

PLANNING COMMITTEE25 AUGUST 2015

Present:- Councillor J F White (Chairman), Councillor R A Heaney (Vice-Chairman), Councillor A Davis, Councillor Z Fairley, Councillor M Fowler, Councillor J H P Hones, Councillor M J Hughes, Councillor L A McWilliams, Councillor F H Nicholls, Councillor R E Raby, Councillor K P Watson

Also Present:- Councillors Broderick, Stephenson and Turner.

In Attendance:- Head of Planning (Catherine Bicknell), Communications and Public Relations Manager (Nigel Brown), Planning Team Leader (Minor Applications) (Alison Newland), Solicitor (Charlotte Parker-Smith) and Senior Democratic Services Officer (Ian Ford).

(6.00 p.m. - 8.46 p.m.)

17.. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There was an apology for absence received from Councillor Poonian, with Councillor Hughes substituting.

18. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 28 July 2015, were approved as a correct record and signed by the Chairman.

19. DECLARATIONS OF INTEREST

Councillor Nicholls declared a non-pecuniary interest in relation to Planning Application 15/00679/FUL by virtue of the fact he was a local Ward Member.

Councillor Heaney declared a non-pecuniary interest in relation to Planning Application 14/00408/FUL by virtue of the fact she personally knew the Applicant and also some of the objectors to the application.

The Chairman, Councillor White, on behalf of himself and the Committee declared that they had been lobbied by both supporters and objectors in relation to Planning Application 14/00408/FUL.

20. PLANNING APPLICATION – 12/01262/OUT - OAKWOOD PARK, LAND EAST OF THORPE ROAD, CLACTON ON SEA, CO15 4TL

Members were aware that this application had been considered by the Committee at its meeting held on 3 February 2015 (Minute 81 referred). At that meeting the Committee had resolved to grant outline planning permission, subject to the completion of a Section 106 legal agreement within 6 (six) months (i.e. by 3 August 2015) and further subject to conditions. Otherwise the Head of Planning had the delegated authority to refuse the application, if necessary. Members had also requested that any reserved matters application be referred to the Committee.

The Committee was informed that since then discussions regarding the completion of the Section 106 legal agreement had been on-going and were nearly resolved. Therefore the Head of Planning now sought the Committee's agreement to an extension of time until 31

October 2015 in order to complete the legal agreement.

An update sheet was circulated to the Committee prior to the meeting with details of one additional letters of observation.

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

Following discussion by the Committee, it was 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) By no later than 31st October 2015 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
- Education Contribution
- Provision of Bus Service

(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 (or the equivalent authorised officer) in their discretion considers appropriate):

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 a maximum of 250 dwellings
5. Development to contain a maximum of 2,273 sqm of B1c floorspace
6. Phasing Plan and Programme
7. Details of materials
8. Development constructed in accordance with details contained within the Tree Report
9. Landscape/Public open space management plan
10. Ecological mitigation scheme and management plan
11. Details of boundary treatments
12. Details of refuse storage/collection points
13. Archaeology investigative and report works
14. Site lighting strategy
15. Sustainability report for reserved matters
16. Construction Method Statement, including details of hours of operation during construction.
17. A minimum of 10% of the site area (gross) (within the residential element of the scheme) to be allocated as public open space
18. Details of a surface water drainage scheme, including surface water swales
19. No dwellings/premises to be occupied until the surface water drainage strategy is carried out
20. Details of a foul water strategy
21. Details of wheel cleaning facility
22. The South and West Roads shown on Indicative Site Plan (or other such roads as shown on any alternative plan) to be provided in accordance with an approved Phasing Plan, and shall be no less than 6.75m wide, and shall extend and abut to the eastern and northern application site boundaries. The west road must have a spur which extends to and abuts the boundary with Oak House Farm.
23. No part of the development other than the employment units shall be accessed by

motor vehicles from Fowler Road (except emergency vehicles)

24. Details of engineering solution to prevent motor vehicle access between employment element and residential element of scheme (but that allows access by emergency vehicles)

25. No commencement of development until Fowler Road has been adopted as highway.

26. No commencement of development until details of the following have been approved:

- On site bus stop locations and specification
- New and/or improved off-site bus stops
- On site bus turn round and/or layover facilities (temporary and/or permanent)
- No occupation of the development until the agreed details have been provided.

27. No occupation of the development until the following have been provided or completed:

- A roundabout in Thorpe Road to provide access to the residential element of the proposal
- Fowler Road extended in a northerly direction to provide access to the employment element of the proposal. Extension to include a minimum 3 metre wide footway/cycleway into the proposed residential element of the proposal
- A continuation of the footway/cycleway on the south side of Stephenson Road West to the footway/cycleway on the south side of Centenary Way, west of the Thorpe Road roundabout
- A residential travel plan
- Residential travel information packs

(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 31 October 2015, 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, COM26 and QL12 of the Tendring District Local Plan (2007) and draft policies SD7 and PEO10 of the Tendring District Local Plan Proposed Submission Draft (2012) as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014).

21. PLANNING APPLICATION – 15/00679/FUL - LAND ADJACENT TO PUBLIC CAR PARK CLACTON ROAD, ELMSTEAD, CO7 7DA

Councillor Nicholls declared a non-pecuniary interest in relation to Planning Application 15/00679/FUL by virtue of the fact he was a local Ward Member.

Further to Minute 15 (28.7.15) the Committee recalled that it had deferred this application in order to allow negotiation and clarification in relation to four points of concern, namely: (1) the cramped appearance of Plots 1 and 2; (2) Surface water drainage and culverting of existing ditches; (3) Vehicular accesses onto A133 and lack of footpath; and (4) Capacity of the pumping station.

The Committee was informed that the applicant had not been willing to negotiate and had submitted an appeal to the Planning Inspectorate on the grounds of non-determination. This meant that the Council could no longer determine the application and it would now be determined by the Planning Inspectorate. The application had therefore been brought back to the Committee for Members to confirm how they would have determined the application which would then form the basis for the Council's appeal statement.

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

- (i) A letter and plan received from a neighbouring farmer stating that he owned the hedge and ditch on the eastern and southern side of the site; and

(ii) A letter from the applicant stating various clarifications together with the Officers' comments thereon

At the meeting, an oral presentation was made by the Council's Planning Team Leader (Minor Applications) in respect of the application.

Councillor Heaney, in view of the fact that she had not been present at the previous site visit, or the Committee meeting when this application had first been considered, stated that she would take no part in the consideration thereof or voting thereon. For the same reasons, Councillor Hughes did not vote on this application either.

Following consideration by the Committee, it was moved by Councillor McWilliams, seconded by Councillor Fairley and RESOLVED that the Planning Inspectorate be informed that the Committee would have refused to grant planning permission for the application on the following grounds:

- Cramped appearance of plots one and two
- Surface water drainage and culverting of existing ditches
- Accesses on to A133 and lack of footpath
- Capacity of AWS pumping station

22. PLANNING APPLICATION – 14/00408/FUL - CHANCERY FARM PARK ROAD, ARDLEIGH, CO7 7SS

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:

- (i) Comments received from Essex County Council as Lead Flood Authority;
- (ii) Three further planning conditions proposed by Officers;
- (iii) 24 additional letters of objection; and
- (iv) Six additional letters of support.

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

Mr Jonathan Hardy, the landowner, spoke in support of the application.

Mr Lee Partridge, a local resident, spoke against the application.

Mr Richard Talbot, on behalf of Ardleigh Parish Council, spoke against the application.

Councillor Turner, on behalf of Councillor Stock the local Ward Member who had been unable to attend the meeting due to illness, spoke on the application.

Ms Debbie Marriage, 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 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):

1. Standard time limit for commencement
2. Development to be carried out in accordance with submitted plans
3. No other fencing on site other than as shown on approved plans
4. Details of decommissioning shall be submitted and agreed prior to the implementation of decommissioning
5. Fixed permission for 30 years when the use will cease and all solar panels and ancillary equipment shall be removed from the site in accordance the agreed decommissioning details.
6. Solar Park to be removed if ceases to export electricity to the grid for a continuous period of 12 months.
7. The soft landscaping as shown on Drawing No. 206-01-10A shall be carried out in the first plant season following the substantial completion of the development. A bund will be required on the north east boundary and including some evergreen species within the planting mix.
8. Any plants or species, included within the soft landscaping scheme (Drawing No. 206-01-10A) which die during whilst the land is in use as a solar farm shall be replaced.
9. Details of the construction and future maintenance of any necessary bridging/piping of a drainage ditch/watercourse be submitted and approved in consultation with the Lead Local Flood Authority.
10. The off-street parking, HGV turning and wheel washing facilities shall be provided in accordance with the submitted information.
11. The development shall be carried out in accordance with the recommendations set out in the habitat survey.
12. The biodiversity measures as set out in the biodiversity management plans shall be carried out within 12 months following the substantial completion of the development and retained during the life of the solar farm.
13. Prior to the commencement of development the route of the construction vehicles shall be agreed by the local planning authority.
14. No external lighting
15. Details of any proposed CCTV shall be submitted to and agreed by the local planning authority.
16. Prior to the commencement of development colour and material of ancillary equipment shall be submitted to and agreed by the local planning authority.
17. Prior to commencement of development a scheme for protecting the nearest sensitive dwellings from noise/dust and lighting during the construction phase shall be submitted to and agreed by the local planning authority. The construction phase shall be carried out in accordance with the approved details.
18. No construction of decommissioning works outside the hours of 0700-1900 Monday to Friday and 0800-1300 Saturdays. With the exception of any piling or other percussive works which shall not take place outside the hours of 0800-1700 hours Monday to Friday.

19. No traffic associated with site shall arrive prior to 6.45am Mondays to Fridays or 7.45am on Saturdays or leave after 7.15pm on Mondays to Fridays or after 1.15pm on Saturdays.

20. The rating level of the noise emitted for the site shall not exceed the existing background level LA90,T by more than 5dB as measured at the nearest residential façade.

21. No development or preliminary groundworks shall commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a Written Scheme of Investigation. Following the completion of this a summary report shall be prepared and a mitigation strategy detailing the approach to further archaeological excavation and/or preservation in situ through re-design of the development.

22. No development or preliminary groundworks shall commence on the areas of the site containing archaeological deposits, until the satisfactory completion of archaeological fieldwork, as detailed in the mitigation strategy.

23. Following the completion of the archaeological fieldwork, the application shall submit a post-excavation assessment, which will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum and submission of a publication report.

24. Works to be carried out in accordance with the Flood Risk Assessment and run-off rates limited to greenfield rates. If it is found that the supports to the solar panels create a significant impermeable area, then storage should be provided to ensure run-off rates are limited to greenfield from the site. Mitigation shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any agreed period.

25. Development shall not commence until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to and approved in writing.

26. Development shall not commence until a soil management plan has been submitted to and approved in writing, the scheme shall be implemented as approved.

The meeting then stood adjourned between 7.43 p.m. and 7.52 p.m.

23. PLANNING APPLICATION - 15/00867/FUL - 15 THE CHASE, HOLLAND ON SEA, CLACTON ON SEA, CO15 5PU

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.

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

- (i) A communication received from Councillor Broderick together with Officer comments thereon;
- (ii) A letter of support received from Douglas Carswell MP;
- (iii) An additional letter of objection;
- (iv) A letter of comment received from the previous owner of the Nursery.

At the meeting, an oral presentation was made by the Council's Planning Team Leader (Minor Applications) in respect of the application.

Mr Richard Clapham, a local resident, spoke against the application.

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

Following discussion by the Committee, it was moved by Councillor Fairley, seconded by Councillor Watson and RESOLVED that the Head of Planning (or equivalent authorised officer) be authorised to refuse planning permission for the development for the following reasons:

1. The proposal for variation of conditions to allow a maximum of 35 children to attend the day nursery at any one time is considered contrary to the National Planning Policy Framework (2012), saved Policies QL10, QL11, and TR1a of the Tendring District Local Plan (2007) and Policies SD8 and SD9 of the Tendring District Local Plan: Proposed Submission Draft 2012 as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014).

The Framework states planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Saved Policy QL11 and Draft Policy SD9 state all new development should be compatible with surrounding land uses and minimise any adverse environmental impacts; development will only be permitted if it will not have a materially damaging impact on the privacy or other amenities of occupiers of nearby properties, including nuisance created by additional road traffic.

The current use of the nursery is restricted to a maximum number of 35 children on any day. The limit was set per day in light of the provision of sessional care where otherwise 35 children could attend in the morning, they could all leave, a new group of 35 children could arrive in the afternoon, then they leave and a new group of 35 children attend the after school club with a huge resultant impact upon neighbours from all the comings and goings associated with pedestrian and vehicle traffic and congestion within this residential street due to the limited parking available. As there are no powers outside of planning controls to limit noise disturbance for this use the limit on numbers per day is considered essential to preserve the amenity of neighbours, four of which share an immediate boundary with the site.

2. Furthermore, the Framework states decisions should take account of whether safe and suitable access to the site can be achieved for all people. Saved policy TR1a states that development affecting highways should seek to reduce and prevent hazards and inconvenience to traffic. Saved Policy QL10 states planning permission will only be granted if the highway network will be able to safely accommodate the additional traffic the proposal will generate. Draft Policy SD9 states new development must meet practical requirements and access to the site must be practicable, and Draft Policy SD8 states development proposals will only be acceptable if the additional vehicle movements likely to result from the development can be accommodated within the capacity of the highway network.

It is considered that allowing up to 35 children at any one time to occupy the nursery would result in a significant intensification of the existing use, and the cumulative effect of these vehicle movements on this residential street, where there is no off street drop off and pick up or parking facilities for parents or carers, is likely to lead to severe congestion, obstruction and conditions of danger contrary to highway safety and the above planning policies.

24. PLANNING APPLICATION - 15/00868/FUL - 15 THE CHASE HOLLAND ON SEA, CLACTON ON SEA, CO15 5PU

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 communication received from Councillor Broderick together with Officer comments thereon. At the meeting, an oral presentation was made by the Council's Planning Team Leader (Minor Applications) in respect of the application.

Mr Richard Clapham, a local resident, spoke against the application.

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

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

1. List of approved plans.

25. PLANNING APPLICATION - 15/00911/OUT - LAND ADJACENT OWLS OAK RAMSEY ROAD, DOVERCOURT, CO12 4TF

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 Team Leader (Minor Applications) in respect of the application.

Following discussion by the Committee, it was moved by Councillor McWilliams, seconded by Councillor Watson and RESOLVED that 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):

- Standard time limit and submission of reserved matters condition
- List of approved plans
- Garages and parking spaces to comply with adopted parking standards
- Vehicular accesses to be 3.7m wide with dropped kerb
- Garages set back minimum 6m from highway
- Details of bicycle storage
- Construction method statement
- No unbound materials within 6m of highway boundary
- Recommendations of habitat survey
- Contaminated land condition
- Permeable paving
- Plots 3 to 9 shall not exceed one storey in height
- Details of materials to be used in construction
- Limited to maximum of two two-storey dwellings and seven bungalows

26. PLANNING APPLICATION - 15/01085/DETAIL - LAND OPPOSITE THE YEW TREE, HEATH ROAD, MISTLEY, CO11 2QJ

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 one additional letter of objection received together with Officer comments thereon.

At the meeting, an oral presentation was made by the Council's Planning Team Leader (Minor Applications) in respect of the application.

Following discussion by the Committee, it was moved by Councillor Hughes, seconded by Councillor Raby and RESOLVED that 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):

1. Approved plans.
2. Implementation of landscaping as shown.
3. Boundary treatments.
4. All carriageways provided at 5.5m between kerbs or 6.0m where vehicular access is taken but without kerbing.
5. Each individual vehicular access constructed at right angles to the highway boundary and to a width of 3.7m and each shared vehicular access constructed at right angles to the highway boundary and to a width of 5.5m and with an appropriate dropped kerb vehicular crossing of the footway/highway verge.
6. Construction Method Statement.

27. PLANNING APPLICATION – 14/01783/OUT – FAIRFIELDS, COLCHESTER ROAD, ARDLEIGH CO7 7PB

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.

Mr Nick Davey, the Agent on behalf of the Applicant, spoke in support of the application.

It was moved by Councillor Scott, seconded by Councillor Johnson and RESOLVED that the Head of Planning be authorised to GRANT outline planning permission for the development, subject to the following conditions, additional conditions 14 and 15, and informatives:

Conditions:

1. Standard time limit for commencement of development
2. Standard time limit for the submission of reserved matters application
3. No development to commence until approval of all reserved matters
4. Details of boundary treatments
5. Vehicular access width to be 3.7m
6. No unbound materials to be used within 6m of highway boundary
7. Details of bridging/piping of ditch/watercourse required prior to development
8. Gradient of access not to be steeper than 4% (1 in 25) for first 6m from highway boundary and 8% (1 in 12.5) thereafter.
9. Details of a vehicular turning facility
10. All off street parking to be in accordance with current parking standards
11. Any garage with its door facing the highway to be at least 6m from the highway boundary

12. Details of bicycle storage
13. Provision of and adherence to a Construction Method Statement
14. Single storey
15. Details of visibility splay

Informatives:

1. Any fencing required, as part of the development should be chain-link or similar metal fencing with adjacent soft landscaping to screen the fence and to screen and enhance the appearance of the development. Close board or panel fencing would not be acceptable in this location; and

2. Standard highways informative

That reserved matters are reported back to the Planning Committee.

28. PLANNING APPLICATION 11/00544/FUL – 40 QUEENS ROAD, FRINTON-ON-SEA

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.

Councillors Johnson and Turner, and Councillor Watling present in the public area, each declared an interest as Town Councillors in respect of the application and remained in the meeting during the consideration thereof and the voting thereon.

Councillor Watling, as one of the Ward Members, spoke against the application.

Mr J Cavanna, the applicant, spoke in support of the application.

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

RESOLVED – That application 11/00544/FUL be refused for the following reasons:-

The proposal for the erection of seven apartments (following demolition of 40 Queens Road) is considered contrary to Government Guidance as set out in PPS1 'Delivering Sustainable Development', and PPS3 'Housing'. The proposal is also considered contrary to policies QL9, QL11, HG3, HG7 and TR7 of the Tendring District Local Plan (2007). PPS1 requires high standards of design and states that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted. PPS3 (as amended in June 2010) excludes private residential gardens as previously developed land, and deleted the national indicative minimum density of 30 dwellings per hectare. Policy QL9 states that permission will only be granted if, amongst other things, the development relates well to its site and surroundings particularly in relation to its siting, height, scale, massing, form, design and materials. Policy QL11 states that permission will only be permitted if (inter alia) the scale and nature of the development is appropriate to the locality, and the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties. Policy HG3 relates to residential development within defined settlements and states, amongst other things, that residential development will be permitted provided it can take place without material harm to the character of the local area. Policy HG7 states all proposals should be so designed to have no unduly adverse impact on the character of the area, or on neighbours' residential amenity. Policy TR7 states for residential development within town centres the adopted car parking standards will be applied, and outside town centres variations to the adopted standards for

residential development will be considered where local circumstances suggest this to be appropriate. In this case the adopted Essex County Council Parking Standards (2009) applies.

In this instance the Local Planning Authority considers that the proposed building, by virtue of the overall mass, bulk and design will result in development which is out of scale and proportion with surrounding development to the serious detriment of visual amenity and the character and appearance of the surrounding area.

Furthermore, it is considered the proximity of the proposed development to No.38 Queens Road would adversely affect the residential amenities of this dwelling to such a degree as to warrant the proposal unacceptable.

Moreover, the proposal provides for inadequate parking provision when assessed against the adopted 2009 Parking Standards. As a result of the reduced number of parking spaces, it is considered that the development would intensify the pressures for on-street parking in this area and vehicles left parked within the adjoining streets would cause conditions of danger, obstruction and congestion, thereby contrary to highway safety.

29. PLANNING APPLICATION 11/00241/FUL – UNIT 2 - 3 NEWMANS ESTATE FORD ROAD, CLACTON-ON-SEA

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.

Mr P Le Grys, the applicant's agent, spoke in support of the application.

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

RESOLVED – That application 11/00241/FUL be approved subject to conditions providing:-

- Time limit.
- No change to other D1 use.

Reason for Approval

No town centre site is available and that the proposed site is sequentially the best available that would meet the needs of the proposed use and its business model. The site is accessible by a variety of means of transport. The proposal does not materially harm highway safety or neighbours' amenities, and complies with adopted parking standards.

30. PLANNING APPLICATION 11/00528/FUL - FOREMANS YARD, RECTORY ROAD, WEELEY HEATH

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.

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

RESOLVED – That application 11/00528/FUL be approved subject to conditions providing:-

- Time Limit
- Development in accordance with the plans
- Materials Condition

Reason for Approval

The use of ebony wood stain for the walls of the garage is acceptable as the walls will not be prominent in the streetscene.

The use of red concrete pantiles for the roof is unfortunate as the roof will not match the other new dwelling on site. Taking the roof materials of the dwelling opposite into consideration, on balance the proposed pantiles are acceptable.

31. CLG CONSULTATION – PLANNING FOR TRAVELLER SITES

It was noted from the recently published update sheet that there would be no discussion on this item at the meeting. Members were instead invited to pass their comments on the CLG consultation direct to the Principal Development Plans Officer by Friday 1 July 2011.

32. 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

33. 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.

34. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

There were none.

35. 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.

36. 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.

37. URGENT MATTERS FOR DEBATE

There were none on this occasion.

38. URGENT MATTERS FOR DEBATE

There were none on this occasion.

Chairman