

PLANNING COMMITTEE

12 JULY 2016

Present:- Councillors White (Chairman), Heaney (Vice-Chairman), Baker, Bennison, Everett, Fairley, Fowler, Gray (except minutes 33-35), Hones and McWilliams (except minute 32)

Also Present:- Councillors Bucke (except minutes 27–31), Cossens, Davis, Miles (except minutes 33-35), Nicholls (except minutes 27-32 and 38), Parsons (except minutes 33-35 and 37-38), and Turner

In Attendance:- Head of Planning (Cath Bicknell), Head of Governance and Legal Services (Lisa Hastings) (except minutes 33-38), Planning Manager (Gary Guiver), Senior Planning Officer (Susanne Ennos) (except minutes 33-38), Solicitor (Charlotte Parker-Smith) and Committee Services Officer (Katie Sullivan)

The meeting was declared closed at 9.00 pm on Thursday 14 July.

27. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were apologies for absence received from Councillor Hughes (with no substitute).

28. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 14 June 2016, were approved as a correct record and signed by the Chairman.

29. DECLARATIONS OF INTEREST

Councillor McWilliams declared an interest in relation to Planning Application 14/01750/OUT by virtue of the fact she was the local Ward Member and also by virtue of the fact that she was pre-determined.

Councillor Heaney declared an interest in relation to Planning Application 16/00219/OUT by virtue of the fact she was a local Ward Member.

Councillor Turner, present in the public gallery, declared an interest in relation to Planning Applications 16/00031/OUT and 16/00369/FUL by virtue of the fact he was a Frinton and Walton Town Councillor.

Councillor Cossens, present in the public gallery, declared an interest in relation to Planning Application 16/00031/OUT by virtue of the fact he was a local Ward Member for the adjacent Ward.

Councillor Parsons, present in the public gallery, declared an interest in relation to Planning Application 15/01413/FUL by virtue of the fact he was a local Ward Member.

Councillor Davis, present in the public gallery, declared an interest in relation to Planning Application 16/00031/OUT by virtue of the fact she was a local Ward Member.

30. PLANNING APPLICATION - 15/00987/OUT - LAND TO NORTH OF BREAK OF DAY AND NEWLANDS BEAUMONT ROAD, GREAT OAKLEY, CO12 5BD

Members recalled that this application comprising of a proposal for 18 dwellings with

garages, parking and associated works had been originally considered at Planning Committee on 15 December 2015. Members had deferred the application to enable Officers to clarify with the applicant issues relating to any trees to be lost; requirements of a related Section 106 agreement; access arrangements and a Phase 1 Habitat Survey. Since the deferral of the application amended plans had been received together with an updated Tree Survey and a Phase 1 Habitat Survey. The amended plans had now shown the number of dwellings reduced from 18 to 17 and the access had been relocated.

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.

An update sheet was circulated to the Committee prior to the meeting with details of a letter which had been received from a neighbouring resident, Mr Adams.

The Chairman reminded the Committee that only those Members who had considered the application at the meeting held on 15 December 2015 were eligible to consider and decide on the application at this meeting. This was confirmed by the Council's Solicitor (Charlotte Parker-Smith) who then stated the names of those Councillors.

Following discussion by the Committee, it was moved by Councillor Fairley, seconded by Councillor McWilliams and unanimously 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:

- Affordable Housing on-site, and;
- Public open space and play facilities on-site.

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. 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. Details of materials.
5. Hard and soft landscaping.
6. All hard and soft landscaping implementation.
7. Development in accordance with the Tree Survey and Tree Protection measures.
8. Landscaping – Five year clause.
9. Development in accordance with recommendations of Bat Survey.
10. Details of boundary treatments.
11. Construction Method Statement, including details of hours of operation during construction.
12. Parking in accordance with adopted Parking Standards.
13. Details of bellmouth junction with Beaumont Road.
14. Vehicular visibility splays along Beaumont Road.

15. Details any necessary bridging or piping of the drainage ditch/watercourse.
16. Visibility splays for each internal estate road junction.
17. Details of vehicular turning facilities.
18. Provision and Implementation of Residential Travel Information Packs.
19. No unbound materials shall be used in the surface treatment of the proposed residential vehicular accesses within 6m of the highway boundary or proposed highway boundary.
20. Width and details of each individual vehicular access.
21. Width of carriageways.
22. Width of footways.
23. Garages to be sited a minimum of 6 metres from highway boundary.
24. Details of provision for the storage of bicycles for each dwelling.
25. Details of a surface water drainage scheme.
26. Development to contain no more than 17 dwellings.

c) That the Head of Planning be authorised to refuse outline planning permission in the event that such legal agreement has not been completed within the period of six months, as the requirements necessary to make the development acceptable in planning terms had not been secured through Section 106 planning obligation, contrary to saved policies HG4, COM6, COM26 and QL12 of the Tendring District Local Plan (2007) and draft policies SD7, PEO22 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. PLANNING APPLICATION - 15/01413/FUL – CLAY HALL, WYNDHAM CRESCENT, CLACTON-ON-SEA, CO15 6LG

Councillor Parsons, present in the public gallery, had earlier declared an interest in relation to Planning Application 15/01413/FUL by virtue of the fact he was a local Ward Member.

Members recalled that this application had been withdrawn from the Planning Committee agenda on 2 February 2016 by the Chairman of the Planning Committee, in consultation with the Head of Planning, in order to address the late submission of objections relating to biodiversity issues.

Members were reminded that this application had been referred to the Planning Committee in accordance with the Council's Constitution as the proposed development was "in respect of Council owned land".

It was reported that, since the deferral of the application on 2 February 2016, the applicant had submitted a Preliminary Ecological Appraisal on 7 March 2016; an Interim Bat Survey Report on 1 June 2016; and a Final Bat Survey Report on 12 June 2016.

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 Head of Planning (CB) 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 Heritage England; and
- (2) An email submission from Councillor Colin Sargeant (County Councillor for Clacton East Division).

John Ratford, a local resident, spoke against the application.

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

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

The Head of Governance and Legal Services (Lisa Hastings) responded to points raised in public speaking and discussed the 'Planning Code and Protocol'.

Members were informed by Mrs Hastings that the Council's Solicitor (Charlotte Parker-Smith) who usually advised at Planning Committee meetings would not participate for this particular item as she had worked on the 'Contract of Sale' for Clay Hall.

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

(i) Conditions:

1. Standard time limit of three years to commence development.
2. Provision of the carriageway and footway connection between the proposed development site and Wyndham Crescent in accordance with Drawing Numbered 1303 01.
3. Provision of a turning facility.
4. Construction of vehicular access to a minimum width of 5.5. metres.
5. Provision of communal recycling/bin/refuse collection point within 25m of the highway boundary or adjacent to the highway boundary.
6. All off street car parking in accordance the details contained within the current Parking Standards.
7. The public's rights and ease of passage over Public Footpath No.36 (Gt Clacton) shall be maintained free and unobstructed at all times and a scheme for the surfacing of the path shall be submitted for approval.
8. Submission of Construction Method Statement.
9. Submission of Arboricultural Method Statement and Tree/Root Protection Plan.
10. Submission of Tree Management Plan.
11. Implementation of biodiversity mitigation measures as recommended by the ecological reports – to protect the potential for foraging bats and nesting birds.
12. Implementation of landscape proposals and submission of a Landscape Management Plan.
13. Submission of external lighting; external facing, roofing and hard surfacing materials to be agreed.
14. Submission of boundary treatments to be agreed.
15. Removal of permitted development rights for roof conversions.
16. Submission of detailed surface water strategy.

(b) That an Informative be sent to the applicant informing them that the boundary features should be a wall, not a fence, in line with the Tree Officer's suggestion in the Officer's report.

NOTE: Shortly after the Committee began to discuss the application, a power cut occurred in the village of Weeley that affected the Council Offices. The Committee continued to discuss the application and made their decision. The Chairman then announced that there would be a ten minute break to see if the power would be restored.

Following on from that ten minute break the Chairman announced that as there was a

requirement for the Council to submit evidence by 19 July 2016 to the Planning Inspectorate for the purpose of a Public Inquiry for item A.6 this item would be discussed next and if after that item had been dealt with there was still no power the meeting would stand adjourned until 6.00 p.m. on Thursday 14 July 2016.

32. PLANNING APPLICATION - 14/01750/OUT – LAND AT STATION FIELD,PLOUGH ROAD, GREAT BENTLEY, CO7 8LG

Councillor McWilliams had earlier declared an interest in relation to Planning Application 14/01750/OUT by virtue of the fact she was the local Ward Member and also by virtue of the fact that she was pre-determined. Councillor McWilliams therefore withdrew from the meeting, whilst the Committee considered this item and reached its decision.

Members recalled that this application had been considered by the Planning Committee on 20 October 2015 when it had been resolved to refuse planning permission. In refusing the application the following reasons were given by the Committee:

- 1) Disproportionate scale of development;
- 2) Increased pedestrian movements across the level crossing with no agreed solution;
- 3) Diminishing level of public transport provision (in particular bus services);
- 4) Impact on education provision; and
- 5) Impact on health provision.

It was reported that the refused application was currently the subject of an on-going appeal which was due to be heard at Public Inquiry on 9 August 2016.

On the advice of the Barrister appointed to represent the Council at the Public Inquiry, the Committee's agreement was being sought to withdraw some of the reasons for refusal from the Council's case but to continue to contest the appeal on the remaining reasons.

An addendum report from the Head of Planning had been issued to Members of the Planning Committee prior to the meeting to enable them to consider Counsel's advice on defending the appeal.

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

An update sheet was circulated to the Committee prior to the meeting with details of an extension of time for proofs of evidence.

Following discussion by the Committee, it was moved by Councillor Heaney, seconded by Councillor Hones and unanimously RESOLVED that:

1. The Planning Committee notes the summary of legal advice received from external Counsel;
2. In light of the clear legal advice, the Planning Committee confirms that it does not wish to continue defending Reasons for Refusal 3, 4 and 5 as set out above, nor the aspects of Reason for Refusal 1 that refer specifically to a sustainable, fair and proportionate approach to growth and the 50-dwelling limit on residential developments in Key Rural Service Centres; and
3. That Officers are instructed to work with Counsel to defend the planning appeal on the 'urbanisation' aspect of Reason for Refusal 1 along with the full grounds of Reason for Refusal 2 that relate to the safety of pedestrians crossing the railway line.

NOTE: The Chairman announced that as there was still no power the meeting would stand

adjourned until 6.00 p.m. on Thursday 14 July 2016.

The meeting was declared closed at 7.48 pm.

33. RESUMPTION OF MEETING

Following the adjournment of the meeting on Tuesday 12 July 2016, which had been adjourned due to a power cut affecting the Council Offices, the meeting resumed and considered the following matters:

34. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There was an apology received from Councillor Hughes (with no substitute).

The Chairman apologised on behalf of Councillor Gray who had been delayed, but who was due to arrive imminently.

35. DECLARATIONS OF INTEREST

Members had declared their interests at the meeting on Tuesday 12 July 2016. There were no further interests to be declared at this time. Though Councillor Bucke later declared an interest as detailed under minute 36 below.

36. PLANNING APPLICATION – 16/00031/OUT – TURPINS FARM, ELM TREE AVENUE, KIRBY-LE-SOKEN, CO13 0DA

Councillor Turner, present in the public gallery, had previously declared an interest in relation to Planning Application 16/00031/OUT by virtue of the fact he was a Frinton and Walton Town Councillor.

Councillor Cossens, present in the public gallery, had previously declared an interest in relation to Planning Application 16/00031/OUT by virtue of the fact he was a local Ward Member for the adjacent Ward.

Councillor Davis, present in the public gallery, had previously declared an interest in relation to Planning Application 16/00031/OUT by virtue of the fact she was a local Ward Member.

Councillor Bucke, present in the public gallery, declared an interest in relation to Planning Application 16/00031/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.

A further update sheet had been circulated to the Committee prior to the meeting with details of corrections to the Officer's report.

Alan Eldret, a local resident, spoke against the application.

Town Councillor Nick Turner, representing Frinton and Walton Town Council, spoke against the application.

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

Councillor Cossens, a local Ward Member for the adjacent Holland and Kirby Ward, spoke against the application.

Val Coleby, the agent on behalf of the applicant, spoke in support of the application.

Following discussion, it was moved by Councillor Heaney and seconded by Councillor Hones that the application be refused due to the total housing numbers being too high, which motion on being put to the vote was declared LOST.

It was then moved by Councillor Everett, seconded by Councillor Fairley and RESOLVED that consideration of this application be deferred to enable negotiations to take place with the developer, to reduce the total housing numbers and the density on the basis that the current proposal was too high and not appropriate for this site.

37. PLANNING APPLICATION - 16/00219/OUT - LAND TO THE EAST OF TYE ROAD, ELMSTEAD, CO7 7BB

It was reported that this application had been referred to the Planning Committee as it represented a departure from the Development Plan (being located outside the Settlement Development Boundary) and at the request of Councillor Heaney.

Councillor Heaney, had previously declared an interest in relation to Planning Application 16/00219/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 Head of Planning (CB) in respect of the application.

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

- (1) An amendment to Condition number 25;
- (2) Correspondence from the adjoining landowner;
- (3) An additional Condition;
- (4) An updated email submission from the adjoining landowner; and
- (5) An email submission from the applicants.

David Payne, a local resident, spoke for the application.

Parish Councillor Rob Redding, representing Elmstead Parish Council, spoke against the application.

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

Emma Walker, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Everett, seconded by Councillor Hones and unanimously 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:

- Impact on the character, shape and form of the settlement;
- Illogical intrusion into countryside; and

- Visual impact.

38. PLANNING APPLICATION - 16/00369/FUL - FORMER MARTELLO CARAVAN PARK, KIRBY ROAD, WALTON-ON-THE-NAZE, CO14 8QP

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

Councillor Turner, present in the public gallery, had previously declared an interest in relation to Planning Application 16/00369/FUL by virtue of the fact he was a Frinton and Walton Town Councillor.

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.

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

Jack Goulde, a representative of the applicant, spoke in support of the application.

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

(i) Conditions:

1. Standard 3 year time limit.
2. In accordance with submitted details.
3. Archaeology.
4. Hard and soft landscaping plan/implementation.
5. CCTV / Lighting.
6. Surface water drainage scheme.
7. Foul water strategy.
8. Highways conditions (as recommended by the Highway Authority).
9. Contamination.
10. Car park implementation.
11. Restriction to C2 use.

39. 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.

40. 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).

41. 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

42. 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.

43. 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.

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