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**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON****TUESDAY 16 JULY 2013 AT 6.00 P.M.****IN THE COUNCIL CHAMBER, COUNCIL OFFICES, WEELEY**

**Present:** Councillors Heaney (Chairman), Challinor (Vice-Chairman), Brown, Candy, Fawcett, Howard, McLeod, D Oxley, Simons, Turner and White

**Also Present:** Councillors G V Guglielmi (Planning and Corporate Services Portfolio Holder), Cossens, McWilliams (except items 16 - 20 (part)), Stock and Talbot (except items 24 - 26)

**In Attendance:** Head of Planning (Catherine Bicknell), Planning Development Manager (Clare David), Senior Solicitor (Michael Gibson-Davies), Communications Manager (Nigel Brown), Democratic Services Officer (Janey Nice) (except items 20 (part) - 26) and Democratic Services Officer (Michael Pingram)

**16. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were submitted on behalf of Councillor G L Mitchell with Councillor Turner substituting, and Councillor Johnson with Councillor D Oxley substituting.

**17. MINUTES OF THE LAST MEETING**

The minutes of the meeting of the Committee held on 18 June 2013 be approved as a correct record and signed by the Chairman.

**18. DECLARATIONS OF INTEREST**

Councillor White declared an interest as a ward member in item 13/00360/FUL Land North of Frowick Lane, St Osyth and Councillor Turner declared an interest as a Frinton and Walton Town Councillor in item 13/00200/FUL Elm Todd, Little Clacton Road, Great Holland, Frinton-on-Sea.

**19. PLANNING APPEALS AND APPEALS DECISIONS**

The Committee noted the contents of a report (submitted for information only) which provided details of recent planning appeals and appeal decisions.

**20. PLANNING APPLICATIONS - 12/01411/FUL & 12/01412/ADV - WESTPARK, IPSWICH ROAD, COLCHESTER, ESSEX CO4 9HB**

- 1) Erection of Fast Food Restaurant and Drive-Thru with Associated Access Road, Parking for Cars, Cycles and Motor Cycles, Delivery Bay, Footpaths and Landscaped Areas and Change of Use to A3 and A5.
- 2) Illuminated Projecting Fascia Signage and Applied Signage to Fast Food Restaurant Building. Illuminated Blade Totem Sign Adjacent to Access Road. 2 No. Applied Lettering Signs to Building, 1 No. Applied Logo Vinyl Graphic, 1 No. Blade Totem Sign and 8 No. Site Direction/Information Signs.

In respect of application one above (12/01411/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, together with aerial images of the site.

An update sheet was circulated to the Committee prior to the meeting summarising one further letter of objection.

The following people spoke against the application, namely Mr David Haskell, a local resident, Councillor Stock, as ward member and Councillor Paul Smith, member of Colchester Borough Council for St John's Ward. Mr Christopher Tivey, on behalf of the applicant, spoke in favour of the application.

It was moved by Councillor Candy, seconded by Councillor Turner and:

**RESOLVED** that the application be refused for the following reasons;

- (a) That the application is refused subject first to the Head of Planning consulting with Colchester Borough Council Officers to establish the validity of including a reason for refusal relating to any adverse impact that the proposal would have on the vitality and viability of Colchester Town Centre and that the inclusion or otherwise of this reason is delegated to the Head of Planning
- (b) That subject to the outcome of (a) above the application is refused for the following reasons:
  - Increased traffic generation will have an adverse impact on highway safety by virtue of traffic congestion;
  - The proposal would be out of scale and keeping with the domestic context of the site surroundings;
  - Adverse impact on residential amenity in terms of noise; light; cooking smells; litter and general disturbance;
  - Unsustainable location;
  - Fails to have a positive contribution to the environment contrary to Policy QL11

In respect of application two above (12/01412/ADV), no decision was taken.

## **21. ADJOURNMENT**

The Chairman adjourned the meeting at 7.14 p.m. and it resumed at 7.20 p.m.

## **22. PLANNING APPLICATION - 13/00200/FUL - ELM TODD, LITTLE CLACTON ROAD, GREAT HOLLAND, FRINTON-ON-SEA, CO13 0EX**

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, together with aerial images of the site.

An update sheet was circulated to the Committee prior to the meeting summarising one additional objection received.

Councillor Cossens, a ward member, spoke against the application.

It was moved by Councillor McLeod seconded by Councillor Candy and:

**RESOLVED** that the Head of Planning be authorised to grant planning permission for the development, subject to the following conditions:-

1. Standard three year time limit
2. Approved plans
3. Removal of turbines if not generating energy
4. Landscaping scheme

**23. PLANNING APPLICATION - 12/01312/FUL - ST OSYTH PRIORY, THE BURY, ST OSYTH, CLACTON-ON-SEA, CO16 8NZ**

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, together with aerial images of the site.

Mrs Sonia Grantham as Chairman of St Osyth Parish Council and Councillor Talbot as ward member spoke against the application. Richard Winsborough, on behalf of the applicant spoke in favour of the application.

It was moved by Councillor Candy, seconded by Councillor Howard and:

**RESOLVED** that the Head of Planning be authorised to grant planning permission for the development, subject to the following conditions:-

1. Time Limit for commencement – three years
2. Materials to be used are as detailed within Design and Access Statement
3. Garages to be used only for those purposes incidental to the enjoyment of the dwelling houses within the St Osyth Priory
4. No internal or mezzanine floors to be constructed
5. Phased programme of Archaeological works which includes the need for an archeological dig
6. Landscaping Scheme

**24. PLANNING APPLICATION - 13/00360/FUL - LAND NORTH OF FROWICK LANE, ST OSYTH, CO16 8HJ**

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, together with aerial images of the site.

An update sheet was circulated to the Committee prior to the meeting adding proposed condition 21 as set out below.

Mr Damian Baker spoke on behalf of the applicant in favour of the application.

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

**RESOLVED** that the Head of Planning be authorised to grant planning permission for the development, subject to the following conditions:-

1. Standard time limit for commencement
2. Development to be carried out strictly in accordance with submitted plans
3. Details of height, design and separation of panels to be submitted and approved
4. Details of security fencing and security measures to be submitted and approved
5. No other fencing to be erected
6. Construction Method Statement to be submitted and approved

7. Decommissioning Method Statement to be submitted and approved
8. Landscaping scheme (including implementation)
9. Temporary vehicular access to be constructed as approved
10. Prior to temporary access being brought into use, details of construction and future maintenance of bridging or piping of the drainage ditch/watercourse to be submitted and approved
11. No unbound surface materials to be used in treatment of vehicular access
12. Any gates erected to be inward opening at point of access
13. HGV turning facilities to be provided and maintained within the site
14. Traffic Management Plan to be submitted and approved
15. A scheme of biodiversity enhancement to be submitted and approved
16. Programme of archaeological works to be implemented prior to any works commencing
17. No external lighting (other than as may approved in accordance with security measures)
18. Flood Risk management and surface water drainage proposals to be carried out in accordance with submitted details
19. No construction or decommissioning works outside the hours of 0800-1800 Monday to Friday and 0800-1300 Saturdays without prior written approval
20. Fixed permission for 26 years when the use will cease and all solar panels and ancillary equipment shall be removed from the site in accordance with the Decommissioning Statement (pursuant to 7 above)
21. All ancillary equipment and perimeter security fencing to be painted green in accordance with details to be agreed.

**25. PLANNING APPLICATION - 13/00647/FUL - CHURCHILL COURT, PARKESTON ROAD, DOVERCOURT, CO12 4NU**

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, together with aerial images of the site.

It was moved by Councillor Mcleod, seconded by Councillor D Oxley and:

**RESOLVED** that the Head of Planning be authorised to grant planning permission for the development, following expiry of the site notice on 17 July 2013 subject to the following conditions and to no material objections being received.

**Conditions:**

1. Standard time limit for commencement
2. Development in accordance with submitted plans
3. Details of the layout and proposed equipment of the play area
4. Details of the size, appearance and siting of the CCTV cameras
5. Removal of cameras when no longer required for security purposes
6. Landscaping of Fryatt Avenue/Harcourt Avenue parking area

**26. Any Other Items Which The Chairman Decides Are Urgent**

There were none.

The meeting was declared closed at 8.47 p.m.

**Chairman**