street at 14:30 this Monday afternoon was a severe trial even when the chip shop was closed and it will be exacerbated by any additional development. Sorry, Wivenhoe has only one real access road, there are 10,000 (estimated) inhabitants and the Town is full!

We should be grateful if these additional views could be put to the Planning Committee members for their deliberations on Thursday 6 November."

7.8 081313 – 21 Church Street, Rowhedge

A neighbour comments as follows:-

“With regards to tonight's committee meeting concerning the application to build a house in the garden on 21 Church St Rowhedge. I would have wished to attend and reinforce my views I explained in my letter. I am unfortunately away on family holiday in Cornwall and will not be able to attend.

I ask that the committee are informed that I have not attended because of the holiday and not a lack of concern. Since my letter the house opposite the proposed build has had its front wall again damaged by a vehicle. To put a further burden on the road will cause further problems of this kind and ultimately could be a danger to the public.

I also point out that there will be a massive amount of new housing available in Rowhedge when the docks project is underway and to squeeze a further house into what has always been a garden can be nothing more than a commercial venture for the owner.

If you could forward my views to the committee tonight I would be very obliged.”

7.9 081421 – Adhere Industrial Tapes, Whitehall Road, Colchester

Consultation response from the Council's Arboricultural Officer:

“It is noted from the design and access statement that the intention is to retain all the trees. We require an arboricultural implication assessment and details of how the trees will be protected during the construction process. Protection should be in line with the information provided within BS 5837: 2005.

The above considerations need to be addressed before a full assessment of the proposed developments effect on the local landscape can be made or suitability of the design confirmed. “

Additional Condition:

No works or development shall be carried out until an Arboricultural Implications Assessment, Arboricultural Method Statement and Tree Protection Plan in accordance with BS 5837, have been submitted to and approved in writing by the Local Planning Authority (LPA). Unless otherwise agreed, the details shall include the retention of an Arboricultural Consultant to monitor and periodically report to the LPA, the status of all tree works, tree protection measures, and any other arboricultural issues arising during the course of development. The development shall then be carried out strictly in accordance with the approved method statement.

Reason: To adequately safeguard the continuity of amenity afforded by existing trees.

7.10 081643 – 118 Straight Road, Colchester

Substitute Condition 2 with the following wording:-

“The operation of the dental surgery hereby approved shall only be between the hours of 8.30 am and 5.30pm on Mondays to Fridays and between 9am and 1pm on Saturdays. The use shall not operate on Sundays, Bank or Public Holidays.

Reason for condition is unchanged. The reason for this change is to make the approved opening hours clear in the decision letter.

7.12 081704 – Joyclare, Bosted Road, Colchester

Condition 1 is amended as it incorrectly indicates that the use could operate on Sundays and Bank/Public Holidays. The condition is re-worded as follows.

The hereby approved use shall only take place during the following hours:-

Monday - Friday 9.00 a.m. - 5.30 p.m.

Saturday - 9.00 a.m. - 1.30 p.m.

and shall not take place at any time on Sundays, Bank and Public Holidays.

7.13 081483 – 61-63 Albion Street, Rowhedge

Correction – The application is for **Full Planning Permission** for the erection of a replacement front entrance porch and not Listed Building Consent as indicated in the report in a number of locations. Most importantly the recommendation should read “Full planning permission”.

Condition 1 should read:-

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In order to comply with Section 91 (1) and (2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004,

The listed building time limit condition has been used by mistake.

There are two further applications for this site (Ref: 081614 and 081616) for the demolition of the existing single storey rear extension and the erection of a new single storey rear extension. These would only have to go to Committee for the same reason as Application 081483. These applications would have normally been determined under delegated powers as no objections have been received. Therefore, it is requested that the Committee grant officers the power to determine these two related applications under delegated powers.

Agenda Item 8 – Berryfields, Coggeshall Road, Dedham

A letter has been received from the developers of the site which states as follows:

“Following the issues regarding the roof line at Berryfields and the subsequent correspondence, we would like to confirm that you will have our full co-operation to ensure that we reach a condition that is satisfactory to all parties concerned.

We can also confirm that we will be appointing Plater Claiborne to act in these matters on our behalf.

We will look to engage in initial discussions early next week.”

Officers can report to Members that works on site to construct the roof have ceased. Officers re-affirm the recommendation as set out in the report to give Officers authority to take enforcement action if it is not possible to secure either compliance with the approved scheme or an acceptable alternative.