

PLANNING COMMITTEE

11 NOVEMBER 2014

Present:- Councillors Challinor (Vice-Chairman, in the Chair), Brown, McLeod, D Oxley, Scott, Simons, Turner, Watling and White

Also Present:- Councillors G V Guglielmi (Portfolio Holder for Planning and Corporate Services), Broderick, Coley, De-Vaux Balbirnie, V E Guglielmi, Pugh and Winfield

In Attendance:- Planning Development Manager (Clare David), Legal Services Manager (Lisa Hastings), Communications and Public Relations Officer (Nigel Brown) and Senior Democratic Services Officer (Ian Ford)

(6.00 p.m. - 9.50 p.m.)  
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53.. CHAIR

In the absence of the Chairman of the Committee (Councillor Heaney), the meeting was chaired by the Vice-Chairman (Councillor Challinor).

54. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillor Heaney (with Councillor Turner substituting), Councillor Johnson (with Councillor D Oxley substituting), Councillor Fawcett and Councillor Mitchell.

55. MINUTES

It was RESOLVED that

(a) a factual error in line two of the resolution to Minute 40 of the meeting of the Committee held on 16 September 2014 be corrected by the deletion of the word "approval" and substituting therefor the word "refusal"; and

(b) The minutes of the last meeting of the Committee, held on 14 October 2014, be approved as a correct record and be signed by the Chairman.

56. DECLARATIONS OF INTEREST

The following declarations of interest were made at this time:

(i) Councillor N Turner declared an interest in respect of Agenda Item No. A.1 (Clacton Pier to Holland Haven Local Development Order) by virtue of the fact he was one of the decision makers on the Order in his role as the Environment and Coast Protection Portfolio Holder.

(ii) Councillor P De-Vaux Balbirnie, who was present in the public gallery, declared a non-pecuniary interest in respect of Agenda Item Nos. A.4 and A.5 (Planning Applications 14/01280/OUT and 14/01281/FUL – Little Clacton Tennis Club, 52 Holland Road, Little Clacton, CO16 9RS) by virtue of the fact he was a Ward Councillor for that area and a Member of Little Clacton Parish Council.

**57. CLACTON PIER TO HOLLAND HAVEN LOCAL DEVELOPMENT ORDER**

The Committee had before it a report of the Head of Planning, which set out the responses to the consultation exercise on the proposed introduction of the Clacton Pier to Holland Haven Local Development Order (LDO); sought Members' endorsement of the proposed amendments put forward by Officers to the draft LDO which looked to overcome the concerns of local residents and other interested parties; and sought formal approval of the amended LDO.

An update sheet was circulated to the Committee prior to the meeting, with details of one additional letter of representation received and details of new comments raised within that letter.

At the meeting, an oral presentation was made by the Council's Planning Development Manager in respect of the LDO.

It was moved by Councillor D Oxley, seconded by Councillor Watling and RESOLVED that:

(a) The proposed amendments to the draft Local Development Order be endorsed;

(b) The amended Local Development Order be formally adopted, referring to paragraph 9.1 of the report which is amended to read:

"It is recommended that amending the draft LDO as set out above in line with option 3 (that the 'Greensward' and 'Holland Haven' are excluded from the amended draft LDO) provides an appropriate balance between increasing the level of permitted development to maximise the benefits described in section 3.4 and limiting the permitted development to a level that gives the public confidence in the Council's intentions and avoids the possibility of unacceptable development being permitted along the 'Greensward' and at 'Holland Haven'. The amended LDO and amended Statement of Reasons are attached as Appendices 2 & 3. "

and

(c) The Head of Planning be authorised to make any necessary minor amendments to the draft Local Development Order and to notify the Secretary of State, via the National Planning Casework Unit, as soon as practicable after adoption.

NOTE: In accordance with the provisions of Council Procedure Rule 18.5, Councillor Turner required that he be recorded in the minutes as having abstained from voting on the motion.

**58. PLANNING APPLICATION - 14/00537/FUL - COLCHESTER & EAST ESSEX CO-OPERATIVE & ADJOINING LAND BULL HILL ROAD, CLACTON-ON-SEA, ESSEX CO15 3TH**

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 25 additional letters of support, three additional letters of support that also raised concerns that should be addressed through the planning decision, two further letters of objection received and a letter to Councillors from Martin Robeson Planning Practice acting on behalf of the applicant of the Clacton Gateway Scheme, a letter sent to Councillors from ASDA, a letter from Thomas Eggar LLP, acting on behalf of ASDA Stores Ltd and details of new comments raised within these letters.

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

Those persons, detailed below, spoke on the application:

a) Mr Martin Robeson, from Martin Robeson Planning Practice acting on behalf of the applicant of the Clacton Gateway Scheme, spoke against the application.

b) Mr Phil Bartram, Property Communications Manager (ASDA Stores Ltd), spoke in support of the application.

The Legal Services Manager (Lisa Hastings) responded to comments made by Mr Robeson in his statement and stated that she had provided the Head of Planning with legal advice regarding Mr Robeson's request for the application to be deferred from the meeting in order that this application and his client's application were considered at the same meeting of the Planning Committee.

It was moved by Councillor Scott, seconded by Councillor McLeod and RESOLVED that, in respect of Planning Application 14/00537/FUL, the application be APPROVED and the Head of Planning be authorised to grant planning permission for the development, subject to:

(a) Within three months of the date of the Committee's resolution 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 :

CCTV contribution; and  
Travel Plan Monitoring Fee

(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 in her discretion considers appropriate):

(i) Conditions:

1. Standard 3 year time limit for commencement.
2. Development in accordance with submitted plans.
3. Details of a topographical survey and approval of site levels eaves and ridge heights.
4. Details and samples of facing and roofing materials.
5. Details of click and collect; trolley and cycle shelters.
6. Details of water, energy and resource efficiency measures.
7. Remediation scheme.
8. Archaeological trial trenching and fieldwork.
9. Control floor space and restriction to Class A1 retail use.
10. Control of amount of convenience goods and non-convenience good sales – no subdivision and no mezzanine floors.
11. No extensions or enlargements without express consent.
12. Local recruitment strategy.
13. Hard and soft landscaping.
14. Landscape management plan.
15. Protection of trees during construction.
16. Management and maintenance scheme for car park areas.
17. CCTV and external/security lighting.
18. Measures to minimise light pollution in accordance with submitted lighting scheme.
19. Surface water management strategy; measures to prevent water pollution; and in accordance with the flood risk assessment.

20. Acoustic screens.
21. Details of all external plant and machinery.
22. Details of all boundary treatments including retaining walls.
23. Details of recycling collection point.
24. Proposed vehicular accesses and mini roundabout in accordance with submitted drawings and existing accesses stopped up.
25. Provision and implementation of travel plan.
26. Construction method statement including details of cut and fill and the exportation and importation of materials.
27. Additional bus stops on Oxford Road.
28. Car parking area (hard surfaced, sealed and marked out in parking bays).
29. Provision of service yard
30. Powered two wheeler and bicycle parking facilities.
31. Highway improvements to Valley Road.
32. Closure and stopping up of existing access and traffic orders.
33. Hours of delivery in accordance with a Service Delivery Management Plan

(c) That the Head of Planning be authorised to refuse planning permission in the event that such legal agreement has not been completed within the period of three months, as the requirements necessary to make the development acceptable in planning terms had not been secured through Section 106 planning obligation, contrary to the NPPF; NPPG and saved policies ER31 and ER32 of the Tendring District Local Plan (2007) and draft Policy PRO6 of the Tendring District Local Plan Proposed Submission Draft (2012), as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014).

(d) That an informative be included in the decision notice to the applicant relating to the energy and resource efficiency measures the Committee wished to see delivered.

59. PLANNING APPLICATION - 14/01050/DETAIL - LAND AT DALE HALL, COXS HILL, LAWFORD CO11 2LA

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 an additional letter of representation received, a letter of concern with regard to visibility splays received from the Highways Authority, an Officer update on issues surrounding the access from Cox's Hill together with a suggested extra condition and details of new comments raised within these.

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

Those persons, detailed below, spoke on the application:

- a) The Chairman of the Lawford Parish Council, Councillor Alan Coley, spoke in favour of the application.
- b) Mr Steven Rose, the applicant, also spoke in favour of the application.

It was moved by Councillor McLeod, seconded by Councillor Watling and RESOLVED that, in respect of Planning Application 14/01050/FUL, the application be APPROVED and the Head of Planning be authorised to grant planning permission for the development, subject to the following conditions:

1. Approved Plans

2. Archaeology - Open Area Excavation
3. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy
4. Flow rate to manhole 8753 at Cornfold Way in accordance with the surface water strategy
5. Engineering Solution to secure safety of Cox's Hill access as well as National Grid infrastructure

60. PLANNING APPLICATION - 14/01280/OUT - LITTLE CLACTON TENNIS CLUB, 52 HOLLAND ROAD, LITTLE CLACTON CO16 9RS

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 Development Manager in respect of the application.

Those persons, detailed below, spoke on the application:

- a) Mr John Russel, representing Little Clacton Tennis Club, spoke in favour of the application.
- b) Mr Andy Hanmore spoke against the application.
- c) Little Clacton Parish Councillor John Cutting spoke against the application.
- d) Ward Councillor Peter De-Vaux Balbirnie spoke against the application.
- e) Mr Peter Le Grys, the Applicant's Agent, spoke in support of the application.

The Legal Services Manager (Lisa Hastings), in response to Councillor De-Vaux Balbirnie's statement, reminded the Committee that restrictive covenants were not a material planning consideration but were instead a private matter between the landowner/applicant and whoever benefited from the restrictive covenant.

It was moved by Councillor Simons, seconded by Councillor McLeod and RESOLVED (a) on the Chairman's casting vote that, in respect of Planning Application 14/01280/OUT, the application be APPROVED and the Head of Planning be authorised to grant permission for the development, subject to:

(a) The completion of a legal agreement under the provisions of Section 106 of the Town and Country Planning Act 1990 to secure the delivery of the hard surfaced tennis courts proposed by LPA re 14/01281/FUL.

(b) 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 in their discretion considers appropriate):

1. Time limit for commencement – within 2 years of approval of last reserved matter
2. Time limit for submission of reserved matters – within 2 years of this approval
3. Submission of reserved matters
4. Details of external facing and roofing materials
5. Submission of a landscaping scheme
6. Delivery of landscaping scheme
7. Private drive width of 5.5m for at least the first 6m
8. Provision of pedestrian visibility splays

9. No unbound materials
10. All off-street car parking spaces shall accord with current parking standards
11. Any garage door facing the highway shall be sited at least 6m from highway boundary
12. Details of bicycle storage
13. Provision and implementation of Construction Method Statement
14. Provision of a vehicular turning facility
15. Details of boundary treatments to be agreed
16. No more than 4 (four) dwellings.

(b) That the reserved matters application be submitted to the Committee for approval.

NOTE: In accordance with the provisions of Council Procedure Rule 18.5, Councillor Scott required that he be recorded in the minutes as having abstained from voting on the motion.

61. PLANNING APPLICATION -14/01281/FUL - LITTLE CLACTON TENNIS CLUB, 52 HOLLAND ROAD, LITTLE CLACTON CO16 9RS

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 a consultation response from the Council's Environmental Health section.

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

Those persons, detailed below, spoke on the application:

- a) Little Clacton Parish Councillor John Cutting spoke against the application.
- b) Ward Councillor Peter De-Vaux Balbirnie spoke against the application.
- c) Mr Peter Le Grys, the Applicant's Agent, spoke in support of the application.

It was moved by Councillor McLeod, seconded by Councillor Simons and RESOLVED that, in respect of Planning Application 14/01281/FUL, the application be APPROVED and the Head of Planning be authorised to grant permission for the development, subject to the following conditions:

1. Time limit for commencement - three years
2. Development in accordance with the plans
3. Floodlights shall only be used between 8am – 10pm (Mon – Sat), 8am – 6pm (Sun)
4. Site shall only be used between 8am – 10pm (Mon – Sat), 8am – 8pm (Sun)
5. Floodlighting shall only be directed towards the tennis courts
6. Parking spaces shall be at least 5.5m by 2.9m in size

62. PLANNING APPLICATION - 13/01481/FUL - LAND NORTH OF ABBEY STREET, THORPE-LE-SOKEN CO16 0JE

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 additional Officer comments in respect of paragraph 6.132 of the Officer no longer being relevant as

the issue of landscape management was being addressed by a proposed condition and an update on the Section 106 negotiations.

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

Mr Sam Metsom, the Applicant's Agent, spoke in support of the application.

It was moved by Councillor McLeod, seconded by Councillor Scott and RESOLVED that, in respect of Planning Application 13/01481/FUL, the application be APPROVED and the Head of Planning (or equivalent authorised officer) be authorised to grant permission for the development, subject to:

(a) Within six months of the date of the Committee's resolution 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 Provision;
- Education Provision;
- Public Open Space Contribution Provision; and
- Transfer of Allotments to Parish Council

(b) Planning conditions in accordance with those set out below 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. The development hereby permitted shall begin no later than three years from the date of the permission.
2. Development in accordance with approved Plans.
3. Details of materials.
4. Hard and soft landscaping details including tree protection measures.
5. All hard and soft landscaping implementation.
6. Landscaping - Five year clause.
7. As requested by the Highway Authority.
8. Details of boundary treatment including details of enclosing allotments, newt run, informal open space, and wildlife habitat.
9. Details of Refuse storage/collection areas.
10. Scheme to provide renewable energy and energy and water efficiency technologies to be used.
11. Archaeology investigative and report works.
12. Ecological management plan and mitigation scheme.
13. Site lighting strategy.
14. Surface water drainage scheme as requested by the Environment Agency.
15. Sub-station details.
16. Construction Method Statement, including hours of operation during construction.
17. Details of access path construction to land to the east (policy KEY3).
18. Details of windows and doors, including door casings and window surrounds, eaves and verges to be used in Plots 1, 2, 3 and 40.
19. All brickwork with a public face to the conservation area to be used in Plots 1, 2, 3 and 40 and any associated brick walls, to be constructed using a Flemish bond brickwork finish.
20. Roof-light to Plot 19 to be inserted with a cill height at a minimum of 1.7m from finished floor level.
21. Landscape Management Plan.

(c) That the Head of Planning (or the equivalent authorised officer) be authorised to refuse

planning permission in the event that such legal agreement has not been completed within the period of six months, 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 COM6, HG4, COM26 and QL12 of the Tendring District Local Plan (2007) and draft policies SD7, PEO10 and PEO22 of the Tendring District Local Plan Proposed Submission Draft (2012), as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014).

63. PLANNING APPLICATION - 14/01296/DETAIL - LAND SOUTH WEST OF HORSLEY CROSS ROUNDABOUT, CLACTON ROAD, HORSLEY CROSS CO11 2NZ

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 consultation responses received from Tendring Parish Council and Little Bentley Parish Council and one additional letter of objection received and details of new comments raised within these.

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

It was moved by Councillor Scott, seconded by Councillor White and RESOLVED that, in respect of Planning Application 14/01296/FUL, the application be APPROVED and the Head of Planning be authorised to grant permission for the development, subject to the following conditions:

1. Standard time limit for commencement
2. Development to be undertaken in accordance with the approved plans
3. Materials in accordance with the approved plans
4. Highway conditions to provide safe access until the access is provided for the wider comprehensive development of the site

64. PLANNING APPLICATION - 14/01443/FUL - WISTERIA COTTAGE, SHOP ROAD, LITTLE BROMLEY CO11 2PX

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 Development Manager in respect of the application.

The Committee was aware that the applicant was a Member of the Council and a Member of the Conservative political group. In response to a question raised by Councillor Turner in respect of whether the Conservative Councillors on the Committee needed to declare an interest, the Legal Services Manager (Lisa Hastings) informed the Committee that they all technically had an interest in that the applicant was a Member of the Council and she reminded them that interests could be of both a "positive" and a "negative" nature. As this would leave no one to determine the application and that, in any case, she in her role as the Council's Monitoring Officer would simply grant them a dispensation there was, in effect, no need for Members to declare an interest.

It was moved by Councillor White, seconded by Councillor Scott and RESOLVED that, in respect of Planning Application 14/01443/FUL, the application be APPROVED and the Head of Planning be authorised to grant permission for the development, subject to the



following conditions:

1. Standard 3 year time limit for commencement.
2. Development in accordance with submitted plans.

65. APPLICATIONS REFERRED TO IN REPORT A.1

Planning Application 11/00328/FUL

Erection of 23 dwellings; new access road; driveways; parking; landscaping and all ancillary works (following demolition of 1 dwelling to form access).

It was moved by Councillor White, seconded by Councillor Johnson and:

RESOLVED that the Head of Planning be authorised to REFUSE the application on such detailed terms as she sees fit for the reasons summarised below:

- The proposed development would harm the character, setting and significance of the St Osyth Priory being a designated heritage asset;
- The proposed development would result in material harm to the St Osyth Conservation Area; and
- The benefits of the enabling development, and public access improvements, did not outweigh the disbenefits of departing from Policy EN27 and The National Planning Policy Framework.

Planning Application 11/00329/FUL

Erection of 46 dwellings; new access road; driveways; parking; landscaping and all ancillary works (following demolition of 1 dwelling to form access).

It was moved by Councillor Johnson, seconded by Councillor Broderick and:

RESOLVED that the Head of Planning be authorised to REFUSE the application on such detailed terms as she sees fit for the reasons summarised below:

- The proposed development would harm the character, setting and significance of the St Osyth Priory being a designated heritage asset;
- The proposed development would result in material harm to the St Osyth Conservation Area; and
- The benefits of the enabling development, and public access improvements, did not outweigh the disbenefits of departing from policy EN27 and The National Planning Policy Framework.

Planning Application 11/00330/FUL

Erection of 33 dwellings; new access road; driveways; parking; landscaping and all ancillary works (following demolition of 1 dwelling to form access).

It was moved by Councillor Johnson, seconded by Councillor McLeod and RESOLVED that the Head of Planning be authorised to REFUSE the application on such detailed terms as she sees fit for the reasons summarised below:

- The proposed development would harm the character, setting and significance of the St Osyth Priory being a designated heritage asset;

- The proposed development would result in material harm to the St Osyth Conservation Area; and
- The benefits of the enabling development, and public access improvements, did not outweigh the disbenefits of departing from Policy EN27 and The National Planning Policy Framework.

Planning Application 11/00331/FUL  
Erection of 21 flats within a new "Maltings" style building

It was moved by Councillor Nicholls, seconded by Councillor Johnson and RESOLVED that the Head of Planning be authorised to REFUSE the application on such detailed terms as she sees fit for the reasons summarised below:

- The proposed development would harm the character, setting and significance of the St Osyth Priory being a designated heritage asset;
- The proposed development would result in material harm to the St Osyth Conservation Area; and
- The benefits of the enabling development, and public access improvements, did not outweigh the disbenefits which would be caused by departing from Policy EN27 and The National Planning Policy Framework.

Planning Application 11/00336/CON  
Demolition of detached dwelling at 7 Mill Street

After some comments from Members, advice from Officers and clarification of the mover and seconder's reasons, it was moved by Councillor White, seconded by Councillor Broderick and RESOLVED that the Head of Planning be authorised to REFUSE contrary to the Officers' recommendation the application on such detailed terms as she sees fit on the grounds that demolition of the dwelling would be detrimental to the character and appearance of the St Osyth Conservation Area.

66. APPLICATION REFERRED TO IN REPORT A.2

Planning Application – 11/00332/FUL  
Erection of 19 dwellings for use as residential and holiday accommodation (C3 use).

It was moved by Councillor Johnson, seconded by Councillor McLeod and:

RESOLVED that the Head of Planning be authorised to REFUSE the application on such detailed terms as she sees fit for the reasons summarised below:

- The proposed development would harm the character, setting and significance of St Osyth Priory, which is a designated heritage asset;
- The proposed development would result in material harm to the St Osyth Conservation Area; and
- The benefits of the enabling development, and public access improvements, did not outweigh the disbenefits of departing from policy EN27 and The National Planning Policy Framework

67. APPLICATION REFERRED TO IN REPORT A.3

Planning Application – 11/00333/OUT  
Erection of 190 dwellings on 16.3 hectares of land.

After some debate, it was moved by Councillor McLeod, seconded by Councillor Simons and:

RESOLVED that the Head of Planning be authorised to approve the application subject to the conditions summarised below and subject to a Section 106 Legal Agreement first being entered into, in each case on such detailed terms as she considers appropriate and on the basis that the Agreement contains planning obligations relating to:

- The implementation of restoration and repair works to the Priory Estate, in a manner to be agreed with English Heritage; and
- Phasing; and
- Mitigation and monitoring work, as requested by Natural England.

Conditions:

- Standard time limit for commencement - either before the expiration of five years from the date of this outline permission or from the expiration of two years from the date of approval of the last reserved matters to be approved, whichever is the later.
  - Reserved matters applications to be submitted
  - Development to be carried out in accordance with approved drawings relating to access
  - Details of infrastructure works including utility services, earthworks, drainage/attenuation and roadworks
  - Phasing of works
  - Materials/detailing
  - Hard and soft landscaping
  - Landscaping implementation
  - Landscape Management Plan (to include RSPB requirements)
  - Existing trees to be protected in accordance with measures meeting British Standards
  - Car Parking Standards compliance
  - Cycle Parking details to be submitted and approved
  - Wheel cleaning facility to be provided
  - Highway works to be carried out in accordance with approved drawings to include:
    1. a priority junction off the B1027 to include 1no. Three metre wide footway/cycleway and 120x4.5x120 metre visibility splay;
    2. a right turn priority junction to include 1 no. non-pedestrian central island and 1 no. cycle/pedestrian central island, and
    3. Three metre footway/cycleway along the western side of the B1027
  - Provision of two new bus stops on the B1027 adjacent to the proposal site and/or upgrade of two nearest bus stops in Colchester Road
- Residential Travel Information Packs
- Pond survey to be undertaken to assess the presence or otherwise of protected species
  - New Bowmans Archery Range site to be used for archery purposes only and associated car parking to be laid out and maintained for such use at all times
  - A surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development to be submitted and approved
  - Construction and Environmental Management Plan to be submitted and Water, energy and resource efficiency measures during the construction and operational phases to be submitted and approved

- Wastewater strategy to be submitted and approved
- Foul water strategy to be submitted and approved
- Surface water/flood risk assessment to be submitted and approved
- Pre-works bat surveys to be undertaken
- External lighting details to be submitted and approved to ensure lighting is sensitively designed, minimises light spillage and avoids illuminating bat commuting and foraging routes and to ensure the use of low level, directional lighting to minimise light pollution
- Reptile habitat provision in accordance with Protected Species Survey findings
- Bespoke landscaping strategy (to introduce a strong Invertebrate foraging element)
- Post construction monitoring and control programme to ensure pond is not affected by the potential spread of Australian stonecrop
- Scheme for the provision and implementation of rainwater harvesting to be submitted and approved
- Secure by Design compliance
- Submission of cross-sections drawings to illustrate finished floor and roof levels
- Ground contamination and remediation details (as appropriate) to be submitted and approved
- High speed broadband connection
- Employment and Recruitment Strategy

The Committee requested that the reserved matters application(s) be referred to the Planning Committee for determination in due course.

The Council's Planning Team Leader (Major) explained that the application would now be referred to Secretary of State in order that he could determine whether or not to call it in and that therefore the application had not been approved at this stage.

68. APPLICATION REFERRED TO IN REPORT A.4

Planning Application – 11/00334/FUL  
Construction of a visitor centre/function room suite.

It was moved by Councillor Johnson, seconded by Councillor McLeod and RESOLVED that the Head of Planning be authorised to REFUSE the application on such detailed terms as she sees fit for the reasons summarised below:

- The proposed development would harm the character, setting and significance of the St Osyth Priory being a designated heritage asset;
- The proposed development would result in material harm to the St Osyth Conservation Area; and
- The benefits of the enabling development, and public access improvements, did not outweigh the disbenefits of departing from policy EN27 and The National Planning Policy Framework

69. APPLICATION REFERRED TO IN REPORT A.5

Planning Application for Listed Building Consent – 11/00335/LBC  
Works for construction of a visitor centre/function room suite.

It was moved by Councillor Simons, seconded by Councillor McLeod and:

RESOLVED that the Head of Planning be authorised to grant listed building consent for the works subject to the following condition on such detailed terms as she sees fit:-

- Standard Time Limit – Three Years.

70. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

There were none.

71. 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.

72. 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.

73. URGENT MATTERS FOR DEBATE

There were none on this occasion.

74. URGENT MATTERS FOR DEBATE

There were none on this occasion.

Chairman