

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

**SUPPLEMENTARY AGENDA**

**Part A**

(open to the public including the media)

**Pages**

**. Amendment Sheet**

**68 - 70**

See Amendment Sheet attached.



# AMENDMENT SHEET

Planning Committee  
28th July 2011

## AMENDMENTS OF CONDITIONS AND REPRESENTATIONS RECEIVED

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

#### 7.1 110937 – Tubswick, Mill Road, Colchester

The Council's Arboricultural Officer recommended approval of the application subject to conditions. These include two non-standard conditions not shown in the original report. The following additional conditions are therefore recommended:

##### Condition 32

The construction shall take place solely in accordance with the terms of the Methodology Statement received on which forms part of this permission, and no other works shall take place that would affect the trees unless otherwise agreed in writing by the Local Planning Authority.

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

##### Condition 33

No works or development shall take place until a scheme of supervision for the arboricultural protection measures required by conditions 11, 12 and 13 (above) has been approved in writing by the local planning authority. This scheme will be appropriate to the scale and duration of the works and will include details of:

- a. Induction and personnel awareness of arboricultural matters
- b. Identification of individual responsibilities and key personnel
- c. Statement of delegated powers
- d. Timing and methods of site visiting and record keeping, including updates.
- e. Procedures for dealing with variations and incidents.
- f. The scheme of supervision shall be carried out as agreed.
- g. The scheme of supervision will be administered by a qualified arboriculturist instructed by the applicant and approved by the local planning authority.

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

7.2 100442 – Land adjoining 12 Mill Road, West Mersea

**Withdrawn from agenda by the Head of Environmental and Protective Services for further information relating to the impact upon the adjoining dwelling.**

7.5 111064 – 66 Old Forge Road, Layer de la Haye

Layer-De-La-Haye Parish Council state that “in order to ensure the proposed fence is appropriate and in the correct place, the Parish Council would like to request that a visit to the site is made by the Planning Department. The Parish Council would like to ensure that point made by neighbours, both for and against the proposed development are given due consideration”. A site visit has been carried out by officers as part of the assessment of the application. Points raised by neighbours are explained in the report along with the additional comments set out below.

Since drafting of the Committee report 3 further representations have been received. All of these support the proposed development. The main issues raised in these comments are summarised below:

- The fence is an improvement to the property and is therefore a positive point not a negative point. The fence is nicer/cleaner/safer. The previous wall has been repaired in the past and there are only so many times you can repair a wall.
- The new fence makes no difference to the departure of the road accessing the private garages.
- There is more to life than worrying about a new fence
- It is obviously okay for some residents to make alterations and not others
- The wall was removed for health and safety reasons
- There has never previously been issue with fences, surely someone trying to improve their property is a positive thing and people in the village should be happy that they are trying to keep their home in good condition.

**An e mail has been received from a neighbour stating:-**

**Before the meeting could you please take into consideration:-**

**a. My original letter of objection**

**b. The planning application F/COL/04/1189 at 22 Hawfinch Road, Layer.**

**This application involved the erection of a similar concrete and wood fence on the boundary of the property, next to the pavement. A photograph is with the application (see presentation).**

The application was refused by Nicola George, Head of Planning and Protection because the fence presented an inappropriate form of enclosure and was detrimental to the character of the predominantly open-plan estate and was contrary to policy UEA11 in the Adopted Review Colchester Borough Local Plan - March 2004 which required that any development affecting the street scene should be compatible with surrounding development in its scale, form, detailed design and materials.

Nicola George wrote that a brick wall rather than a fence would be considered to be a more appropriate form of enclosure.

I believe that this decision has set a precedent for this type of fence on this residential estate.

**c. Surrounding development**

This is an open plan estate where the sides of houses have been enclosed with walls. Greenswards have been planted between the walls and the road giving a pleasant outlook for neighbours.

Copies of plans and correspondence relating to application no. F/COL/04/1189 relating to a refused application for a fence at 22 Hawfinch Road, Layer de la Haye can be viewed on the website.

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**SUPPLEMENTARY AGENDA**

**Part B**

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**Pages**

**There are no Section B Items**