

**COLCHESTER BOROUGH COUNCIL  
PLANNING COMMITTEE  
2 August 2012 at 6:00pm**

**SUPPLEMENTARY AGENDA**

**Part A**

(open to the public including the media)

**Pages**

**. Amendment Sheet**

**47 - 51**

See Amendment Sheet attached.



# AMENDMENT SHEET

Planning Committee  
2 August 2012

## AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

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

- 7.1. 120484 Land at Meadow Green Farm, Mount Bures Road,  
Wakes Colne

A response to Richard Tattersall's letter dated 18<sup>th</sup> July has been received from Alan Bloor of Reading Agricultural Services (RAS) as follows:

*"The appraisal has been carried out as a desk-top on the information submitted with the application. I would note that if the application is refused and then appealed and I am asked to provide a statement by the Council I would request a site visit to establish and confirm my desk-top appraisal that there was an essential need for a rural worker to live permanently at Meadow Farm.*

*I accept that there is an error in the calculation for the current proposal to site 12 horses and would that this would equate to 1.7 workers.*

*I have concluded that the labour requirement to run the equestrian enterprise with 21 horses on site will be at least two-full-time workers which I understand to mean more than two. This in my view is confirmed in the applicant's Planning Statement which indicates that the proposal will provide employment for Mr Abusubul as the manager and one full-time employee plus opportunities for part-time work. (in excess of two labour units) and the Committee Report that the agent indicates the proposal will create three full-time jobs*

*I have calculated that this additional labour requirement is equivalent to 1.5 labour units over and above that of the applicant. Any family labour has also to be charged out even if it is notional similar to the applicants.*

*In any budgeting/costing figures where labour is going to be paid I would have expected it to be itemised in the budget.*

*I am still of the view that the omission of labour charges lead me to have serious concerns over the sustainability and long term future of the proposed equestrian enterprise.*

*I would agree that in some equestrian units they make use of casual staff, but I would have serious concerns over the knowledge, experience and capabilities of such staff in handling stallions, covering*

*mares and foaling mares and indeed handling young unbroken horses on the applicant's proposed equestrian unit."*

To which a further reply has been provided from Richard Tatersall, as follows:

*“Clearly there remains a difference of opinion between myself and Mr Bloor regarding the prospects for this business and it is of course for just this type of situation that the long established principle of temporary consents has been established in the planning system. It allows genuine and potentially sustainable businesses to have the opportunity to prove their viability in circumstances where, if the business ultimately does not succeed, the consent to live on the holding is effectively terminated.*

*That said I do have a number of points to make concerning Mr Bloor’s further advice to the Council sent by email on 30<sup>th</sup> July.*

- 1 The labour costs of the business have been assessed and are contained in the business plan. The sum of £31,700pa has been allocated for the first 3 years. When a reasonable allowance is made for the cost of casual staff and family labour –the applicant is likely to be working very hard in the early years to make his business work and certainly in excess of the proscribed 39 hour week on which Mr Bloor’s calculations rest – this sum is sufficient in these early years.*
- 2 ‘At least two’ means two or more, not ‘more than two’ as Mr Bloor asserts.*
- 3 There is no reason for any casual or part time staff to carry out the most technically demanding tasks that may require special knowledge or training. There will be plenty of mucking out stables, feeding, sweeping the yard, checking water troughs, fences etc to engage this staff member.*
- 4 Mr Bloor’s labour ‘calculation’ is based entirely on the Warwickshire College Guide and nothing else. The Guide makes it clear that ‘exact labour requirements are difficult to quantify’. This caveat in the guide has been ignored in his advice which makes it potentially unreliable.*

*I hope the Planning Committee will have the opportunity to consider these further points.”*

#### OFFICER’S COMMENT

The above confirms that there is a difference of opinion between Tatersalls and RAS and the recommendation remains the same.

## **7.2 100927 – Land to the rear of 19 & 21 Empress Avenue, West Mersea**

### **Condition 2 - Amend condition to read as follows:**

**The development shall be begun before the 2 August 2014 (i.e two years from the date of the permission hereby granted).**

**Additional conditions:-**

**No development shall be commenced until plans and particulars of "the reserved matters" referred to in the below conditions relating to the, APPEARANCE, LANDSCAPING, AND SCALE have been submitted to and agreed, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.**

**Reason: The application as submitted does not provide sufficient particulars for consideration of these details.**

**The southernmost of the existing accesses to 19 Empress Avenue shall be the sole means of access to the development and shall be relocated as shown on the Drawing Ref. 05014/002d, and shall be provided with an appropriately adjusted dropped kerb crossing of the footway/verge prior to the occupation of the dwellings.**

**Reason: In the interests of highway safety.**

**Prior to the first use of the vehicular access to the development, a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall thereafter be retained free of any obstruction at all times and must not form part of the vehicular surface of the access.**

**Reason: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety.**

**The development shall be provided with a communal bin/refuse collection point within 25 metres of the highway boundary.**

**Reason: To ensure appropriate facilities are provided for the collection of refuse.**

**No burning or storage of materials shall take place where damage could be caused to any tree, shrub or other natural feature to be retained on the site or on adjoining land (see guidance notes).**

**Reason: To protect the health of trees, shrubs and other natural features to be retained in the interest of amenity.**

**All existing trees and hedgerows shall be retained, unless shown to be removed on the approved drawing. All trees and hedgerows on and immediately adjoining the site shall be protected from damage as a result of works on site, to the satisfaction of the Local Planning Authority in accordance with its guidance notes and the relevant British Standard. All existing trees shall be monitored and recorded for at least five years following contractual practical completion of the approved development. In the event that any trees and/or hedgerows die, are removed, destroyed, fail to thrive or are otherwise defective during such a period, they shall be replaced during the first planting season thereafter to specifications agreed in writing with the Local Planning Authority. Any tree works agreed to shall be carried out in accordance with BS 3998.**

**Reason: To safeguard the continuity of amenity afforded by existing trees and hedgerows.**

**Notwithstanding the provisions of Classes B and C of Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or the equivalent provisions of any order revoking and re-enacting that Order), the dwelling as hereby permitted shall be single-storey and no first-floor windows or rooflights shall be installed to give light to the roof void of the dwelling unless otherwise subsequently approved, in writing, by the Local Planning Authority.**

**Reason: To protect the privacy of adjacent dwellings**

**Application for approval of the reserved matters for Plot 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

**Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

**The development hereby permitted in respect of Plot 2 shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.**

**Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

**The reserved matters for Plot 1 shall be in accordance with the details approved under 071917, unless otherwise approved in writing by the Local Planning Authority.**

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

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**SUPPLEMENTARY AGENDA**

**Part B**

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**Pages**

**There are no Section B Items**