

**COLCHESTER BOROUGH COUNCIL  
PLANNING COMMITTEE  
14 July 2011 at 6:00pm**

**SUPPLEMENTARY AGENDA**

**Part A**

(open to the public including the media)

**Pages**

**9. Amendment Sheet**

**83 - 87**

See Amendment Sheet attached.



# AMENDMENT SHEET

Planning Committee  
14 July 2011

## AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

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

### 7.1 110736 – Wyvern Farm, 274 London Road, Stanway

Stanway Parish Council has given its consultation response as follows:

After discussion it was **RESOLVED** that Stanway Parish Council has no great concerns over the formalisation of the light industrial aspect of the application, but has grave concerns and **STRONGLY OBJECTS** to the storage of hardcore and occasional crushing for the following reasons:

1. The increase in traffic with vehicles continually entering and exiting the farm.
2. The loss of amenity to local residents due to the dust and noise.
3. The use of the word 'occasional' is too ambiguous.
4. Stanway Parish Council would question whether planning permission for 101256 is being adhered to.

### 7.2 091563 – Area S2, Colchester Garrison Urban Village, Berechurch Hall Road, Colchester

Para 12.35 should read ... (67% purchased under a long lease with no rent to pay on the outstanding equity of 33%)

Amended wording to Condition 15

The units allocated garage spaces that forms part of plot 417 shall be allocated one parking that conforms to the adopted parking standard and be provided with securing cycle parking and storage facilities, the detail of which shall be agreed in writing prior to the commencement of works. The development shall be implemented in accordance with the agreed details prior to the occupation of the respective properties and thereafter retained as such.

**7.3 102598 – Land rear of 53, 53A and 55 Lexden Road, Colchester**

**Condition 04 should read:**

**Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no development within Classes A to E of Part 1 of Schedule 2 of the Order (i.e. any extension, outbuilding, garage or enclosure) shall take place without the prior written permission of the local planning authority.**

**7.4 110679 – Greenways, St Fillan Road, Colchester**

Amended drawing number 081002 – 04F submitted showing two spaces each being 3m x 5.5m.

Additional condition required:-

“The method of construction, and the surface material of the space shown as No.24 shall be submitted to and approved in writing by the Local Planning Authority prior to the provision of this parking space. Reason: The parking space is in close proximity to existing trees within the site which contribute to the appearance of the site and its wider setting and will need to be safeguarded in the interests of visual amenity.”

Condition 2 (Drawing No) : Delete 04E and replace with 04F.

**Amended floor plans received. The basement room labelled ‘staff training’ is going to operate as a multi purpose room. It will mainly be used for residents as an activity room and cinema. The use will be combined with staff training.**

**Condition 2 to be amended to refer to drawing No. 03E.**

**Condition No. 4 add “The conditions imposed on the permission 090843 are pertinent to this application and will apply to this permission hereby granted.”**

**7.5 111040 – Junction of Eastwood Drive and Highclere Road, Colchester**

The Arboricultural Officer recommends refusal for the following reason:-

“The application does not include a tree/hedgerow survey in line with BS 5837 (4.2 and 4.3) guidelines with protection zones within the development footprint. The survey should be able to be read against any proposed layout drawing and for all trees affected by the development (on and off site):

Record:

- Health
- Vigour
- Condition
- Species
- Height
- Trunk diameter at 1.5 AGL
- Category
- Age
- Relevant details/significant defects
- Remedial works required

Illustrate:

- Colour coded accurate existing true crown spreads
- Tree protection zone (including BRE requirements where applicable)
- Professionally assessed mature crown spread (where significant growth still expected)

The above may generate the requirement of a Categorization & Constraints Plan (set against the proposal footprint) and Tree Protection Plan and Arboricultural Implication Assessment/Method Statement, drawn up by an arboricultural consultant. This data is required to fully quantify the proposal, demonstrate no detrimental effect to principal landscape features (e.g. trees), secure their protection during proposed development and detail any specialist construction techniques and post construction works required and should be submitted for analysis/agreement. In the absence of this information it is not possible to properly assess the impact of the proposed development on the principle landscape features and it therefore contrary to policy DP1 in the adopted Colchester Borough Development Policies (October 2010)”

Over 80 additional letters of objection have been received including one from Bob Russell MP which states

”I write in support of residents living in the Eastwood Drive of Highwoods, and others, in raising my own objection to the application for a mobile phone mast at the junction of Eastwood Drive and Highclere Road. It is my understanding that the mast would be 17 metres high. I consider that a mast of this height would be visually unattractive, and an eyesore of such proportions it could be a distraction for motorists using the busy roundabout. In addition, concerns have been raised about potential health hazards (notably to children) which many people are convinced must be given far more serious consideration than they currently are. I support the objections which have already been raised, and wish my letter to be considered as a further objection.”

7.6 110451 – Hill House Farm, Colchester Road, West Bergholt

1 additional on line comment states:-

“The visibility at the proposed site of this new junction is not great, this being on the slope of a hill and where cars are accelerating to 60mph or decelerating to 30mph.

Bounceability is a very commendable business, but surely they would be better sited somewhere with good transport links and existing access to the primary highways network.”

A letter has also been received from Hogon Lovells Solicitors, who reiterate the strong objections already expressed by Mr Robert Graham in respect of the position taken by Essex County Council. They conclude:-

“The County Council’s original recommendation was in accordance with its own policies and those found in the Manual. As a result, a robust justification with reference to material considerations in favour of granting permission is required in order to change that recommendation. In the absence of that justification little or no weight should be given to the revised recommendation of the County Council, especially as the County Council appears not to accept that it is required to comply with its own policies.

Permitting the Proposed Development would introduce a new substandard access in the immediate vicinity of an existing substandard access and would, therefore, create significant highway risks.”

*(Officer Note: See comments by Robert Overall)*

Additional Condition:

7. The vehicular access hereby approved shall be used only for the purposes as described in the submitted application documents, i.e. for use in conjunction with the proposed trampolining centre as approved under application ref: 101011 and agricultural activity as carried out at Hill House Farm.

Reason: For the avoidance of doubt as to the scope of the permission.

2 letters by Robert Overall, Executive Director of Environment, Sustainability and Highways at Essex County Council confirms:-

“Whilst this Authority agrees that the visibility splays for the new junction are substandard the details of the case, as set out below, mean that this Authority is satisfied that a recommendation of refusal could not be sustained:

- No intensification in use over and above the existing authorised traffic.
- Proposal access wider than existing and therefore larger vehicles could leave the highway in a more efficient manner.
- Reduced risk of conflict as the larger agricultural vehicles were removed from the old residential access route.

The level of intensification from the application for the trampoline centre, if you consider i) taking out a small amount of agricultural vehicles which would not be using the barn after the conversion and ii) the vehicles associated with the new would be smaller/lighter/more manoeuvrable, was minimal and we are satisfied that should the matter go to appeal we could not justify a refusal.”

**Petition with 59 signatures raises objections for:-**

- 1. It increases a road safety risk for the village residents.**
- 2. It destroys the rural approach to the village of West Bergholt.**
- 3. It opens the door for further industrial and commercial development surrounding the village.**
- 4. Significant land owners should not be treated in a preferential way to the general tax paying public.**

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**Part B**

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**Pages**

**There are no Section B Items**