

PLANNING COMMITTEE
23 SEPTEMBER 2010

Present :- Councillor Ray Gamble (Chairman)
Councillors Peter Chillingworth, Helen Chuah,
John Elliott, Andrew Ellis, Stephen Ford,
Theresa Higgins, Jackie Maclean, Jon Manning,
Philip Oxford, Ann Quarrie and Laura Sykes

(* No formal site visits were undertaken for any of the applications on this agenda.)

84. Minutes

The minutes of the meeting held on 9 September 2010 were confirmed as a correct record.

85. 101301 11 London Road, Stanway, CO3 0NT

The Committee considered an application for the erection of a detached building to be used for warehouse purposes ancillary to the primary use of the wider site as builders' merchants. The Committee had before it a report in which all information was set out.

RESOLVED (UNANIMOUSLY) that the application be approved with conditions and informatives as set out in the report.

86. 101649 Wakes Hall Farm, Colchester Road, Wakes Colne, CO6 2DB

The Committee considered an application for a change of use from woodland clearing to an incident scene simulation training ground to be used in conjunction with classroom training and teaching carried out within Unit 17. The Committee had before it a report in which all information was set out.

Mark Russell, Planning Officer, attended to assist the Committee in its deliberations.

A member of the Committee sought a response to the concerns of the parish council in respect of the large number of people and ambulances they anticipated being involved in the activity, and the possibility that the site would attract the unwanted attention of young people and they considered it would need to have a bona fide security fence to keep people out. The parish council understood that the site was a considerable distance from the nearest property and in that respect would be attenuated by distance and planting which would take a while to mature.

It was explained that there was a requirement to agree the details of any security measures which would be secured by condition.

RESOLVED (UNANIMOUSLY) that the application be approved with conditions and

informatives as set out in the report.

87. 101147 Rewsalls Cart Lodge, Rewsalls Lane, East Mersea, CO5 8SX

The Committee considered a retrospective application for a lean-to on the side of an existing building; the siting of a portacabin to be used as a rest room with toilets; the variation of Condition 3 of the original approval F/COL/06/1761 to provide storage in the yard up to a maximum of 2.5 metres in height; and to reform the roof to the rear of Rewsalls Farm Lodge. The Committee had before it a report in which all information was set out.

RESOLVED (UNANIMOUSLY) that the application be approved with conditions and informatives as set out in the report.

Councillor Theresa Higgins (in respect of her acquaintance with the neighbour to the application site) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Ray Gamble (in respect of his acquaintance with the member of public in support of the application) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

88. 101158 18 West Stockwell Street, Colchester, CO1 1HN

The Committee considered a listed building application for the removal of surface fixed rotten boarding, imitation beams, on the external elevations of the Stockwell Arms, together with sand/cement rough cast rendering and for new lime rendering to be applied in keeping with the listed building, together with repairs to be carried out to existing windows and fabric of the building. The Committee had before it a report in which all information was set out.

RESOLVED (UNANIMOUSLY) that the application be approved with conditions and informatives as set out in the report.

89. 101320 20 Long Wyre Street, Colchester, CO1 1LJ

The Committee considered an application for a change of use from A1 retail to A2 licensed betting shop. The Committee had before it a report in which all information was set out.

RESOLVED (UNANIMOUSLY) that the application be approved with conditions and informatives as set out in the report.

90. Enforcement Action // Land at Elm Farm, Elm Lane, Marks Tey, CO6 1HU

The Head of Environmental and Protective Services submitted a report on the unauthorised change of use of agricultural land to the non-agricultural storage of various vehicles and materials, including a portable 'office' building and caravans. It also includes unauthorised engineering works to form earth bunds around the land, facilitating the unauthorised use. The Committee had before it a report in which all information was set out.

David Whybrow, Principal Planning Officer, attended to assist the Committee in its deliberations.

A member of the Committee confirmed that there had been long standing issues at this site involving officers in a great deal of work and enforcement action was now the appropriate action to be taken.

RESOLVED (UNANIMOUSLY) that an enforcement notice be served at the address requiring:-

- the cessation of parking or storage of any non-agricultural vehicles and plant machinery;
- the cessation of storage for any non-agricultural materials;
- the removal of portable buildings, caravans, heavy goods vehicles, trailers and any other items stored on the land, including waste materials, which are not required for agricultural use;
- the removal of the earth bunds, where indicated on the plan of the land;

all with a compliance period of four months.

91. Enforcement Action // Plots 8 and 9 Jubilee Meadow, Eight Ash Green

The Head of Environmental and Protective Services submitted a report on the unauthorised insertion of velux windows to the rear roof elevation of the two properties in breach of Condition 2 of planning permission O/COL/02/0306 thereby changing single storey properties to two storey properties. It was proposed that the enforcement notice require either the replacement of the velux windows with fixed pane, obscured glazed windows or alternatively the velux windows to be relocated in a position at least 1.7 metres above floor level. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

David Whybrow, Principal Planning Officer, attended to assist the Committee in its deliberations. He confirmed that discussions were ongoing with the developer to ensure that the windows would be permanently fixed with no possibility of being adapted to open at any stage in the future. In response to members' concerns, he confirmed that it was never the intention that there would be openings on the first floor and the enforcement notice requiring the need for the windows to remain as non-opening windows would show up on any search as a charge on the land so that future

purchasers of the property would be aware of the situation. Also in response to queries it was confirmed that ventilation in the bathroom could be provided by mechanical means.

RESOLVED (UNANIMOUSLY) that an enforcement notice be served at the address requiring either:-

- (a) Option 1 – the existing opening velux windows to be removed and replaced with fixed pane windows with obscure glazing to Pilkington Textured Glass level of at least 4 or 5, with a compliance period of two months, or
- (b) Option 2 – the existing opening velux windows to be removed and relocated in a position at least 1.7metres above floor level, with a compliance period of two months.