

**PLANNING COMMITTEE  
19 NOVEMBER 2009**

*Present :-* Councillor Ray Gamble\* (Chairman)  
Councillor Sonia Lewis\* (Deputy Mayor)  
Councillors Mary Blandon\*, Helen Chuah,  
John Elliott\*, Andrew Ellis, Theresa Higgins\*,  
Jackie Maclean\*, Jon Manning\* and Ann Quarrie\*  
*Substitute Members :-* Councillor Nick Barlow for Councillor Mark Cory\*  
Councillor Michael Lilley  
for Councillor Stephen Ford  
Councillor Mike Hardy for Councillor Sonia Lewis\*

(\* Committee members who attended the formal site visit.)

**135. 090732 Land adjacent to 9 Walters Yard, Colchester, CO1 1HD**

Alistair Day, Principal Planning Officer, attended to assist the Committee in its deliberations. He explained that immediately prior to the start of the meeting it had come to light that residents in two of the properties having a shared boundary with the application site had not been notified of the application. In view of this unfortunate situation the officer requested that it would be prudent for the Committee to defer consideration of the application to enable a consultation with those properties to take place in accordance with the Council's current policy for consultation of neighbours, and for the application to be considered at a future meeting of the Committee meeting.

The Committee were mindful of the Council's policy in this matter and whilst it was regrettable because the applicants and a number of residents were in attendance, they considered that in the interests of fairness they would have to defer consideration of the matter as requested to enable those residents who had not been notified and who had not submitted any representations to do so if they wished. It was noted that a review of the internal policy on notification of neighbours was currently being undertaken.

*RESOLVED* (UNANIMOUSLY) that consideration of the application be deferred to a future meeting to enable consultation to be undertaken with those immediate neighbours who had not received notification of the application.

**136. 091266 Part garden, 110 Oaklands Avenue, Colchester**

The Committee considered an application for the erection of a bungalow with

associated parking facilities for the new property. The proposed dwelling in this application is slightly smaller than that for the earlier refused building thus enabling a larger creating a The Committee had before it a report in which all information was set out.

*RESOLVED* (UNANIMOUSLY) that –

(a) Consideration of the application be deferred for completion of a Unilateral Undertaking to provide for a contribution towards Open Space, Sport and Recreational Facilities in accordance with the Council's Supplementary Planning Document.

(b) Upon receipt of a satisfactory Unilateral Undertaking, the Head of Environmental and Protective Services be authorised to grant consent with conditions and informatives as set out in the report.

### **137. 091208 Severalls Business Park, North Colchester**

The Committee considered an application for the erection of a three-storey business incubation centre, B1 Business use. The Committee had before it a report in which all information was set out.

*RESOLVED* (UNANIMOUSLY) that -

(a) Consideration of the application be deferred for completion of a Unilateral Undertaking to secure contributions towards Highways and Education.

(b) Upon receipt of a satisfactory Unilateral Undertaking, the Head of Environmental and Protective Services be authorised to grant consent with conditions and informatives as set out in the report.

### **138. 091294 Boxted Farm Lodge, Burnt Dick Hill, Boxted, CO4 5TJ**

The Committee considered an application for the removal of Condition 3 of F/COL/03/1377, which restricted the occupancy of the dwelling to agricultural occupation. 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.

**139. 091296 7-9 High Street, Wivenhoe, CO7 9BE**

The Committee considered an application for a change of use from a vacated retail premises, A1, to a gourmet grocer/coffee shop/gallery mixed A1/A3 use. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

*RESOLVED* (UNANIMOUSLY) that the application be approved with conditions and informatives as set out in the report, see also Amendment Sheet.

**140. Correction to Description of Development // Development at Fortuna Park, Colchester - 090416**

The Committee considered a report by the Head of Environmental and Protective Services requesting agreement to the correction of the description of the development at Fortuna Park, Colchester. The Committee had before it a report in which all information was set out.

*RESOLVED* (UNANIMOUSLY) that the description of the development 090416 at Fortuna Park, Colchester be corrected to read:-

“Amendments to part residential development approved under ref: F/COL/04/1998 to replace 19no. flats and 14no. houses with 8no. 2 bed houses, 17no. 3 bed houses and 3no. 4 bed houses, together with minor amendments to garden area of plot 22R, external works, parking areas and open space.”