

**PLANNING COMMITTEE
5 NOVEMBER 2009**

Present :- Councillor Ray Gamble* (Chairman)
Councillor Sonia Lewis* (Deputy Mayor)
Councillors Mary Blandon*, Mark Cory,
Andrew Ellis*, Stephen Ford, Theresa Higgins*,
Jackie Maclean*, Jon Manning* and Ann Quarrie*

Substitute Members :- Councillor Laura Sykes
for Councillor Helen Chuah*
Councillor Richard Martin
for Councillor John Elliott*

Also in Attendance :- Councillor Chris Hall
Councillor Kevin Bentley

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

121. Minutes

The minutes of the meeting held on 15 October 2009 were confirmed as a correct record.

Councillor Mary Blandon (in respect of being related to an objector) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Jon Manning (in respect of having declared a view on the application prior to the committee meeting) declared a personal interest in the following item which is also a prejudicial interest pursuant to the provisions of Meetings General Procedure Rule 7(10) and he left the meeting during its consideration and determination.

Councillor Ray Gamble (in respect of having worked at the magistrates court for 5 years, having links with the court over 30 years and his close personal association with a number of magistrates) declared a personal interest in the following item which is also a prejudicial interest pursuant to the provisions of Meetings General Procedure Rule 7(10) and he left the meeting during its consideration and determination.

122. 090752 St Botolphs Car Park, St Botolphs Circus, Colchester

The Committee considered amended plans and a statement regarding essential parking for disabled court users for the proposed redevelopment of part of the St Botolph's Car Park. The development comprises a part two, part three and part four storey magistrates court complex incorporating double height court volumes with vehicular access off Magdalen Street and parking. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

Andrew Weavers, Monitoring Officer, attended to assist the Committee in its deliberations. He referred to this item having been considered at the meeting on 3 September 2009 following a site visit and committee presentation. At that time the Committee had a full debate and resolved that the application be deferred for further negotiations, specifically relating to the detailing of the tower block and for consideration of the provision of disabled parking spaces. The Committee had been satisfied that no other elements of the design required amendment. At this meeting therefore the Committee would be concentrating on those particular elements of the application. He asked that they consider the merits of the application and the officers comments in the report, and disregard any comments which may have been said elsewhere.

Members of the Committee were concerned that by voting in favour of or against the application at the meeting in September they may have incurred a declarable interest. However, the Monitoring Officer reassured the Committee that this was not the case.

John More, Principal Planning Officer, attended to assist the Committee in its deliberations. He described the amendments which had been made to the tower element of the development and referred to a statement regarding to the provision of disabled parking. The revised scheme had been the subject of a re-consultation process.

Yasser El-Gabry, architect for HM Court Services, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. The Court Service had issued a statement regarding how disabled parking would be made available. It is not customary for public parking to be provided for a courthouse. The tower element, which is designed to be a focal point at the western end of the site, has been modified in consultation with English Heritage and planning officers. The proportions of the tower are driven by two court volumes, one above the other, and the size is dictated by legislation. Waiting areas provide physical restrictions in form and volume, so the internal court spaces have not been altered. The modifications to the tower include cladding in a smooth finish with three distinct bays. Reference has been made to St Botolph's church.

Councillor Hall, Heritage Champion and ward councillor, attended and, with the consent of the Chairman, addressed the Committee. At the previous meeting when this application was considered he had spoken in favour of the proposal. He considered this would be a positive contribution to the area and it would act as a pleasing setting for the square opposite the station. He referred to other tall buildings nearby and to the revised design for this working building which had been developed by the architect in consultation with English Heritage. It would contribute towards Colchester's heritage for the future. He acknowledged that there were objections to the proposal, but considered this to be an excellent design which would improve the area and be a landmark for the future. He strongly recommended the proposal to the Committee.

Having heard the description and seen the drawings members of the Committee considered that both issues had been addressed well and noted that the statutory consultees were satisfied. The building would be a tremendous asset to the town and enhance the area.

RESOLVED (MAJORITY voted FOR) that –

- (a) Consideration of the application be deferred for submission of:
- amended drawings showing the tower element, including more details showing the window elements and how they would be broken up by louvre panels; and
 - the completion of a Section 106 Legal Agreement to secure the following contributions:
 - £28,692 towards the provision of CCTV;
 - £33,106 towards the provision of a footpath/cycle path;
 - £165,531 towards the provision of new public square works;
 - £55,177 towards the provision of public art;
 - £16,553 towards the provision of traffic signs;
 - to allow the borough council to operate the car park on a pay and display basis until such time as the site is required by the developer to commence the development and to allow continued access to the remaining car park;
 - to provide a temporary access off Magdalen Street (adjacent to St Botolph's roundabout) to serve that part of St Botolph's car park which does not form part of the proposal site (as shown in principle on drawing number 200398/EAD/151 Rev.P3 prepared by Mott McDonald);

- not to commence development until the developer has entered into a highways agreement with Essex County Council in relation to the highway works in Magdalen Street;
- the permanent removal of the temporary access mentioned above and provision of a new section of footway in Magdalen Street; and
- the remodelling and reconstruction of the Magdalen Street/Military Road traffic signal controlled junction to provide direct access to the proposal site as shown in principle on drawing number 200398-TA-001 Rev.P3 prepared by Mott McDonald.

(b) Upon receipt of a satisfactory Section 106 Agreement the Head of Environmental and Protective Services be authorised to grant consent with conditions and informatives as set out in the report, see also Amendment Sheet.

Councillor Laura Sykes (in respect of being a member of Stanway Parish Council) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

123. 091063 Former Focus Do It All Store, Moss Road, Stanway, CO3 0LE

The Committee considered an application for a change of use from a DIY store to an indoor leisure centre, use classes A3/A4/D2, to include ten pin bowling and an ice rink. 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.

Councillor Kevin Bentley, Councillor Ray Gamble and Councillor Jon Manning (in respect of each being a season ticket holder for Colchester United Football Club) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Jon Manning (in respect of his employer, the University of Essex, being the current provider of training facilities for Colchester United Football Club) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

124. 091115 and 091117 Land adjacent south Grange Road, Tiptree

The Committee considered two applications for a change of use of agricultural land to a sports field with minor regrading and drainage of playing areas, associated vehicular parking and access from Grange Road and provision of cycle/footway links to Harrington Close and Vine Road.

Application 091115 is a resubmission of 090217 which was refused by the Committee at its meeting on 25 June 2009. This new application is accompanied by a revised Design and Access Statement, an updated Transport Statement, an updated Flood Risk Assessment and a Noise Assessment report. It also seeks to clarify the use of the community pitch by means of a management plan to be secured by condition. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

Application 091117 comprises all the elements of application 091115 together with a building to provide facilities for Colchester United Football Club and changing room accommodation and showers and toilets for two community teams and two changing rooms for match officials, together with a canteen area, see also Amendment Sheet.

The Committee made a site visit in order to assess the impact of the proposal upon the locality and the suitability of the proposal for the site.

David Whybrow, Development Manager, attended to assist the Committee in its deliberations. There was a new proposed footpath and cycleway along the eastern side of the site and new footpath and access along Grange Road to Vine Road. A new access is proposed with new planting to replace the existing hedge. The main difference in the new applications is the clarification of the extent of the community use provided; a proposed new building, in part for community purposes including changing facilities and a canteen area for general meetings. The application also includes community use of one pitch. Each pitch would be restricted to being used no more than three times a week. The community use has been particularly identified for two clubs each of which run several teams with the possibility of community use at other times when games are cancelled or cup runs are cut short. This proposal could have an impact on the Warriors Rest site which could be freed up for other local teams to use. The whole parcel of land through to Vine Road is proposed partly for open space, but not public open space, and partly for predominantly residential use. The current allocated use of this parcel of land in the Borough Local Plan and the Local Development Framework (LDF) is shown as having no notation.

The main consultees are satisfied with the proposals in this application and

the Highways Authority have negotiated amendments to the scheme such as cycleways, footways and access, and they are content with the current proposals. The landscape officer is satisfied with the landscaping elements. The Environmental Control Team has examined the effect on local amenity resulting in exclusion zones which exclude any pitch being within 40 metres of any property in the three surrounding roads to mitigate the effect on nearby housing. Natural England is satisfied with the ecological proposals which include the need to survey for lizards and reptiles in connection with the removal of hedges to create the access. The Planning Policy team consider this proposal to be in accordance with the various layers of national, regional and local planning policy and conclude that there is no objection to this land use in this location. The proposal could contribute towards opportunities for recreation, the improvement of people's sense of wellbeing in places where they live, and the health and fitness agenda. Any community usage of the building and pitches would be secured by legal obligation.

Reference was made to the large number of letters of objection which have been received and the grounds for objection were set out in the report. Letters of support had also been received together with a petition, details of which were on the amendment sheet.

The building was considered to be a quality structure and had been designed to reflect a barn structure. It was proposed to be located at the point furthest from houses. Conditions regarding the use of the football pitches were proposed as was the requirement for the building to be provided concurrently with the sports pitches. It would be necessary to tie these two elements together and in this regard advice had been received which suggested that conditions which can be enforced should be used in preference to a legal agreement. The previous application, 090217, was subject to an appeal which would be heard in January. Within a Statement of Common Ground which has been prepared between the parties in respect of that appeal, it is also suggested that this matter should be dealt with by condition rather than by legal agreement. On that basis the recommendation is for approval for both applications.

Joseph Caffery addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. He referred to policy issues, PPG2 and PPG17, stating that it was claimed that as the proposal was acceptable on green belt it was therefore acceptable on greenfield land, but this only applied to essential facilities. The large building will be the size of five large houses having thirty-one rooms with a second floor viewing platform. The building would be bulky and not small scale. Neither of the aforementioned policies support such a building due to its size and scale. The building would be the headquarters for a commercial training

complex and he questioned why it was proposed now and not mentioned in the earlier application. A Landscape Character Assessment had been undertaken for this part of Tiptree, which guards against development in the countryside. He had concerns about highway safety in connection with construction traffic which would have to negotiate a dangerous junction. A full size pitch elsewhere in Tiptree is being replaced. PPG17 contained no references to new sports facilities needing to be sited at Tiptree sports centre. The only difference between these applications is the large two storey building which could be a reason for refusal if the Committee were so minded, and all the reasons for refusal of the previous application also apply to these applications. Ten policies are mentioned in the officer's report, none of which mention changing rooms. He asked the Committee to refuse these applications as they are an increase of policy CO4. This land is not classified as open space at this time.

John Lawson, the applicant's agent, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. The Planning Committee's refusal was limited to the community facility and therefore this decision accepted the principle of the proposal as in the Statement of Common Ground. The proposals in these applications addressed the Committee's concerns and other matters are agreed. These proposals include building projects for both the Club and community use. The building is a high quality, state of the art building which will blend in with the surroundings and include use by local community teams. Although there is no requirement for a pitch it should be acknowledged that it forms an integral part of the scheme. Community use will be secured by condition. Any local team can book the pitch within the capacity of the facility and in his view the quality of the playing surface will be by far the best in the borough and probably in the country. They have liaised extensively with officers and local consultees and have invited local residents to attend a meeting. The Chairman attended a parish council meeting to answer questions. The Club support sport at grass roots level. This site is not in the metropolitan greenbelt so PPG2 does not apply. PPG17 allows for facilities in the countryside. He hoped the Committee would take his comments into account in coming to a decision.

Councillor Bentley attended and, with the consent of the Chairman, addressed the Committee. He is one of five councillors who represent Tiptree and the application also borders the Winstree constituency. The parish council were mainly concerned that the site was outside the village envelope and were actively opposed to residential or commercial development outside the village envelope unless there is a substantial gain for the community of Tiptree and Tiptree alone. Strategically, efforts are being made to try to reduce the numbers of cars but this facility will attract people with cars. He questioned whether the Highways Authority had visited

the site, which he considered was important to understand the situation. This is a rural setting and as such the proposed two metre fences would be out of keeping. He believed there was land available for this purpose closer to the football stadium, which was 20 miles from Tiptree; the Council's policy is to reduce traffic and congestion. He referred to the wildlife and particular bird species in relation to hedgerows which were increasingly rare and in need of protection. Tiptree is a rural village, the site is in a countryside setting and many residents are keen to keep it that way. Any sporting facility must be welcomed but not at any price. He asked the Planning Committee to help preserve the countryside and reject both applications.

The planning officer explained that the site was not within statutory green belt so it was not afforded protection by PPG2. The site is outside the village envelope but rural land can be put to certain uses, recreational use being one such use. He reminded the Committee that the Planning Policy team did not raise any objections to this scheme in principle. Whilst it is undeniably a large building it is mitigated by landscaping with hedges and a spinney. It is a very well designed building and the mass and bulk is broken down into a family of building forms. He had no doubt that the Highways Agency had visited the site and their views, which he believed had been given careful consideration, were clearly stated. He accepted the situation in regard to traffic but it has been taken into account in the traffic appraisal which emphasised that the use of the facility will take place outside of the main peak period on local roads. Efforts have been made to encourage local people to arrive by cycle or on foot through the introduction of new footpaths and cycleways. Colchester is not seen as the main hub for those who will be arriving at this site because not all the players originate from Colchester.

LDF policy documents relevant to these applications have not yet been adopted so the current designation of the site is 'land without notation', but there is a proposal that this Council will be putting to the Inspector at the public enquiry which will take place in the spring of next year. The fencing is not an ideal solution but secure boundaries are necessary. The fences will be screened from view by existing and newly planted hedges. In respect of birdlife, all the main consultees, including Natural England, have found in favour of this proposal. However, any disruptive work to hedges should not take place in the nesting period. The proposals have been accepted by specialised authorities.

In their consideration of the proposals, some members of the Committee commented that now the community use has been clarified, there is a pitch which could be used by two teams, although many would say that there is not enough community use. The Committee have visited the site twice and have seen the proposals for the changing room facility.

A number of the Committee considered that nothing had really changed with these new applications. They were mindful that the current Local Plan shows the allocation to be 'white land' and the replacement LDF document relating to allocations has not yet been adopted, and as such it carries no weight. The earliest the document can be adopted is next summer so the Committee considered that these applications must be considered against the current Local Plan document. The whole area of land is twelve hectares of which Colchester United Football Club wants to use nine hectares. In the developing LDF document the land is shown as having an open space allocation. Members referred to other areas of private open space in and around the edges of Tiptree. Tiptree Parish Council have been wanting more public open space in Tiptree as there is a shortfall when compared with the target allocation per 1,000 of population. Tiptree has nearly 11,000 residents whereas footballers number several hundreds, and whilst football is quite popular in Tiptree and to that extent the community pitch would be a good thing for Tiptree, although it would only be for a minority of the population. One single pitch to be used by two teams is not sufficient gain.

There is a way forward here, but only with substantial gain for Tiptree. PPS17 and regional policies are irrelevant because all refer to community sports facilities for the benefit of the whole community and this is a football training ground for a professional team with the gain of one pitch which does not benefit the whole of Tiptree; it is a token gesture and more pitches and pavilion facilities are needed for the local area. Tiptree Parish Council's policy is to actively oppose residential and commercial development outside the village envelope, unless there is a substantial benefit to Tiptree and this proposal does not offer sufficient gain. The site will be a little used private open space. Had the applicant, who owns the whole of the site, donated the other three hectares for public open space that would be a substantial gain to Tiptree and the proposal may have been viewed differently by the community, but no consultation has been undertaken on this aspect and the views of residents present are unknown. The proposal in its current form was not supported.

There was a dilemma for some members who recognised that this training ground was for Colchester's professional team whose future success was supported. They needed a proper training ground, but there remained the concern that this site was outside the village envelope. On the positive side there is a community facility and the applicants were to be applauded for the community element of the proposal which included various caveats to protect residents' amenity. Although it was a much needed facility, it was contrary to policy.

In response the planning officer pointed out the extents of the proposed and

current village envelopes. The site is currently without notation and therefore outside the current village envelope. The officer view was that it was considered to be an appropriate level of community use. The LDF process will consider the level of open space provision for Tiptree and relate it back to population numbers and identify what public or other open space might be appropriate. There is a suggestion that the remainder of the site should be added in as a community gain, but that site is still the subject of representations in the LDF process. The fact that this is outside the village envelope is not a prequel to recreational use which is not built development. There is a building but it occupies a relatively small part of the site and is considered to be acceptable.

RESOLVED (MAJORITY voted FOR) that –

(a) In respect of application 091115, the application be refused for the following reason:-

The site for this proposal is located within an area of white land i.e. no notation as allocated in the Adopted Review Colchester Borough Local Plan – March 2004. Additionally, policy ENV 1 of the Local Development Framework Adopted Core Strategy (December 2008) states, inter alia:

Unallocated green field land outside of settlement boundaries (to be defined/reviewed in the Site Allocations DPD) will be protected and where possible enhanced, in accordance with the Landscape Character Assessment. Within such areas development will be strictly controlled to conserve the environmental assets and open character of the Borough.

As new development within such areas is subject to restriction, the Council would wish to ensure that development proposals accorded with the aims of relevant policies in the Adopted Local Plan and the Adopted Core Strategy. To this end, the Council considers that the submitted scheme fails to include a sufficient degree of community use within the development to justify the use of this unallocated white land for an alternative purpose.

(b) In respect of application 091117, the application be refused for the following reason:-

The site for this proposal is located within an area of white land i.e. no notation as allocated in the Adopted Review Colchester Borough Local Plan – March 2004. Additionally, policy ENV 1 of the Local Development Framework Adopted Core Strategy (December 2008) states, inter alia:

Unallocated green field land outside of settlement boundaries (to be defined/reviewed in the Site Allocations DPD) will be protected and where possible enhanced, in accordance with the Landscape Character

Assessment. Within such areas development will be strictly controlled to conserve the environmental assets and open character of the Borough.

As new development within such areas is subject to restriction, the Council would wish to ensure that development proposals accorded with the aims of relevant policies in the Adopted Local Plan and the Adopted Core Strategy. To this end, the Council considers that the submitted scheme fails to include a sufficient degree of community use within the development to justify the use of this unallocated white land for an alternative purpose.

125. 090692 Sainsbury's Store, London Road, Stanway

The Committee considered an application for the erection of a new food store with associated accesses, a petrol filling station, car parking, cycle parking, servicing and landscaping. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

RESOLVED (UNANIMOUSLY) that –

(a) Subject to the completion of a Section 106 Agreement to secure amongst other matters, the elements referred to in Section 9 of the report, the application be referred to the Government Office for the Eastern Region and the Secretary of State be advised that Colchester Borough Council is minded to approve the application with the conditions and informatives as set out in the report, see also Amendment Sheet, together with any additional conditions required by the Highways Agency;

(b) Upon receipt of notification that the Secretary of State does not wish to call the application in for determination and to the receipt of a satisfactory Section 106 Agreement and conditions and informatives referred to in (a) above, the Head of Environmental and Protective Services be authorised to grant consent.

126. 090897 11 Spring Road, Tiptree, CO5 0BD

The Committee considered a reserved matters application for the demolition of an existing bungalow and the erection of three chalet style dwellings and one bungalow. The Committee had before it a report in which all information was set out.

The Committee made a site visit in order to assess the impact of the proposal upon the locality and the suitability of the proposal for the site.

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

127. 091084 St Pauls Hospital, Boxted Road, Mile End, CO4 5HE

This application was withdrawn by the agent.

128. 091147 Hythe Station, Hythe Station Road, Colchester, CO2 8JR

The Committee considered an application for the erection of hoardings no greater than two metres high attached to fencing which borders the railway station. The hoardings will feature painting and poetry. 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.

129. 091177 Gnome Magic, New Dawn, Ipswich Road, Colchester, CO7 6HU

The Committee considered an application for a variation of Condition 04 of planning permission COL/03/0556 to allow for opening all year, January to December, Monday to Sunday with hours of operation from 6am to 10pm. 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, opening January to December from 9am to 9pm daily.

Councillor Andrew Ellis (in respect of having previously used the services of the applicant's agent) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

Councillor Richard Martin (in respect of his association with the applicant's agent) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

130. 091197 61 Oaklands Avenue, Colchester

The Committee considered an application for a single storey side extension with a front porch, rear single storey extension, conservatory and internal alterations. The application is a resubmission of 090608. 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.

131. 091242 24 Becker Road, Colchester, CO3 9XR

The Committee considered an application for a ground floor extension forming a new bedroom and the conversion of an existing study/playroom into a shower room. The Committee had before it a report in which all information was set out.

The Committee made a site visit in order to assess the impact of the proposal upon the locality and the suitability of the proposal for the site.

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

132. 091262 1 Rosebank Road, West Mersea

The Committee considered an application for proposed alterations and extensions to an existing detached house to provide accommodation for a disabled family member. The application is a resubmission of 081459. The Committee had before it a report in which all information was set out, see also Amendment Sheet.

John Davies, Principal Planning Officer, attended to assist the Committee in its deliberations. This is an extension to provide a facility for a disabled daughter.

William Kimberley, a neighbour, addressed the Committee pursuant to the provisions of Planning Committee Procedure Rule 8 in opposition to the application. Over the last four to five years there have been five applications submitted for this property. Four have been dismissed and he opposes this latest application. His neighbour asked for extra time in which to comment as he happened to leave for three weeks' holiday before this application was received. The neighbour had not received a reply but was assured by Bradly Heffer that any observations he made would be taken into consideration. He considered the two metre high fence proposed along the front of the property would be extremely ugly, out of keeping with the

property and out of character with the neighbourhood; there were no other fences higher than a metre. He asked that if approval is given no fences should be permitted in excess of one metre. On the plan there is a car port shown with a car added but the car port has been occupied by a caravan for 15-16 years. There is no garage because it has been converted to accommodation for their disabled daughter.

David Webb addressed the Committee on behalf of Mr and Mrs Weaver pursuant to the provisions of Planning Committee Procedure Rule 8 in support of the application. There would be no privacy or overlooking issues. In regard to the comment about a two metre fence, there is a three metre hedge on the footway nearby. They were proposing a one metre fence together with a trellis which exists currently. This proposal is intended to provide a separate access to allow their disabled daughter to have a more independent life and a porch addition would not be out of place. Materials have been approved by senior planning officers.

Members of the Committee commented that the applicant's daughter's condition is not material to this proposal, which was supported. In response to a request for clarification regarding the fences it was explained that the plans showed a two metre fence, the top half of which comprised a 900mm trellis.

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

Councillor Stephen Ford (in respect of his association with the applicant's agent) declared a personal interest in the following item pursuant to the provisions of Meetings General Procedure Rule 7(3)

133. 091073 14 and 16 Wivenhoe Business Centre, Brook Street, Wivenhoe

The Committee considered an application for a change of use from a printer, B2, to a dance studio, Ds. 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.

134. Enforcement Action // Land at Hill House Farm, Colchester Road, West Bergholt

The Head of Environmental and Protective Services submitted a report on proposed enforcement action requiring the cessation of the light industrial, storage and distribution use of both barns and the removal of timber, materials and plant machinery associated with the unauthorised use, see also Amendment Sheet.

David Whybrow, Development Manager, attended to assist the Committee in its deliberations. It was explained that it was intended that the service of the enforcement notice would be delayed because the applicant has identified alternative premises where the use, light industrial, storage and distribution, has been undertaken and it may prove possible to move the operation to the other site. They are seeking a slight deferment in serving the notice so the transfer can take place.

RESOLVED (UNANIMOUSLY) that, in the event that the timber operation does not transfer to the alternative site within a reasonable period of time, an enforcement notice be served at Hill House Farm, Colchester Road, West Bergholt requiring the cessation of the light industrial, storage and distribution use of both barns and the removal of timber, materials and plant machinery associated with the unauthorised use and that the compliance period to terminate on 30 January 2010.