

PLANNING COMMITTEE

23 AUGUST 2011

Present:- Councillor Heaney (Chairman), Councillor Challinor (Vice-Chairman) (except item 47), Councillor Bragg, Councillor Brown, Councillor Johnson, Councillor G L Mitchell (except item 47), Councillor Simons, Councillor White.

Substitute Members:- Councillors Casey (for Councillor McLeod), Mc Williams (for Councillor Fawcett), Watling (for Councillor Candy) (except item 47).

Also Present:- Councillor G V Guglielmi - Planning Portfolio Holder and Councillors Scott, Turner (items 43 - 47 (part) only).

In Attendance:- Temporary Head of Planning, Development Control Team Manager (PF), Development Control Team Manager (GP) (items 43-47 only), Principal Solicitor, Democratic Services Officer.

(6.00 p.m. - 7.29 p.m.)

43.. CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to the fact that this was the last meeting of the Planning Committee that Sue Archibald, Democratic Services Officer, would be attending before she left the Council's employment. She extended her thanks to Mrs Archibald for her help over the past few years and wished her well for the future.

Members showed their support for the Chairman's comments with a round of applause.

The Chairman welcomed those present to the meeting, briefly outlined the procedure at meetings and informed those present of the action to take in the event of an emergency.

The Chairman stated the names of those Members present in the public area, for the record.

44. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Candy, Fawcett and McLeod.

45. MINUTES

The minutes of the meeting of the Committee held on 26 July 2011 were approved as a correct record and signed by the Chairman.

46. PLANNING APPEALS AND DECISIONS

The Committee noted the contents of a report (submitted for information only) advising them of the details of recent planning appeals and appeal decisions.

47. PLANNING APPLICATION 11/00637/FUL - 86 STATION ROAD, CLACTON-ON-SEA CO15 1SP - CHANGE OF USE TO A5 TAKEAWAY

The Committee had before it the published Officer report containing an appraisal of the key

planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval with a summary of recommended conditions.

Councillors Challinor, G L Mitchell and Watling each declared a prejudicial interest as members of the Clacton Constituency Conservative Association and left the meeting during the consideration thereof and the voting thereon. Councillor Turner, present in the public area, declared a prejudicial interest on behalf of Ward Councillors P B and S A Honeywood and advised the Committee that he was attending to speak on their behalf and would then leave the meeting.

Councillor Turner, on behalf of Councillors P B and S A Honeywood, the Ward Members, read a prepared statement against the application, and left the meeting.

It was moved by Councillor Casey, seconded by Councillor McWilliams and:-

RESOLVED – That application 11/00637/FUL be refused for the following reasons:-

It is the policy of the Local Planning Authority, as contained within Policies QL9, QL10 and QL11 of the adopted Tendring District Local Plan (2007), that new development proposals should protect and enhance local character, be compatible with surrounding land uses, not have a materially damaging impact on the amenities of occupiers of nearby properties, and should make adequate provision for functional needs, including vehicle parking. Similar requirements are carried into the Local Development Framework Core Strategy and Development Policies Proposed Submission Document (October 2010), through Policy DP1.

The above policies are given greater emphasis through Planning Policy Statement 1: Delivering Sustainable Development, which seeks to ensure that design is appropriate in its context, and takes the opportunities available for improving the character and quality of an area. The Draft National Policy Framework carries through this approach, stating that developments need to “respond to local character and reflect the identity of local surroundings”.

This site is in a locality characterised by civic and office uses where a takeaway would be out of keeping. The proximity of the proposed takeaway to residential flats emphasises the unsuitability of the site as it would result in noise and disturbance from takeaway customers at times of the day when quiet could reasonably be expected. Furthermore, there is inadequate off-street parking provision. This is particularly unacceptable in view of the high existing demand for on-street parking spaces at evenings when events are on at the Prince’s Theatre. For these reasons, the proposal conflicts with the requirements of the aforementioned policy.

48. PLANNING APPLICATION 11/00117/FUL – 606 MAIN ROAD, HARWICH CO12 4LW – PROPOSED NEW THREE ARM MINI ROUNDABOUT JUNCTION ON MAIN ROAD JUST TO THE SOUTH WEST OF EXISTING MINI ROUNDABOUT AT THE JUNCTION WITH LAUREL AVENUE, THEREBY CREATING A 'DOUBLE MINI ROUNDABOUT', (INCLUDING CHANGE OF USE FROM VILLAGE GREEN TO HIGHWAY AND VICE VERSA)

The Committee had before it the published Officer report containing an appraisal of the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval with a summary of recommended conditions.

The recently published update sheet was also considered by the Committee and explained

by officers at the meeting.

Mr P Rust, on behalf of the applicant, spoke in support of the application.

It was moved by Councillor Watling, seconded by Councillor Brown and:-

RESOLVED – That consideration of application 11/00117/FUL be deferred for officers, in consultation with the applicant, to seek to identify alternative land in the vicinity of the site that could offset the loss of village green/open space as a result of the development.

49. PLANNING APPLICATION 11/00810/FUL – 13 COMMERCE WAY, LAWFORD CO11 1UT – RETROSPECTIVE CHANGE OF USE OF INDUSTRIAL UNITS (B1) TO STORAGE AND DISTRIBUTION AND RETAIL (A1, B8) USES

The Committee had before it the published Officer report containing an appraisal of the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval with a summary of recommended conditions.

Councillor Simons declared an interest as one of the Ward Members and remained in the meeting during the consideration thereof and the voting thereon.

Mr R Sykes-Popham, the applicant's agent, spoke in support of the application.

It was moved by Councillor Watling, seconded by Councillor Bragg and:-

RESOLVED – That, after the expiration of the Development Plan Departure advertisement on 26 August 2011, application 11/00810/FUL be approved subject to conditions providing:-

- List of approved plans
- Restriction to storage and distribution of animal feeds and products, work wear and large fishing equipment (B8), and retail of animal feeds and products (A1).

Reason for Approval

Having regard to the pattern of existing development in the area and the development plan policies listed in the officer report it is considered that subject to compliance with the conditions attached to this permission and owing to the mixed storage and distribution and retail use being located within close proximity (350 metres) and easy walking distance from the town centre, the development to be retained would not reduce the amenities enjoyed by occupants of neighbouring property, would not have an adverse impact upon the character of the surrounding area and is acceptable in terms of highway safety and flood risk.

Note: At the request of the Planning Portfolio Holder, the Development Team Manager (PF) agreed to look into the current signage on the industrial estate site and on Station Road, and the signage requirements of the original planning conditions relating to the commercial use of the site in Riverside Avenue East.

50. ENFORCEMENT POLICY, HARM ASSESSMENT (INCLUDING COUNCILLOR REFERRALS OR PLANNING COMPLAINTS) AND PUBLIC ACCESS

The Committee's approval was sought to the Council's Planning Enforcement Policy, the Harm Assessment – Prioritisation Scheme and the procedure for the display of

enforcement cases on the Council's web site via Public Access.

It was moved by Councillor Heaney, seconded by Councillor McWilliams and:-

RESOLVED – (a) That the Harm Assessment – Prioritisation Scheme, as contained at Appendix 1 of item A.5 of the Report of the Temporary Head of Planning and the Planning Enforcement Policies at Appendix 2 of the aforementioned report, be approved.

(b) That those actions set out in Option 4 of the aforementioned report be approved as the Council's protocol for displaying planning enforcement information on Public Access (including those retrospective cases since February 2011).

(c) That the policies be monitored in accordance with the report submitted and a further review and report be considered by this Committee after twelve months.

Note: Following a request for clarification from Councillor Scott, present in the public area, the Chairman wished it to be noted that it is the intention that all live enforcement cases will be available to view on the Council's web site via Public Access.

51. URGENT ITEM

The Committee were informed that, due to the timeframe for the completion of a legal agreement expiring on 28 August 2011 (28/6/11, minute 22 refers) in respect of application 11/00037/FUL land adj. 142 Harwich Road, Mistley, permission was being sought by the applicant to an extension as a matter of urgency.

The Committee was further informed that the aforementioned minute referred in error to "outline", rather than "full", planning permission and was asked to note this modification.

It was moved by Councillor Heaney, seconded by Councillor Johnson and:-

RESOLVED – (a) That the requested two month extension to the time limit for the completion of a legal agreement in respect of application 11/00037/FUL be granted.

(b) That the above error in the said report and minute are now noted and recorded in this minute 51.

52. PLANNING APPLICATION – 16/00185/OUT – LAND SOUTH OF MILL LANE, WEELEY HEATH, CO16 9BG

It was reported that this application had been referred to the Planning Committee at the request of Councillor Bray, a local Ward Member.

Councillor Bray, present in the public gallery, had earlier declared an interest in relation to Planning Application 16/00185/OUT by virtue of the fact he was a local Ward Member.

Councillor M Brown, present in the public gallery, had earlier declared an interest in relation to Planning Application 16/00185/OUT by virtue of the fact he was a local Ward Member.

Councillor White had earlier declared a non-pecuniary interest in relation to Planning Application 16/00185/OUT by virtue of the fact that up until recently he had been a member of the Hutley's St Osyth Trust.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written

representations received and a recommendation of approval.

At the meeting, an oral presentation was made by the Council's Planning Officer (ML) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of:

(1) Deletion of section (a) of the recommendation.

Councillor Hones left the room during the deliberation on this item and consequently, on the Solicitor's advice, he was not allowed to vote on the application.

Lesley Groom, a local resident, spoke against the application.

Parish Councillor Peter Dumsday, representing Weeley Parish Council, spoke against the application.

Councillor Bray, a local Ward Member, spoke against the application.

Councillor M Brown, a local Ward Member, spoke against the application.

Matt Clarke, the agent on behalf of the applicant, spoke in support of the application.

It was moved by Councillor Everett and seconded by Councillor Bennison that consideration of the application be deferred in order to request a phase two Bat Survey to be conducted on the proposed development and to consider access arrangements with the possibility of a quiet lane status, which motion on being put to the vote was declared LOST.

It was then moved by Councillor Fowler, seconded by Councillor Heaney and RESOLVED that the Head of Planning (or equivalent authorised officer) be authorised to grant outline planning permission for the development, subject to:

a) Planning conditions in accordance with those set out in (i) below (but with such amendments and additions, if any, to the detailed wording thereof as the Head of Planning in their discretion considers appropriate).

(i) Conditions:

- 1) Time Limit – Outline
- 2) Time Limit – Submission of Reserved Matters
- 3) No Development until Reserved Matters (access, appearance, layout, landscaping and scale) submitted
- 4) Materials
- 5) Boundary treatments
- 6) Submission of hard/soft landscaping scheme
- 7) Implementation of landscaping scheme
- 8) Access width of 5.5m with appropriate crossing
- 9) Details of bridging/piping of ditch
- 10) Visibility splays of site maximum by 2.4m by site maximum
- 11) No unbound materials in first 6m of access
- 12) Individual accesses being 3.7m in width and double accesses being 5.5m in width
- 13) Any gates set 6m back from highway
- 14) Carriageway widths of 5.5m between kerbs or 6m where access without kerbs
- 15) Footways being minimum of 2m in width
- 16) Off-street parking in accordance with current parking standards
- 17) Garages being set back 6m from highway

- 18) Boundary hedge being setback 1m from highway and 1m behind visibility splays
- 19) Details of communal refuse store provided
- 20) Timing of vegetation clearance
- 21) Lighting details
- 22) Biodiversity mitigation and enhancement provision
- 23) Accordance with tree/hedge protection plan
- 24) Removal of PD rights for fencing, walls and means of enclosure on the southern boundary of the site
- 25) Restrict to two storeys
- 26) Phase two Bat survey
- 27) Buildings to be no higher than adjoining listed building
- 28) Access arrangements to consider possible quiet lane status

b) That any reserved matters application for this development be submitted to the Committee for its consideration.

53. PLANNING APPLICATION – 16/00271/DETAIL - LAND EAST OF FREELANDS, THORPE ROAD, WEELEY, CO16 9JH

Councillor Bray, present in the public gallery, had earlier declared an interest in relation to Planning Application 16/00271/OUT by virtue of the fact he was a local Ward Member.

It was reported that this application had been submitted following the grant of outline consent for the construction of three dwellings with associated garages and parking. The principle of development and main access locations had been already approved.

Members recalled that the outline application had been considered by the Planning Committee on 24 June 2014 when it had been resolved to grant outline planning permission subject to the completion of a legal agreement and a number of controlling conditions. The Planning Committee had also resolved that all future applications dealing with the approval of reserved matters should be presented to the Committee for consideration.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval.

At the meeting, an oral presentation was made by the Council's Acting Planning Development Manager (GG) in respect of the application.

Carol Bannister, a local resident, spoke on the application.

Peter LeGrys, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, It was moved by Councillor McWilliams, seconded by Councillor Heaney and RESOLVED that the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to:

(i) Conditions:

- 1) Standard time lime for commencement
- 2) Development to be undertaken in accordance with the approved plans
- 3) Materials in accordance with the approved plans
- 4) Construction Method Statement to include:
 - i. The parking of vehicles of site operatives and visitors
 - ii. Loading and unloading of plant and materials
 - iii. Storage of plant and materials used in constructing the development

- iv. Wheel and under-body washing facilities
- 5) No unbound materials
- 6) Off street parking details
- 7) Details of gates
- 8) Hard and soft landscaping

54. PLANNING APPLICATION - 16/00305/OUT - BLUE GATES FARM, COLCHESTER MAIN ROAD, ALRESFORD, CO7 8DE

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval.

At the meeting, an oral presentation was made by the Council's Acting Planning Development Manager (GG) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of:

- (1) Deletion of section (a) of the recommendation;
- (2) An error in paragraph 6.8; and
- (3) Paragraph 6.11 did not relate to this application.

Parish Councillor Ernie Osborne, representing Alresford Parish Council, spoke against the application.

Councillor Scott, the local Ward Member, spoke against the application.

Joseph Greenhow, the agent on behalf of the applicant, spoke in support of the application.

It was moved by Councillor Heaney and seconded by Councillor Bennison that this application be restricted to no more than five dwellings, which motion on being put to the vote was declared LOST.

It was then moved by Councillor McWilliams, seconded by Councillor Fairley and RESOLVED that the Head of Planning (or equivalent authorised officer) be authorised to grant outline planning permission for the development, subject to:

a) Planning conditions in accordance with those set out in (i) below (but with such amendments and additions, if any, to the detailed wording thereof as the Head of Planning (or the equivalent authorised officer) in their discretion considers appropriate).

(i) Conditions:

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters")
- 2) Application for approval of the reserved matters
- 3) The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters.
- 4) Development restricted to no more than 9 dwellings.
- 5) Samples of the materials
- 6) As requested by the Highway Authority
- 7) Details of measures for the control and suppression of dust emissions
- 8) A full construction method statement
- 9) Soft Landscaping and boundary treatment
- 10) Archaeology condition as requested
- 11) Restrict to two storeys
- 12) No shared surfaces

b) That any reserved matters application for this development be submitted to the Committee for its consideration.

55. PLANNING APPEAL – 15/00761/OUT – LAND TO THE SOUTH OF LONG ROAD AND TO WEST OF CLACTON ROAD, MISTLEY, CO11 2HN

Members recalled that, on 5 January 2016, they had considered a report in respect of this outline planning application for a major development on greenfield land off Long Road and Clacton Road, Mistley.

It had been reported at the meeting that the applicants had chosen to appeal against non-determination and Officers had sought the Committee's agreement to the reasons for refusal that would have applied if the Council had been determining the application at that time, i.e. the reasons that would form the basis of the Council's defence against the appeal.

The agreed reasons for refusal had related to:

- Highways;
- Duty to Cooperate;
- Landscape Impact and Settlement Form; and
- Section 106 Legal Agreement.

Members were informed that the appeal was scheduled to take the form of a Public Inquiry commencing on Tuesday 19 July 2016 for which the Council's proofs of evidence would need to be completed and submitted by mid-June. However, since the Committee's consideration of the proposal in January, some of the previously unresolved matters had now been addressed.

On the advice of the Council's Barrister, the Committee was now asked to re-consider the Council's position to determine whether, based on current information, the application would still be refused and, in turn, whether the Council still had reasonable grounds upon which to fight the Appeal, having regard to the Government's guidance on Public Inquiries.

At the meeting, an oral presentation was made by the Council's Acting Planning Development Manager (GG) in respect of the application which set out the grounds under which each of the original four grounds for refusal had been re-examined.

Following discussion by the Committee, it was moved by Councillor McWilliams, seconded by Councillor Heaney and RESOLVED that following the resolution on 5 January 2016 that the application would have, at that time, been refused for four reasons (upon which Officers were instructed to defend the Council's case at appeal), the Planning Committee now:

- i) Notes the summary of legal advice received from external Counsel;
- ii) Agrees that 'highways' and 'duty to cooperate' are no longer legitimate reasons for refusal following receipt, on 3 May 2016, of the Highway Authority's confirmation that, subject to conditions and a financial payment toward off-site traffic calming measures, the development is acceptable in highway terms;
- iii) Agrees that 'illogical and harmful intrusion into the countryside' is no longer a legitimate reason for refusal, following strong indications that major development on land to the west is likely to be supported, in principle, by the Council through the Local Plan which will alter the context against which this development is to be considered;
- iv) Notes that the applicants are in the process of preparing a Section 106 agreement which is expected to address requirements relating to health, education and off-site

highway works and traffic-calming measures, thus addressing concerns about the individual and cumulative impacts on infrastructure;

v) Agrees that concerns about 'coalescence and impact on individual character' would not significantly and demonstrably outweigh the benefits of the development, in light of the above matters being addressed and the substantial housing need; and

vi) Confirms, based on current information, the Committee would not have resolved to refuse this planning application and that the Council should no longer defend this appeal against non-determination.

56. PLANNING APPLICATION - 14/01292/OUT - LAND TO THE WEST OF CHURCH ROAD, ELMSTEAD MARKET, CO7 7AR

Councillor Heaney had earlier declared an interest in relation to Planning Application 14/01292/OUT by virtue of the fact she was a local Ward Member.

Councillor Nicholls had earlier declared an interest in relation to Planning Application 14/01292/OUT by virtue of the fact he was a local Ward Member.

Members recalled that this application had been referred to the Committee on 3 March 2015, 15 December 2015 and 1 March 2016. The Committee had resolved to grant outline planning permission on each occasion, subject to the completion of a Section 106 legal agreement (the latest date had been 29 April 2016) and subject to conditions; otherwise the Head of Planning had the delegated Authority to refuse the application if necessary. Any reserved matters application was to be referred to the Committee.

It was reported that, since the date of the last resolution, discussions regarding the completion of the Section 106 legal agreement had been ongoing and the agreement was very close to completion.

The Acting Planning Development Manager (GG) now sought the Committee's agreement to an extension of time until 1 July 2016 in order to complete the legal agreement.

At the meeting, an oral presentation was made by the Council's Acting Planning Development Manager (GG) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of:

(1) Information of a typographical error in the report.

Following discussion by the Committee, it was moved by Councillor Bennison, seconded by Councillor Fowler and RESOLVED that the Head of Planning (or equivalent authorised officer) be authorised to grant an extension of time for the completion of a Section 106 legal agreement, subject to:

a) By no later than 1 July 2016 to approve, the completion of a legal agreement under the provisions of Section 106 of the Town and Country Planning Act 1990 dealing with the following matters (where required):

- Affordable Housing (Subject to viability report) The scheme would be unviable with the provision of affordable housing but the draft agreement includes an obligation on the owner/developer to review viability at appropriate dates and to provide the Council with a percentage of any uplift in value to contribute towards affordable housing in the locality;
- Education contribution
- Public open space contribution
- Completion and transfer of public open space, allotments and community facilities

b) Planning conditions in accordance with those set out in (i) below (but with such amendments and additions, if any, to the detailed wording thereof as the Head of Planning (or the equivalent authorised officer) in their discretion considers appropriate).

(i) Conditions:

- 1) Details of the appearance, access, layout, scale and landscaping (the reserved matters)
- 2) Application for approval of the reserved matters to be made within three years
- 3) The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters
- 4) Development to contain up to 20 dwellings
- 5) Details of materials
- 6) Hard and soft landscaping
- 7) All hard and soft landscaping implementation
- 8) Development constructed in accordance with details contained within the Tree Report
- 9) Landscaping – Five year clause
- 10) Landscape/Public open space management plan
- 11) Ecological mitigation scheme and management plan
- 12) Details of boundary treatments
- 13) Details of refuse storage/collection points
- 14) Archaeology investigative and report works
- 15) Site lighting strategy
- 16) Construction Method Statement, including details of hours of operation during construction.
- 17) Parking in line with adopted Parking Standards
- 18) Details of a surface water drainage scheme, including surface water swales
- 19) Footpath works to the north of the site
- 20) Detailed assessment of ground conditions of the land proposed for new playing field
- 21) Playing field to be used for outdoor sport and for no other purpose
- 22) Pitch shall be constructed and laid out in accordance with the standards and methodologies set out in the guidance note Natural Turf for Sport
- 23) Details of a management and maintenance scheme for the facility
- 24) Details of a community use scheme to be applied to the playing fields and community hall
- 25) Contamination investigation
- 26) Details of wheel cleaning facility
- 27) Prior to commencement of development, details of the following to be submitted and approved:
 - Upgrading of the two bus stops in the vicinity of the Colchester Road/Church Road/Clacton Road/School Road junction to current Highway Authority specification which may include but shall not be limited to real time passenger information
 - Possible improvements at and in the vicinity of the Colchester Road/Church Road/Clacton Road/School Road junction
- 28) No occupation of the development until the following have been provided or completed:
 - A priority junction off Church Road to include as a minimum 2no. 6 metre kerbed radii, 1no. footway and a 43 x 2.4 x 43 metre visibility splay
 - A minimum 4.8 metre wide carriageway in Church Road between the proposal site access and the private access located immediately south of 43, Church Road
 - Two new sections of minimum 1.5 metre wide footway along Church Road between the proposal site access and the private access located immediately south of 43, Church Road
 - The agreed details for upgrading of the two bus stops in the vicinity of the Colchester Road/Church Road/Clacton Road/School Road junction
 - The agreed details of improvements at and in the vicinity of the Colchester Road/Church Road/Clacton Road/School Road junction
- 29) Scheme to provide renewable energy and energy and water efficiency technologies to be used.

30) Layout and Phasing Plan and Programme

c) That the Head of Planning (or the equivalent authorised officer) be authorised to refuse outline planning permission in the event that such legal agreement has not been completed by 1 July 2016, as the requirements necessary to make the development acceptable in planning terms had not been secured through Section 106 planning obligation, contrary to saved policies QL2, HG4 (where relevant), COM6, COM26 and QL12 of the Tendring District Local Plan (2007) and draft policies SD7, PEO22, PEO10 and KEY2 of the Tendring District Local Plan Proposed Submission Draft (2012) as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014).

57. PLANNING APPLICATION - 15/01138/FUL - IVY COTTAGE, CHAPEL LANE, ARDLEIGH CO7 7BJ

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of refusal.

At the meeting, an oral presentation was made by the Council's Planning Officer (ML) in respect of the application.

Mr Joseph Greenhow, agent acting on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Watson, seconded by Councillor Hughes and RESOLVED that, contrary to the Officers' recommendation of approval, the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to planning conditions in accordance with those set out below (but with such amendments and additions, if any, to the detailed wording thereof as the Head of Planning, or the equivalent authorised officer, in their discretion considers appropriate):

Conditions:

1. Standard Time Limit
2. Development in accordance with the approved plans

58. PLANNING APPLICATION 15/01053/DETAIL - LAND AT THE SHELTONS, KIRBY CROSS CO13 0LX

Councillor Bucke, present in the public gallery, had earlier declared a non-pecuniary interest in relation to Planning Application 15/01053/DETAIL by virtue of the fact he was the local Ward Member.

The Committee had before it the published Officer report containing the key planning issues, relevant planning policies, planning history, any response from consultees, written representations received and a recommendation of approval.

At the meeting, an oral presentation was made by the Council's Planning Officer (ML) in respect of the application.

Mr Peter LeGrys, agent acting on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Watson, seconded by Councillor Raby and RESOLVED that consideration of the application be DEFERRED in order to allow the Officers to hold discussions with the applicant and Essex County Council

Highways and Transportation Department on the proposed point of access with a view to addressing concerns relating to headlights shining into the front room of No. 21 The Sheltons.

59. PLANNING APPLICATION - 15/01219/FUL - BURRS ROAD CEMETERY, BURRS ROAD, CLACTON-ON-SEA CO15 4LE

In view of the lateness of the hour, the Chairman informed the Committee that he was deferring consideration of this application until the next meeting of the Committee.

60. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

There were none.

61. SUB-COMMITTEES OF THE LICENSING AND REGULATORY COMMITTEES AND THEIR CHAIRMEN AND VICE-CHAIRMEN

To avoid the need for formal meetings of the Licensing and Regulatory Committees to be held to appoint their Sub-Committees and the Chairmen and Vice-Chairmen of those Sub-Committees:-

It was moved by Councillor Stock, duly seconded and:-

RESOLVED – (a) That the Appeals Sub-Committee be, and is, hereby appointed and that the members thereof for the 2011/2012 Municipal Year be as follows:-

Councillor Aldis
 Councillor Bragg
 Councillor S A Honeywood
 Councillor Nicholls
 Councillor Platt
 Councillor Simons

(b) That Councillor S A Honeywood be elected Chairman of the Appeals Sub-Committee for the 2011/2012 Municipal Year.

(c) That Councillor Platt be appointed Vice-Chairman of the Appeals Sub-Committee for the 2011/2012 Municipal Year.

(d) That the Licensing (General Purposes) Sub-Committee be, and is, hereby appointed and that the members thereof for the 2011/2012 Municipal Year be as follows:-

Councillor Casey
 Councillor De-Vaux Balbirnie
 Councillor Downing
 Councillor Fawcett
 Councillor V E Guglielmi
 Councillor Powell
 Councillor Pugh
 Councillor Skeels

(e) That Councillor Downing be elected Chairman of the Licensing (General Purposes) Sub-Committee for the 2011/2012 Municipal Year.

(f) That Councillor Fawcett be appointed Vice-Chairman of the Licensing (General Purposes) Sub-Committee for the 2011/2012 Municipal Year.

(g) That Premises/Personal Licences Sub-Committee 'A' be, and is, hereby appointed and that the members thereof for the 2011/2012 Municipal Year be as follows, with the appointment of a third member from the Labour Group, which appointment to be dealt with by the Chief Executive in accordance with the authority delegated to him to appoint a member at the request of the Group Leader:-

Councillor Downing
Councillor Powell

(h) That Councillor Downing be elected Chairman of the Premises/Personal Licences Sub-Committee 'A' for the 2011/2012 Municipal Year.

(i) That Premises/Personal Licences Sub-Committee 'B' be, and is, hereby appointed and that the members thereof for the 2011/2012 Municipal Year be as follows:-

Councillor V E Guglielmi
Councillor G L Mitchell
Councillor Shearing

(j) That Councillor V E Guglielmi be elected Chairman of the Premises/Personal Licences Sub-Committee 'B' for the 2011/2012 Municipal Year.

(k) That Premises/Personal Licences Sub-Committee 'C' be, and is, hereby appointed and that the members thereof for the 2011/2012 Municipal Year be as follows:-

Councillor De Vaux-Balbirnie
Councillor Fawcett
Councillor Platt

(l) That Councillor Platt be elected Chairman of the Premises/Personal Licences Sub-Committee 'C' for the 2011/2012 Municipal Year.

62. TENDRING DISTRICT LOCAL PLAN PREFERRED OPTIONS CONSULTATION

Council's approval was sought in respect of the Tendring District Local Plan Preferred Options Consultation.

The Local Plan Committee had considered the consultation document at its meeting held on 9 June 2016 and Council had before it the Committee's recommendations.

Council also had before it a report of the Head of Planning Services which informed Members of major as well as minor changes to the consultation documents in order to make the Plan up-to-date prior to public consultation and to be consistent in not allocating sites for housing which had been refused permission. Some of those changes were a result of decisions made by the Planning Committee at its meeting held on 14 June 2016. The changes had been made to the Plan attached as Appendix A to the report of the Head of Planning Services and a schedule of those changes was provided in Appendix C thereto.

Members had had circulated to them prior to the commencement of the meeting amended maps in relation to Great Bentley and Frinton, Walton, Kirby-le-Soken, Kirby Cross and Great Holland. Those maps had been altered as a result of the recent refusal of related planning applications.

Councillor Stock, Chairman of the Local Plan Committee, thanked the Members of that Committee and the Officers, particularly the Head of Planning Services (Cath Bicknell) and the Planning & Regulation Manager (Simon Meecham), for their hard work and dedicated

effort in getting the Local Plan to its current position. He also thanked the members of the public and representatives of parish councils who had participated in the public speaking scheme at meetings of the Local Plan Committee.

Councillors Stock, Turner, Scott, Winfield, Parsons, Stephenson, Calver, Bray, V E Guglielmi, Howard, G V Guglielmi, Coley, Broderick and M Brown participated in the debate.

It was moved by Councillor Stock, seconded by Councillor Turner and RESOLVED that Council:

(a) approves the content of the Tendring District Local Plan Preferred Options consultation document, attached as Appendix A to the Report of the Head of Planning Services, which incorporates the changes set out in Appendix C thereto and including the amended maps for Great Bentley and Frinton, Walton, Kirby-le-Soken, Kirby Cross and Great Holland, as circulated, for public consultation for a period of eight weeks;

(b) delegates authority to the Head of Planning Services, in consultation with the Chairman of the Local Plan Committee, to make minor amendments to the text of the Local Plan consultation documents up to the point of publication for consultation purposes. Such amendments are to be circulated to all Members of the Council prior to the commencement of the public consultation; and

(c) delegates authority to the Head of Planning Services, in consultation with the Chairman of the Local Plan Committee, to agree the content of the Sustainability Appraisals for the Local Plan Consultation Documents for public consultation for a period of six weeks. The content of the Sustainability Appraisals are to be circulated to all Members of the Council prior to the commencement of the public consultation.

NOTES: (1) in accordance with the provisions of Council Procedure Rule 18.5, Councillors Bray, Broderick, Parsons and Whitmore each requested that they be recorded in the minutes as having voted against the above decisions; and

(2) in addition, Councillor G V Guglielmi requested that he be recorded in the minutes as having abstained from voting on the above decisions.

63. URGENT MATTERS FOR DEBATE

There were none on this occasion.

64. URGENT MATTERS FOR DEBATE

There were none on this occasion.

Chairman