

PLANNING COMMITTEE14 JUNE 2016

Present:- Councillors White (Chairman), Heaney (Vice-Chairman), Baker (except minutes 17-19), Bennison, Fairley, Fowler (except minute 22), Gray, Hones, Hughes, McWilliams and Raby

Also Present:- Councillors Bray (except minutes 22-26), Bucke, Everett (except minutes 22-26), Howard (except minutes 24-26), Newton (except minutes 22-26), Pemberton (except minutes 22-26) and Watling

In Attendance:- Head of Planning (Cath Bicknell), Planning Manager (Gary Guiver), Communications and Public Relations Manager (Nigel Brown), Senior Planning Officer (Susanne Ennos), Solicitor (Charlotte Parker-Smith) and Democratic Services Officer (Katie Sullivan)

14. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Councillor Raby substituted for Councillor Everett on this occasion.

15. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 18 May 2016, were approved as a correct record and signed by the Chairman.

16. DECLARATIONS OF INTEREST

Councillor Baker declared prejudicial interests in relation to Planning Applications 15/00761/OUT, 15/00876/OUT and 15/01720/OUT by virtue of the fact he was pre-determined.

Councillor Fairley declared an interest in relation to Planning Applications 15/00761/OUT and 15/00876/OUT by virtue of the fact she was a resident in the Ward and was a neighbouring local Ward Councillor (15/00761/OUT) and a resident in the neighbouring Ward (15/00876/OUT).

Councillor McWilliams declared an interest in relation to Planning Application 16/00592/FUL by virtue of the fact she was the local Ward Member but stated that she was not pre-determined.

Councillor Fowler declared a non-pecuniary interest in relation to Planning Application 16/00223/OUT by virtue of the fact she was a resident of Mayes Lane and knew one of the land owners and a resident of a neighbouring property.

Councillor Raby declared an interest in relation to Planning Application 16/00208/OUT and 16/00209/OUT by virtue of the fact he was a local Ward Member for the adjacent Ward.

Councillor Heaney declared an interest in relation to Planning Application 16/00448/OUT by virtue of the fact she was a local Ward Member. Councillor Heaney also stated that she had referred this application to the Committee at the request of Elmstead Parish Council and that the Officer's report in paragraph 1.1 was factually incorrect as she had not indicated any view as to the appropriateness of the development and was therefore not pre-determined in any way.

Councillor Bray, present in the public gallery, declared an interest in relation to Planning

Application 15/01720/OUT by virtue of the fact he was a local Ward Member for the adjacent Ward.

Councillor Bucke, present in the public gallery, declared an interest in relation to Planning Application 15/00984/FUL by virtue of the fact he was a local Ward Member.

Councillor Howard, present in the public gallery, declared an interest in relation to Planning Application 16/00223/OUT by virtue of the fact he was the local Ward Member.

Councillor Everett, present in the public gallery declared an interest in relation to Planning Applications 16/00208/OUT and 16/00209/OUT by virtue of the fact he was a local Ward Member.

Councillor Newton, present in the public gallery, declared an interest in relation to Planning Application 16/00208/OUT and 16/00209/OUT by virtue of the fact she was a local Ward Member.

17. PLANNING APPLICATION - 15/00761/OUT - LAND TO THE SOUTH OF LONG ROAD AND TO WEST OF CLACTON ROAD, MISTLEY, CO11 2HN

Councillor Baker had earlier declared a prejudicial interest in relation to Planning Application 15/00761/OUT by virtue of the fact he was pre-determined. Councillor Baker therefore withdrew from the meeting, whilst the Committee considered the application and reached its decision.

Councillor Fairley had earlier declared an interest in relation to Planning Application 15/00761/OUT by virtue of the fact she was a resident in the Ward and was a local Ward Councillor of the adjacent Ward.

Members recalled that this application had originally been submitted in May 2015 and had been due for determination in August 2015. However it had not been possible to determine the application within that timeframe due to a number of unresolved issues. The applicant had subsequently made an appeal to the Planning Inspectorate in December 2015 against non-determination.

At the meeting held on 5 January 2016, the Committee had agreed four reasons for refusal that would form the basis of the Council's defence of the appeal. The agreed reasons for refusal had related to:

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

However on 18 May 2016 the Committee had been asked, on the clear advice of Counsel, to re-consider the Council's position. In line with the Officers' recommendation, the Committee had agreed that, based on current information, it would not have resolved to refuse the planning application and accordingly had decided that the Council would no longer defend the appeal against non-determination.

Members were informed that it had been the intention that the applicants would re-submit a duplicate application with an expectation that it would be approved by the Council. Then, through an agreement with the Planning Inspectorate, the Public Inquiry would be suspended in order to allow time for the Council to make its decision on the duplicate application. On approval of the duplicate application, the appeal would have then been withdrawn.

The Barristers representing both the Council and the applicants had since advised that there appeared to be an alternative and rarely exercised mechanism that allowed the current application to be retrieved from the Planning Inspectorate and approved by the Council thus avoiding any involvement from an Inspector and any additional time and costs involved in determining a duplicate application. In following this approach, the Committee was now asked to authorise the Head of Planning to approve the current application.

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

The Council's Solicitor (Charlotte Parker-Smith) informed the Committee that as this application had already been before the Committee at previous meetings there would be no public speaking on this application as there had been no material changes since it had last been considered. It was also confirmed that only those Councillors who had attended the Planning Committee meeting on 5 January 2016 would be allowed to vote on this application and she confirmed the names of those Councillors.

Following discussion by the Committee, it was moved by Councillor McWilliams, seconded by Councillor Hones and RESOLVED that the Head of Planning (or equivalent authorised officer) be authorised to grant outline planning 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 relevant):

- On-site Council Housing/Affordable Housing;
- Education contribution;
- Health contribution;
- Completion and transfer of public open space; and
- Contribution towards off-site traffic management measures at the A137 railway crossing.

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 their discretion considers appropriate).

(i) 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. Layout and phasing plan/programme.
5. Development in general conformity with submitted illustrative master plan;
6. Development to contain up to (but no more than) 300 dwellings and 2 hectares of employment land.
7. Highways conditions (broadly as recommended by the Highway Authority).
8. Surface water drainage scheme.
9. Foul water drainage scheme.
10. Hard and soft landscaping plan/implementation.
11. Ecological mitigation/tree protection measures (including bat protection measures).
12. Archaeological assessment/trial trenching.
13. Details of lighting, materials and refuse storage/collection points.
14. Construction methods statement.
15. Broadband connection.
16. Local employment arrangements.
17. Details of water, energy and resource efficiency measures.

c) The applicants formally withdrawing the appeal against non-determination and confirming, in writing, that there will be no claim of costs against the Council.

18. PLANNING APPLICATION – 15/00876/OUT - LAND EAST OF BROMLEY ROAD, LAWFORD, CO11 2HS

Councillor Baker had earlier declared a prejudicial interest in relation to Planning Application 15/00876/OUT by virtue of the fact he was pre-determined. Councillor Baker therefore withdrew from the meeting, whilst the Committee considered the application and reached its decision.

Councillor Fairley had earlier declared an interest in relation to Planning Application 15/00876/OUT by virtue of the fact she was a resident in the adjacent Ward.

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 Manager (GG) in respect of the application.

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

- (1) An email submission from Natural England;
- (2) A letter of complaint to Essex County Council submitted by Professor Barnes and Mrs Barnes; and
- (3) A Letter of objection from Mrs Barnes.

Professor Stuart Barnes, a local resident, spoke against the application.

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

Following discussion by the Committee, it was moved by Councillor Fairley, seconded by Councillor McWilliams and RESOLVED that the Head of Planning (or equivalent authorised officer) be authorised to grant outline planning 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 relevant):

- On-site Council Housing/Affordable Housing;
- Education contribution and/or land for school expansion;
- Health contribution;
- Community facilities;
- Completion and transfer of public open space;
- Contribution towards off-site traffic management measures at the A137 railway crossing; and
- Contribution towards monitoring impacts on the Stour Estuary.

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

(i) Conditions:

1. 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. Layout and phasing plan/programme.
5. Development in accordance with submitted land use audit..
6. Development to contain up to (but no more than) 360 dwellings.
7. Highways conditions (as recommended by the Highway Authority).
8. Surface water drainage scheme.
9. Foul water drainage scheme.
10. Hard and soft landscaping plan/implementation.
11. Ecological mitigation/tree protection measures (including bat protection measures).
12. Archaeological assessment/trial trenching.
13. Details of lighting, materials and refuse storage/collection points.
14. Construction methods statement.
15. Broadband connection.
16. Local employment arrangements.
17. Details of water, energy and resource efficiency measures.

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 a Section 106 planning obligation.

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

19. PLANNING APPLICATION – 15/01720/OUT - LAND SOUTH OF CENTENARY WAY, LONDON ROAD, CLACTON-ON-SEA

Councillor Baker had earlier declared an interest in relation to Planning Application 15/01720/OUT by virtue of the fact he was pre-determined. Councillor Baker therefore withdrew from the meeting, whilst the Committee considered the application and reached its decision.

Councillor Bray, present in the public gallery, had earlier declared an interest in relation to Planning Application 15/01720/OUT by virtue of the fact he was a local Ward Member for the adjacent Ward.

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 Manager (GG) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of an email from the Applicant's Agent.

Parish Councillor John Cutting, representing Little Clacton Parish Council which Parish boundary was adjacent to the application site, spoke against the application.

Councillor Bray, a local Ward Member for the adjacent Little Clacton and Weeley Ward, spoke against the application.

Richard Clews, the 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 Raby 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 reason:

- Loss of local Green Gap / Coalescence (Adverse impacts outweigh the benefits).

a) If the Applicant should appeal the following be noted:

- Position of Playground not considered safe;
- Shared surfaces are not supported; and
- No two and a half storey buildings as the density is considered to be too high for the location.

20. PLANNING APPLICATION – 16/00208/OUT - LAND NORTH OF RUSH GREEN ROAD, CLACTON-ON-SEA CO16 8BQ

It was reported that this application had been referred to the Planning Committee by Officers as it represented a departure from the Adopted Development Plan being located outside the settlement development boundary and also at the request of Councillor Everett, a local Ward Member.

Councillor Raby had earlier declared an interest in relation to Planning Application 16/00208/OUT by virtue of the fact he was a local Ward Member for the adjacent Golf Green Ward.

Councillor Everett, present in the public gallery had earlier declared an interest in relation to Planning Application 16/00208/OUT by virtue of the fact he was a local Ward Member.

Councillor Newton, present in the public gallery had earlier declared an interest in relation to Planning Application 16/00208/OUT by virtue of the fact she was a 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 Senior Planning Officer (SE) in respect of the application.

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

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

Paul Derry, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Bennison, seconded by Councillor Raby 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 reason:

- Loss of local Green Gap / Coalescence (Adverse impacts outweigh the benefits).

21. PLANNING APPLICATION – 16/00209/OUT - LAND NORTH OF RUSH GREEN ROAD, CLACTON-ON-SEA CO16 8BQ

It was reported that this application had been referred to Planning Committee by Officers as it represented a departure from the Adopted Development Plan being located outside

the settlement development boundary and also at the request of Councillor Everett, a local Ward Member.

Councillor Raby had earlier declared an interest in relation to Planning Application 16/00209/OUT by virtue of the fact he was a local Ward Member for the adjacent Golf Green Ward.

Councillor Everett, present in the public gallery, had earlier declared an interest in relation to Planning Application 16/00209/OUT by virtue of the fact he was a local Ward Member.

Councillor Newton, present in the public gallery, had earlier declared an interest in relation to Planning Application 16/00209/OUT by virtue of the fact she was a 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 Senior Planning Officer (SE) in respect of the application.

Councillors Newton and Everett, the local Ward Members, asked the Committee to consider their comments made on 16/00208/OUT as also relevant for this application.

Paul Derry, the agent on behalf of the applicant, also confirmed he did not wish to speak again on this application but the Committee agreed to consider his comments made on 16/00208/OUT as also relevant for this application.

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

- Loss of local Green Gap / Coalescence (Adverse impacts outweigh the benefits).

22. PLANNING APPLICATION —16/00223/OUT - LAND REAR OF 21 - 27 MAYES LANE, RAMSEY, HARWICH CO12 5EJ

Councillor Fowler had earlier declared a non-pecuniary interest in relation to Planning Application 16/00223/OUT by virtue of the fact she was a resident of Mayes Lane and knew one of the land owners and a resident of a neighbouring property. Councillor Fowler therefore withdrew from the meeting, whilst the Committee considered the application and reached its decision.

Councillor Howard, present in the public gallery, had earlier declared an interest in relation to Planning Application 16/00223/OUT by virtue of the fact he was the local Ward Member.

It was reported that this application had been referred to the Planning Committee at the request of Councillor Howard, the local Ward Member as it represented a departure from the Development Plan being located outside the Settlement Development Boundary in the adopted Tendring District Local Plan 2007.

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 Planning Officer (SE) in respect of the application.

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

Robert Pomery, the agent on behalf of the applicant, spoke in support of the application.

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

- Contrary to Backland Policy, in terms out of character, harmful precedent (incorporate loss of attractive trees).

23. PLANNING APPLICATION –16/00448/OUT - THE COTTAGE, BROAD LANES, ELMSTEAD, CO7 7HA

Councillor Heaney had earlier declared an interest in relation to Planning Application 16/00448/OUT by virtue of the fact she was a local Ward Member. Councillor Heaney also stated that she had referred this application to the Committee at the request of Elmstead Parish Council and that the Officer's report in paragraph 1.1 was factually incorrect as she had not indicated any view as to the appropriateness of the development and was therefore not pre-determined in any way.

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 Senior Planning Officer (SE) in respect of the application.

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

- (1) An additional letter from the Applicant's Agent Joseph Greenhow; and
- (2) Clarification of Councillor Heaney's reason for calling in this application.

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

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

- 1) The proposal 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.
- 2) The development would necessitate the removal of a large section of roadside hedging to facilitate highway visibility requirements. The removal of this area of hedgerow, which runs along the northern boundary of the plot and around its perimeter as it turns to the south, would erode the rural character of the lane to its significant detriment.

24. PLANNING APPLICATION - 15/00984/FUL - GREAT HOLLAND NURSERIES, CHURCH LANE, GREAT HOLLAND CO13 0JS

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

Councillor Bucke, present in the public gallery, had earlier declared an interest in relation to Planning Application 15/00984/FUL by virtue of the fact he was a 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 Senior Planning Officer (SE) in respect of the application.

Robert Caines, a local resident, spoke against the application.

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

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

Following discussion by the Committee, it was moved by Councillor Gray, 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 following Conditions:

- 1) Time Limit (3 Years)
- 2) Details of Materials
- 3) Landscaping Scheme
- 4) Implementation of Landscaping Scheme
- 5) Boundary Details (Fencing/Walls)
- 6) Access width of 5.5m with dropped kerb
- 7) No unbound materials in first 6m of access
- 8) Provision of Pedestrian Visibility Splays (1.5m x 1.5m)
- 9) Parking and Turning Area provided prior to occupation
- 10) Gates inward opening / set back 6m
- 11) Communal Refuse Point
- 12) Construction Method Statement
- 13) Resurfacing of Footpath / Vegetation Clearance along footpath (1.5m wide and 2m in height)
- 14) Timing of vegetation clearance
- 15) Lighting details
- 16) Biodiversity mitigation and enhancement provision
- 17) Accordance with tree/hedge protection plan (no dig construction in RPA's of Trees)
- 18) Removal of PD rights for fencing, walls and means of enclosure on the southern boundary of the site
- 19) Removal of PD rights for extensions/outbuildings
- 20) Approved Plans

a) That the following informative be sent to the applicant:

- Native species within landscaping measures.

25. PLANNING APPLICATION –16/00592/FUL – 7 COUNCIL HOUSES PLOUGH ROAD GREAT BENTLEY CO7 8LG

It was reported that this application had been referred to Planning Committee as the applicant was Tendring District Council.

Councillor McWilliams had earlier declared an interest in relation to Planning Application 16/00592/FUL by virtue of the fact she 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 Senior Planning Manager (SE) in respect of the application.

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

- 1) Time Limit
- 2) Access to be constructed to width of 3.7 metres and provided with an appropriate dropped kerb crossing.
- 3) No unbound materials throughout
- 4) Parking spaces/Vehicular hardstanding shall be constructed a minimum of 6 metres by 3 metres.

26. PLANNING APPEALS 2015/16

The Committee had before it the yearly report of the Head of Planning which detailed the planning appeals received/determined in the period 1 April 2015 to 31 March 2016.

An update sheet was circulated to the Committee prior to the meeting with details of an appeal decision for Land South of Cockaynes Lane, Alresford.

The Council's Head of Planning (Cath Bicknell) informed Members that two training sessions would take place for Appeals and Highways planning matters and that dates would be sent out in September.

Having considered the report it was duly RESOLVED unanimously by the Committee that the contents of the report be noted.

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

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

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

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

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

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

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

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

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

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

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

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

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

(i) Conditions:

- 1) Details of the appearance, access, layout, scale and landscaping (the reserved matters)
- 2) Application for approval of the reserved matters to be made within three years
- 3) The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters
- 4) Development to contain up to 20 dwellings
- 5) Details of materials
- 6) Hard and soft landscaping
- 7) All hard and soft landscaping implementation
- 8) Development constructed in accordance with details contained within the Tree Report
- 9) Landscaping – Five year clause
- 10) Landscape/Public open space management plan
- 11) Ecological mitigation scheme and management plan
- 12) Details of boundary treatments
- 13) Details of refuse storage/collection points
- 14) Archaeology investigative and report works
- 15) Site lighting strategy
- 16) Construction Method Statement, including details of hours of operation during construction.
- 17) Parking in line with adopted Parking Standards
- 18) Details of a surface water drainage scheme, including surface water swales
- 19) Footpath works to the north of the site
- 20) Detailed assessment of ground conditions of the land proposed for new playing field
- 21) Playing field to be used for outdoor sport and for no other purpose
- 22) Pitch shall be constructed and laid out in accordance with the standards and methodologies set out in the guidance note Natural Turf for Sport
- 23) Details of a management and maintenance scheme for the facility

24) Details of a community use scheme to be applied to the playing fields and community hall

25) Contamination investigation

26) Details of wheel cleaning facility

27) Prior to commencement of development, details of the following to be submitted and approved:

- Upgrading of the two bus stops in the vicinity of the Colchester Road/Church Road/Clacton Road/School Road junction to current Highway Authority specification which may include but shall not be limited to real time passenger information

- Possible improvements at and in the vicinity of the Colchester Road/Church Road/Clacton Road/School Road junction

28) No occupation of the development until the following have been provided or completed:

- A priority junction off Church Road to include as a minimum 2no. 6 metre kerbed radii, 1no. footway and a 43 x 2.4 x 43 metre visibility splay

- A minimum 4.8 metre wide carriageway in Church Road between the proposal site access and the private access located immediately south of 43, Church Road

- Two new sections of minimum 1.5 metre wide footway along Church Road between the proposal site access and the private access located immediately south of 43, Church Road

- The agreed details for upgrading of the two bus stops in the vicinity of the Colchester Road/Church Road/Clacton Road/School Road junction

- The agreed details of improvements at and in the vicinity of the Colchester Road/Church Road/Clacton Road/School Road junction

29) Scheme to provide renewable energy and energy and water efficiency technologies to be used.

30) Layout and Phasing Plan and Programme

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

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

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

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

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

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

Conditions:

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

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

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

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

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

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

Following discussion by the Committee, it was moved by Councillor Watson, seconded by Councillor Raby and RESOLVED that consideration of the application be DEFERRED in order to allow the Officers to hold discussions with the applicant and Essex County Council Highways and Transportation Department on the proposed point of access with a view to addressing concerns relating to headlights shining into the front room of No. 21 The Sheltons.

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

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

31. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

There were none.

32. 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.

33. 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.

34. URGENT MATTERS FOR DEBATE

There were none on this occasion.

35. URGENT MATTERS FOR DEBATE

There were none on this occasion.

Chairman