

PLANNING COMMITTEE

22 SEPTEMBER 2015

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

Substitute Members:- Councillor J Hughes and Councillor P Cawthron.

Also Present:- Councillors J Bray, M Brown, R Bucke, R Everett, P Honeywood, D Miles, G Scott, M Stephenson and G Watling.

In Attendance:- Head of Planning (Catherine Bicknell), Legal Services Manager and Monitoring Officer (Lisa Hastings), Communications and Public Relations Manager (Nigel Brown), Senior Development Control Planner (Morne Van Rooyen), Planning Team Leader (Minor Applications) (Alison Newland), Solicitor (Charlotte Parker-Smith) and Senior Democratic Services Officer (Ian Ford)

(6.03 p.m. - 10.03 p.m.)

27. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were apologies for absence received from Councillor Poonian, with Councillor Hughes substituting and Councillor Watson, with Councillor Cawthron substituting.

28. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 25 August 2015, were approved as a correct record and signed by the Chairman.

29. DECLARATIONS OF INTEREST

Councillors Heaney and Nicholls each declared a non-pecuniary interest in relation to Planning Application 14/01238/OUT by virtue of the fact they were the local Ward Members.

Councillor Scott declared a non-pecuniary interest in relation to Planning Application 15/01035/FUL by virtue of the fact he was the local Ward Member.

Councillor Bray declared a non-pecuniary interest in relation to Planning Application 15/00541/OUT by virtue of the fact he was the local Ward Member.

Councillor M Brown declared a non-pecuniary interest in relation to Planning Application 15/01150/OUT by virtue of the fact he was the local Ward Member.

Councillor Watling declared a non-pecuniary interest in relation to Planning Application 15/00630/FUL by virtue of the fact he was a member of the Walton and Frinton Yacht Club.

30. A.1 - PLANNING APPLICATION - 14/01238/OUT - AGRICULTURAL FIELD TO THE NORTH OF MEADOW CLOSE, ELMSTEAD CO7 7HR

Councillors Heaney and Nicholls each declared a non-pecuniary interest in relation to

Planning Application 14/01238/OUT by virtue of the fact they were the local Ward Members.

Members were aware that this application had been considered by the Committee at its meeting held on 3 March 2015 (Minute 93 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 September 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 ongoing and were nearly resolved. Therefore the Head of Planning now sought the Committee's agreement to an extension of time until 30 November 2015 in order to complete the legal agreement.

At the meeting, an oral presentation was made by the Council's Senior Development Control Planner in respect of the application.

Following discussion by the Committee, it was moved by Councillor Hones, 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 30 November 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):

- Pedestrian crossing on Colchester Road
 - Improvements to bus stops in the vicinity of Colchester Road/Oatlands junction.
- These would include:
- West bound stop – enter taper improved, circa 9m of the existing layby filled in and a 5m section of raised kerbing and a new exit taper.
 - East bound stop – relocated circa 15m to the east.

(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 20 dwellings
5. Existing and proposed site and finished floor levels
6. Details of all earthworks
7. Details of materials
8. Hard and soft landscaping
9. All hard and soft landscaping implementation
10. Development constructed in accordance with details contained within the Tree Report
11. Landscaping – Five year clause
12. Landscape/Public open space management plan
13. Ecological mitigation scheme and management plan
14. Details of boundary treatments
15. Details of refuse storage/collection points
16. Archaeology investigative and report works
17. Site lighting strategy

18. Sustainability report for reserved matters
 19. Construction Method Statement, including details of hours of operation during construction.
 20. Parking in line with adopted Parking Standards
 21. Details of a surface water drainage scheme, including surface water swales
 22. No dwellings/premises to be occupied until the surface water drainage strategy is carried out
 23. Details of a foul water strategy
 24. Unfettered vehicular, pedestrian and cycle access to be provided to land to the north, west and east of the site
 25. Details of wheel cleaning facility
 26. No occupation of the development until the following have been provided or completed:
 - A pedestrian crossing on Colchester Road at the western end of the village.
 - A residential travel plan
 - Residential travel information packs
 - Improvements to bus stops in the vicinity of Colchester Road/Oatlands junction.
- These would include:
- West bound stop – enter taper improved, circa 9m of the existing layby filled in and a 5m section of raised kerbing and a new exit taper.
 - East bound stop – relocated circa 15m to the east.
27. Details of the estate road(s) and footways
 28. Construction of carriageway(s) of the proposed estate road(s)
 29. Internal estate road junction visibility splays
 30. Vehicular turning facility for service and delivery vehicles
 31. Details of new driveways and parking areas
 32. Scheme for provision and implementation of water, energy and resource efficiency measures, during the construction
 33. Details for the disposal of surface water

(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 30 November 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).

31. A.2 - PLANNING APPLICATION - 15/01087/FUL - LAND REAR OF 145 JAYWICK LANE, CLACTON-ON-SEA CO16 8BJ

The Council's Head of Planning informed the Committee that this application had been deferred as a late representation had been received from the Highway Authority which the Officers had had insufficient time to consider and respond.

32. A.3 - PLANNING APPLICATION - 15/00630/FUL - MARTELLO CARAVAN PARK, KIRBY ROAD, WALTON-ON-THE-NAZE CO14 8QP

Councillor Miles declared a non-pecuniary interest in relation to Planning Application 15/00630/FUL by virtue of the fact she was the local Ward Member.

Councillor Watling declared a non-pecuniary interest in relation to Planning Application 15/00630/FUL by virtue of the fact he was a member of the Walton and Frinton Yacht Club.

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:

- (1) An amended description of the application;
- (2) Three further letters of objection together with Officer comments thereon; and
- (3) An email received from Councillor Bucke together with Officer comments thereon.

At the meeting, an oral presentation was made by the Council's Senior Development Control Planner in respect of the application.

Mrs Anna Brooke, a local resident, spoke in support of the application.

Mr William Gibbons, on behalf of Walton and Frinton Yacht Club and Walton and Frinton Yacht Club Trust Ltd., spoke against the application.

Parish Councillor Jack Robertson, on behalf of Frinton and Walton Town Council, spoke on the application.

Councillor Miles, a local Ward Member, spoke on the application.

Councillor Watling, Ward Member for the adjacent Frinton Ward, spoke on the application.

Mr Michael Calder, agent acting on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Hughes, seconded by Councillor McWilliams and RESOLVED that consideration of this application be deferred to enable the Officers to hold discussions with the applicant and Essex County Council, as appropriate, with a view to satisfactorily resolving the Committee's concerns in relation to:

- (i) The design of the dwellings especially with regard to Elevation 7;
- (ii) Shared Surfaces;
- (iii) Lack of Garage provision; and
- (iv) Education provision.

33. A.4 - PLANNING APPLICATION - 15/01150/OUT - CRACKSTAKES FARM, TAN LANE, LITTLE CLACTON CO16 9PS

Councillor M Brown declared a non-pecuniary interest in relation to Planning Application 15/01150/OUT by virtue of the fact he was the local Ward Member.

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

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

Councillor Martin Reed, on behalf of Little Clacton Parish Council, spoke in support of the application.

Councillor Michael Brown, a local Ward Member, spoke on the application.

Miss Y Clark, the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Hughes and seconded by Councillor Raby that the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to conditions, which motion on being put to the vote was declared LOST.

It was then moved by Councillor Heaney, seconded by Councillor Fairley and RESOLVED that the Head of Planning (or equivalent authorised officer) be authorised to refuse planning permission for the development for the following reasons:

“In this case, the proposal is located in a location outside of any defined settlement limits as defined by Policy QL1 of the Tendring District Local Plan 2007 as well as Policy SD5 of the Tendring District Local Plan: Proposed Submission Draft 2012 as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014). Saved Policy QL1 follows established principles for sustainable development and seeks to concentrate new development within established settlements. Elsewhere, only development which is consistent with countryside policies will be permitted.

It is accepted that the Council is currently unable to demonstrate a five year supply of deliverable housing sites but the provision of one dwelling would make only a modest contribution to the supply for the district as a whole. As an adequate supply of land for housing cannot be demonstrated, paragraph 49 of the National Planning Policy Framework (NPPF) applies in relation to the three dimensions of sustainable development. In regard to the social impact it is necessary to consider the distance to important destinations such as healthcare, education, convenience shopping and jobs. The nearest established settlement is Little Clacton, the settlement boundary of which begins some 930m to the north-west along a rural road without any pedestrian footpaths. Furthermore, the nearest convenience store lies some 1580m to the north-west and the main facilities within the centre of Little Clacton are some 2740m from the application site. As such the vast majority of journeys undertaken to important destinations will be via private car. Consequently the proposed development cannot be considered sustainable and therefore fails to meet the test outlined in the National Planning Policy Framework.

The Local Planning Authority is of the opinion that the development, if approved, would result in a development of the site that would lead to residential development outside of the defined settlement limits in an unsustainable rural location with regard to access to facilities such as employment and education, which would set an undesirable precedent and be detrimental to the principles of sustainable development.”

34. A.5 - PLANNING APPLICATION - 15/01035/FUL - LAND ADJACENT COCKAYNES HOUSE, COCKAYNES LANE, ALRESFORD CO7 8BZ

Councillor Scott declared a non-pecuniary interest in relation to Planning Application 15/01035/FUL by virtue of the fact he was the local Ward Member.

The Chairman, Councillor White, and Members of the Committee declared that they had been lobbied in relation to Planning Application 15/01035/FUL.

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:

- (1) An objection received from Alresford Parish Council; and
- (2) An objection submitted by the Cockaynes Action Group together with Officer comments thereon where appropriate and necessary.

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

Mr David Crewe, a local resident, spoke against the application.

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

Following discussion by the Committee, it was moved by Councillor Nicholls, seconded by Councillor Heaney and RESOLVED that, contrary to the Officer's recommendation of approval, the Head of Planning (or equivalent authorised officer) be authorised to refuse planning permission for the development for the following reasons:

"The proposal for the erection of one dwelling is considered contrary to the National Planning Policy Framework (2012), saved Policies QL9, QL11 and EN1 of the Tendring District Local Plan (2007) and Policies SD9 and PLA5 of the Tendring District Local Plan: Proposed Submission Draft 2012 as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014).

The National Planning Policy Framework (The Framework) attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The Framework states Planning decisions should aim to ensure that developments are visually attractive as a result of good architecture and appropriate landscaping, and permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Saved Policy QL9 and Draft Policy SD9 state all new development should make a positive contribution to the quality of the local environment and protect or enhance local character. Planning permission will only be granted where new development relates well to its site and surroundings particularly in relation to its form and design. New development should satisfy relevant listed criteria, which include that the development relates well to its site and surroundings and respects locally important features. Saved Policy QL11 seeks to ensure that the scale and nature of development is appropriate to the locality. Saved policy EN1 and draft policy PLA5 state that the quality of the district's landscape and its distinctive local character will be protected and, where possible, enhanced and the Council will seek in particular to conserve features which contribute to local distinctiveness including the traditional character of protected lanes.

The site lies outside of the Settlement Development Boundary of the Saved and Draft Local Plans. It is accepted that the Council is currently unable to demonstrate a five year supply of deliverable housing sites but the provision of one dwelling would make only a modest contribution to the supply for the district as a whole. As an adequate supply of housing cannot be demonstrated paragraph 49 of the NPPF applies in relation to the three dimensions of sustainable development. In failing to contribute to the protection and enhancement of the built and natural environment as detailed below, the proposal conflicts with the environmental role and the overarching aims of the Framework in respect of the definition of sustainable development. Consequently, there can be no presumption in favour of the development anticipated in paragraph 14 of the Framework.

The wider locality along Cockaynes Lane (a protected lane) is characterised by large houses in generous plots that are mainly set back from the road. There are generous road verges and established planting resulting in a spacious rural character. The application site is currently grassed and was previously garden/tennis court to Cockaynes House to the rear. The site contains established hedgerows and trees, with six trees (Oaks and Limes) afforded formal legal protection by Tree Preservation Order TPO/14/0005. The trees with the greatest amenity value are the three protected Oak trees and one protected Lime tree

along the front boundary to Cockaynes Lane, and the protected Lime tree in the south western corner of the site. The trees are prominent within the rural street scene of Cockaynes Lane and contribute significantly to its character.

The proposal will introduce development into a space which currently contributes to the spacious and rural character along Cockaynes Lane. The open nature of the site, protected trees and its proximity to Cockaynes Lane contribute significantly to the existing rural character of the area. The erection of a dwelling in this prominent location would materially and detrimentally alter the open and rural character and appearance of the area contrary to the provisions of the Framework, saved policies QL9, QL11 and EN1 and draft policies SD9 and PLA5."

The Chairman then adjourned the meeting for 15 minutes to allow members of the public to leave the public gallery and to enable Members to take refreshment.

35. A.6 - PLANNING APPLICATION - 15/00932/OUT - LAND NORTH OF FORMER BETTS FACTORY, IPSWICH ROAD, CO4 4HE

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 Senior Development Control Planner in respect of the application.

Miss Viktoria Oakley, the applicant's representative, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor McWilliams, 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:

(a) Within 6 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):

- On-site Council Housing/Affordable Housing/Financial Contribution;
- Education contribution;
- Health contribution;
- Open space maintenance contribution;
- Sports and leisure contribution to Colchester BC;
- Completion and transfer of public open space; and
- Completion and transfer of Bullock Wood.

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

Conditions:

1. Confirm Reserved Matters (Appearance, Landscaping, Layout, Scale)
2. Standard 3 year time limit for submission of reserved matters application.
3. Standard 2 year limit for commencement of development following approval of reserved matters.
4. Details to accord with submitted parameter plans.
5. Development in accordance with noise, light and pollution standards (EHO)
6. Development in accordance completed Outline CEMP

7. Contaminated Land
8. Wheel Cleaning Facility
9. Access road provided and travel information packs
10. Restrict conversion of garages without planning approval
11. Parking strategy to be submitted
12. Fencing Bullock Wood
13. Landscaping details
14. Earthworks to be agreed
15. Arboriculture Method Statement
16. Reptile Method Statement
17. Management of communal storage areas
18. Detailed surface water drainage strategy
19. Flood management during construction phase
20. Maintenance for drainage strategy
21. Maintenance logs of drainage management
22. No more than 120 dwellings

(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 6 months, as the requirements necessary to make the development acceptable in planning terms had not been secured through Section 106 planning obligation.

(d) That the Reserved Matters application be submitted to the Committee for its decision in due course.

36. A.7 - PLANNING APPLICATION - 15/00541/OUT - LAND ADJACENT WILLOW FARM, MILL LANE, WEELEY HEATH

Councillor Bray declared a non-pecuniary interest in relation to Planning Application 15/00541/OUT by virtue of the fact he was the local Ward Member.

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

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

Mr R F Clarke, a local resident, spoke in favour of the application.

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

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

Mr Steven Rose, the applicant, spoke in support of the application.

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

(a) Within 6 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):

- On-site Council Housing/Affordable Housing;
- Education contribution;
- Contribution toward play provision; and
- Completion and transfer of public open space

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

Conditions:

1. Standard 3 year time limit for submission of reserved matters application;
2. Standard 2 year limit for commencement of development following approval of reserved matters;
3. Details of appearance, access, layout, scale and landscaping (the reserved matters);
4. Highways conditions (as recommended by the Highway Authority);
5. SUDS conditions;
6. Surface water drainage scheme;
7. Hard and soft landscaping plan/implementation;
8. Tree retention plan;
9. Ecological mitigation/tree protection measures;
10. As recommended by Environmental Health;
11. Broadband connection;
12. Details of water, energy and resource efficiency measures; and
13. No more than 46 dwellings in total.

(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 6 (six) months, as the requirements necessary to make the development acceptable in planning terms had not been secured through a Section 106 planning obligation.

(d) That the Reserved Matters application be submitted to the Committee for its decision in due course together with the Section 106 Agreement once its agreed following confirmation of the costs of decontamination and any associated viability testing to confirm the applicant's contributions.

37. A.8 - PLANNING APPLICATION - 15/00578/FUL - 26 ROSEMARY ROAD, CLACTON-ON-SEA CO15 1NZ

The Chairman informed the Committee that he was allowing this planning application to be considered as a matter of urgency as an extension of time to the Council to determine the application had been granted by the Applicant on the strict condition that the application would be considered at this meeting of the Committee. The item had not been included within the published agenda as additional information had been awaited which was required to be included within the Officers' report.

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

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

Mr Norman Jacobs, Chairman of the Clacton History Society spoke against the application.

Councillor Honeywood, a local Ward Member, spoke on the application.

Mr Matt Briffa, the applicant's agent, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Raby, seconded by Councillor Hughes and RESOLVED that consideration of this application be deferred to enable the Officers, in conjunction with the Chairman and Vice-Chairman of the Committee, the Planning Portfolio Holder, the local Ward Members and Councillors Hughes and Raby, to hold discussions with the Applicant with a view to satisfactorily overcoming the Committee's concerns on this application in respect of retaining the façade of the villas, the relationship of the development to dwellings on the eastern boundary and parking.

38. PLANNING APPLICATION 11/00543/FUL – THE WAGON, NEW ROAD, MISTLEY CO11 2AP - EXTENSION AND ALTERATIONS TO EXISTING PUBLIC HOUSE WITH DWELLING ABOVE IN CONNECTION WITH CONVERSION TO TWO NO. DWELLINGS, AND ERECTION OF TWO NO. TWO STOREY DWELLINGS WITH ASSOCIATED PARKING FACILITIES AND CONSTRUCTION OF VEHICULAR 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 with a summary of recommended conditions. The recently published update sheet was also considered by the Committee and explained by officers at the meeting.

Mrs R Smith, a local resident, spoke against the application.

Mr M Rayner, on behalf of Mistley Parish Council, spoke against the application.

Mr H Randall, on behalf of the applicant, spoke in support of the application.

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

RESOLVED – That application 11/00543/FUL be refused for the following reasons:-

The proposed development is contrary to Policies QL9, QL11, EN17 and HG9.

Policy QL9 of the Tendring District Local Plan (2007) states amongst other things that all new development should relate well to its site and surroundings particularly in relation to its siting, height, massing, form, design and materials.

Policy QL11 of the Tendring District Local Plan (2007) states amongst other things that the scale and nature of the development should be appropriate to the locality and the development will not have a materially damaging impact on the privacy, daylight or other amenities of nearby properties.

Policy EN17 of the Tendring District Local Plan (2007), states that development within Conservation Areas must preserve or enhance the character or appearance of the Conservation Area. The policy also states that planning applications will be refused where the design of new development would not preserve or enhance the character of an area.

Policy HG9 requires that dwellings with three or more bedrooms require 100 square metres of private amenity space, dwellings with two bedrooms must have a minimum of 75 square metres of private amenity space and dwellings with one bedroom require 50 square metres of private amenity space.

It is considered that in this instance the proposal neither preserves nor enhances the character and appearance of the Conservation Area. Along this part of New Road

dwellings are predominantly large detached properties set within spacious plots. The proposal for four no. dwellings on a relatively modest area of land would promote a cramped form of development which would not sit harmoniously set against the immediate character of the locality.

Furthermore, the 2 no. proposed semi detached dwellings would be out of character with the existing pattern of development owing to their poor relationship with the pattern of development within the locality.

It is also considered that the private amenity areas of plots one and two would not accord with Policy HG9. The private amenity space for plot two measures some 97 square metres and for plot one measures some 53 square metres. It is considered that this deficiency together with the cramped nature of the development indicates an overdevelopment of the site which is harmful to the visual amenities and character of the area.

39. PLANNING APPLICATION 11/00514/FUL - F PAGE BUTCHERS, 5 MAIN ROAD, RAMSEY CO12 5EY – STATIONING OF MOBILE FISH STALL AT FRONT OF FORECOURT

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 refusal with reasons. The recently published update sheet was also considered by the Committee and explained by officers at the meeting.

The Development Control Team Manager (PF) advised Members that a petition containing some 693 signatures in support of the application had been handed to officers at the site visit.

Mrs L Elliott, a local resident, spoke in support of the application.

Mrs H Sheers, on behalf of Ramsey and Parkeston Parish Council, spoke in support of the application.

Councillor Colbourne, the Ward Member, spoke in support of the application.

Mrs M Barrowcliffe, the applicant, spoke in support of the application.

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

RESOLVED – That application 11/00514/FUL be approved contrary to recommendation and subject to conditions providing:-

1. This permission shall be personal to Mrs M Barrowcliffe and shall not enure for the benefit of the land.

Reason - The development hereby permitted is contrary to the general policy of the local planning authority and is granted solely in recognition of the situation and circumstances of Mrs M Barrowcliffe and to avoid hardship.

2. The fish stall hereby permitted shall only be open to customers within the following times: - 8am - 4pm Thursday - Friday and 8am - 1pm Saturdays and there shall be no trading from the stall outside of these times or on Bank or Public Holidays.

Reason - The development hereby permitted is contrary to the general policy of the local planning authority and has been granted solely in recognition of the situation and circumstances of the applicant and the hours of opening accord with the times she has proposed. Limited hours of opening would also help to protect the amenities of the adjoining residential property.

3. The fish stall hereby permitted shall be removed from the site within four weeks of the date when it ceases to be operated by Mrs M Barrowcliffe.

Reason - The development hereby permitted is contrary to the general policy of the Local Planning Authority and is a personal permission granted solely in recognition of the situation and circumstances of Mrs M Barrowcliffe.

Reason for Approval

The proposed permanent stationing of the fish stall in the forecourt of 5 Main Road, Ramsey is contrary to policy ER40 (e) of the Tendring District Local Plan, however the local planning authority considers that in view of the benefits of the continuation of the use to the local community and the personal circumstances of the applicant, especially the difficulties of finding alternative premises and the continuation of the business, that in this instance a departure from this policy is justified.

40. PLANNING APPLICATION 11/00682/FUL - 3 PRINCE CHARLES CLOSE, CLACTON-ON-SEA CO15 1AE - PROPOSED ADDITION TO HOUSE

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.

Councillor Griffiths, one of the Ward Members, spoke in support of the application.

Mr R Cross, on behalf of the applicant, spoke in support of the application.

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

RESOLVED – That application 11/00682/FUL be approved, subject to conditions providing:-

- Time limit
- Approved plans

Reason for Approval

In approving this application, the local planning authority has taken account of all planning considerations material to its determination, particularly the impact on residential amenities and the representations made by the adjoining neighbour at 1 Prince Charles Close. Due to the orientation of the property and the size and position of the neighbour's existing extension, the proposal will not be materially harmful in terms of residential amenity. In the absence of any material adverse impact resulting from the development, the local planning authority conclude that the proposals accord with the provisions and policies of the Development Plan as applicable to it.

41. PLANNING APPLICATION 11/00627/FUL – KINGS PARADE, HOLLAND-ON-SEA CO15 5QF - ALTERATIONS AND IMPROVEMENTS TO EXISTING SEA WALL

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 Cossens and:-

RESOLVED – That application 11/00627/FUL be approved, subject to conditions providing:-

- Time Limit
- Plan numbers

Reason for Approval

This proposal complies with the Development Plan and there are no material considerations indicating any alternative decision. Furthermore the works are urgent due to the severe risk to the stability of the existing sea wall.

42. 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

43. 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.

44. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

There were none.

45. 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.

46. 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.

47. URGENT MATTERS FOR DEBATE

There were none on this occasion.

48. URGENT MATTERS FOR DEBATE

There were none on this occasion.

Chairman