

PLANNING COMMITTEE

30 OCTOBER 2012

Present:- Councillors Challinor (Vice-Chairman in the Chair), Brown, Fawcett, V E Guglielmi, Howard, Johnson, S S Mayzes, McLeod, Talbot, Turner and Watling

Also Present:- Councillors G V Guglielmi (Portfolio Holder for Planning), Halliday (Portfolio Holder for Finance and Asset Management) and McWilliams (Portfolio Holder for Customer and Central Services)

In Attendance:- Acting Head of Planning (Clare David), Legal Services Manager (Michael Gibson-Davies) and Democratic Services Officer (Elizabeth Ridout)

(6.00 p.m. - 6.34 p.m.)

68.. CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all those present to the meeting, introduced Members of the Committee and Officers, and outlined the procedure.

69. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were made on behalf of:-

Councillor Candy with Councillor V E Guglielmi substituting;
Councillor Heaney (Chairman) with Councillor S S Mayzes substituting;
Councillor G L Mitchell with Councillor Turner substituting;
Councillor Simons with Councillor Watling substituting; and
Councillor White with Councillor Talbot substituting.

70. MINUTES OF THE LAST MEETING

The minutes of the meeting of the Committee held on 2 October 2012 were approved as a correct record and signed by the Chairman.

71. MATTERS ARISING FROM THE ABOVE-MENTIONED MINUTES

There were none.

72. NOTICE OF APPLICATIONS TO BE DEFERRED/WITHDRAWN

There were none.

73. PLANNING APPLICATIONS WHERE THERE WILL BE PUBLIC SPEAKING

The Chairman advised that there would be public speaking on Planning Applications 12/00583/FUL and 12/00949/FUL.

74. QUESTIONS PURSUANT TO COUNCIL PROCEDURE RULE 15.3 (IF ANY)

There were none.

75. PLANNING PORTFOLIO HOLDER'S ANNOUNCEMENTS

There were none.

76. PLANNING APPEALS AND APPEAL DECISIONS

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

77. ENFORCEMENT QUARTERLY PERFORMANCE REPORT

The Committee noted the contents of a report (submitted for information only) detailing the Enforcement Service's performance over the past three months from July to September 2012.

78. PLANNING APPLICATION – 12/00949FUL - LAND ADJ ARDLEIGH HALL SQUASH CLUB, DEDHAM ROAD, ARDLEIGH, CO7 7LD

Proposed Construction of three four-bedroom and one three-bedroom Detached Houses and Associated Garages.

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.

An update sheet was circulated to the Committee prior to the meeting with details of two further written representations.

Councillor G V Guglielmi, Portfolio Holder for Planning, raised concern over the lack of substantial evidence regarding the usage of the tennis courts, and also concern regarding highway issues.

With reference to Minute No. 73, public speaking did not take place.

It was moved by Councillor Watling, seconded by Councillor S S Mayzes and:

RESOLVED that Planning Application 12/00949/FUL be deferred for the following reasons:-

For officers:

- to establish the existing demand for the tennis courts on the site and the demand for such facilities across the District; and
- to verify the position regarding highways issues (particularly the level of onsite car parking).

79. PLANNING APPLICATION - 12/00583/FUL - RISBYS FARM, SWALLOWS ROW, GREAT BENTLEY, CO7 8QT

Installation of Three Micro Scale Wind Turbines (14.97m to hub, 5.6m diameter blades)

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.

The application had been referred to the Planning Committee at the request of the local

Ward Member, Councillor McWilliams, due to concerns regarding negative street scene and negative impact upon neighbours.

Councillor McWilliams declared an interest as Ward Member for Great Bentley and spoke against the application.

It was moved by Councillor Turner, seconded by Councillor Watling and:

RESOLVED that Planning Application 12/00583/FUL be approved in line with the Officer recommendation with the following conditions and reasons:-

Conditions:

1. Time limit for commencement – Three years
2. Development to be in accordance with the submitted plans
3. If any of the wind turbines failed to produce electricity for a continuous period of six months they shall be removed from the land, and written proof of electricity production from the wind turbines shall be provided upon request.

Reason for Granting Planning Permission:

The proposal was acceptable in respect of the aims of the National Planning Policy Framework and Policy EN13a (Renewable Energy) of the Tendring District Local Plan as the proposed wind turbines had been positioned so that they would not have a significant adverse impact on the local landscape, the local ecology, the amenities of nearby properties or highway safety.

Informative:

1. Ministry of Defence informative regarding notification of construction dates, maximum height of construction equipment and latitude and longitude of each turbine.

80. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

There were none.

The meeting was declared closed at 6.34 p.m.

81. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDED WERE URGENT

There were none.

The meeting was declared closed at 7.59 p.m.

82. PLANNING APPLICATION - 12/00761/LBC - 32 WEST STREET, HARWICH, CO12 3DD

Reinstatement of the dwelling following significant fire damage in December 2011.

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.

The application was before the Committee as the applicant was Tendring District Council.

All Members declared an interest as Tendring District Council Councillors.

It was moved by Councillor Candy, seconded by Councillor McLeod and:-

RESOLVED that application 12/00761/LBC be approved in accordance with the Officers' recommendation, subject to the following conditions:-

1. Time Limit of three years for commencement
2. Development to accord with approved plans
3. Joinery details
4. Materials

83. PLANNING APPLICATION - 12/00767/FUL - 29 COLCHESTER ROAD, ARDLEIGH, CO7 7NS

Proposed construction of vehicular crossing forming new access.

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.

The application was before the Committee as the applicant was Tendring District Council.

All Members declared an interest as Tendring District Council Councillors.

It was moved by Councillor Candy, seconded by Councillor McLeod and:-

RESOLVED that application 12/00767/FUL be approved in accordance with the Officers' recommendation, subject to the following conditions and the following reason for approval:-

1. Time Limit of three years for commencement
2. Development to accord with approved plans
3. Details of access
4. Pedestrian visibility splays
5. Surface materials
6. Provision of turning area
7. Provision of parking space

Reason for Granting Planning Permission:

In approving this application the Local Planning Authority had taken account of the relevant development plan policies and it considered that the proposed development was in accord with those policies and did not harm highway safety or public amenity. The provision of a means of vehicular access, including a parking space and turning area, would allow the occupier of the dwelling to park a car within the residential curtilage, thereby improving accessibility and avoiding having to park upon the public highway.

84. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

There were none.

The meeting was declared closed at 7.26 p.m.

85. PROGRAMME OF MEETINGS: 2011/2012 MUNICIPAL YEAR

The Council gave consideration to a proposed timetable of meetings of the Council, the Audit Committee, the Community Leadership and Partnerships Committee, the Corporate

Management Committee, the Council Tax Committee, the Planning Committee and the Service Development and Delivery Committee for the 2011/2012 Municipal Year.

RESOLVED - That the programme of meetings for the Council, the Audit Committee, the Community Leadership and Partnerships Committee, the Corporate Management Committee, the Council Tax Committee, the Planning Committee and the Service Development and Delivery Committee, as set out in the Appendix to item A.5 of the Reference from Cabinet, be approved.

86. 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.

87. 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.

88. URGENT MATTERS FOR DEBATE

There were none on this occasion.

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There were none on this occasion.

Chairman