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**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON****TUESDAY 5 NOVEMBER 2013 AT 6.03 P.M.****IN THE COUNCIL CHAMBER, COUNCIL OFFICES, WEELEY**

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

**Also Present:** Councillors Bucke, Casey and Pugh

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

**55. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were submitted on behalf of Councillor G L Mitchell (with Councillor McWilliams substituting), Councillor Simons (with Councillor Turner substituting) and Councillor G V Guglielmi, Portfolio Holder for Planning and Corporate Services.

**56. MINUTES OF THE LAST MEETING**

The minutes of the last meeting of the Committee held on 8 October 2013 were approved as a correct record and signed by the Chairman.

**57. DECLARATIONS OF INTEREST**

Councillor Johnson declared an interest in respect of Planning Application 13/00515/FUL by virtue of the fact she was a Frinton and Walton Town Councillor. Councillor White also declared an interest in this application by virtue of the fact he was a member of the Essex Wildlife Trust.

Councillor Challinor declared an interest in respect of Planning Application 13/00011/TPO by virtue of the fact she was the local Ward Member.

Councillor Turner declared an interest in respect of Planning Application 13/00515/FUL by virtue of the fact he was a Frinton and Walton Town Councillor and also declared an interest in respect of Planning Applications 13/00950/OUT and 13/01027/FUL by virtue of the fact he was the Council's Portfolio Holder with responsibility for beach huts and the crematorium. He informed the Committee that he would take no part in the consideration of those applications except to answer any questions that Members might put to him.

**58. PROVISIONAL TREE PRESERVATION ORDER – 13/00011/TPO – 11 BLAKE DRIVE, CLACTON-ON-SEA, CO16 8ED**

The Committee was requested to determine whether the provisional Tree Preservation Order, made in respect of two oak trees on land within the curtilage of 11 Blake Drive, Clacton-on-Sea, should either be confirmed, confirmed in a modified form or allowed to lapse.

It was moved by Councillor Johnson, seconded by Councillor Howard and **RESOLVED** that the Tree Preservation Order be confirmed without modification.

**59. PLANNING APPLICATION – 13/00515/FUL – LAND AT THE NAZE, OLD HALL LANE, WALTON-ON-THE-NAZE, CO14 8LF**

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 with details of two emails received from Councillor Miles who had requested that the application be deferred.

Mr Roger Evans, a local resident; Mr John Halls, a Frinton and Walton Town Councillor for Walton; Councillor Pugh, as local Ward Member and Mr John Hall, Chief Executive of the Essex Wildlife Trust (the Applicant) spoke in support of the application. Mr David Evans, a local resident, spoke against the application.

It was moved by Councillor Turner and seconded by Councillor Candy that the application be deferred to provide an opportunity for the proposals to be amended with a view to the development applied for making much greater provision for the protection of the Naze (rather than the observation and study of its erosion and destruction by the elements). In seconding the motion, Councillor Candy indicated that, although she supported the development in principle, she considered that it would be beneficial to allow Officers (in consultation with the Chairman, the Vice-Chairman, Planning Portfolio Holder and the two Ward Members) to enter into discussions and negotiations with the Applicant to seek revisions of the application, as had occurred in relation to the replacement storage and starting hut at Manningtree (Minute 6 of the Committee's meeting held on 6 May 2013 refers). The motion on being put to the vote was declared **LOST**.

It was then moved by Councillor Howard and seconded by Councillor Turner that the application be refused as the proposed building would have an adverse impact on the character and appearance of its surroundings by virtue of its scale, mass and design and would also have an adverse visual impact on The Naze Tower (which is a Grade II\* listed building) and its setting. The motion on being put to the vote was declared **LOST**.

It was then moved by Councillor Johnson, seconded by Councillor Brown and:

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

1. In accordance with the submitted drawings
2. Materials (including details of the green roof)
3. Contamination investigation and any necessary remediation measures
4. Details of any external lighting
5. Details of drainage
6. Details of hard and soft landscaping (including the earth mound)
7. Opening hours
8. Provision of parking and drop off areas
9. Highways conditions as listed in the report
10. Archaeological programme of work

**The Committee stood adjourned between 7.58 p.m. and 8.05 p.m.**

**60. PLANNING APPLICATION – 13/00876/FUL – 57 HARWICH ROAD, LAWFORD, MANNINGTREE, CO11 2LP**

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.

Following discussions by the Committee, it was moved by Councillor Howard, seconded by Councillor McLeod 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. Development in accordance with the plans
3. Demolition of existing property within three months of first occupation of proposed dwelling
4. Make good to neighbouring property
5. Landscape scheme
6. Vehicular turning facility to be retained in approved form
7. Parking spaces to be constructed to at least minimum size standards
8. Minimum internal measurements of double garage
9. Details of bicycle storage
10. No development before Construction Method Statement
11. Closure of existing access onto Harwich Road

**61. PLANNING APPLICATION – 13/00950/OUT – WEELEY CREMATORIUM, THORPE ROAD, WEELEY, CO16 9AH**

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 with details of an email objection from Weeley Parish Council stating that the application was ambiguous.

Mrs Carol Bannister, speaking as a Weeley Parish Councillor, said she was generally in favour of the application but did have some concerns.

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. Time limit for commencement – two years after last approved reserved matter
2. Time limit for submission of reserved matters – three years
3. No development until reserved matters approved for access, appearance, layout, landscaping and scale
4. Full noise assessment required
5. Air quality assessment required

NOTE: In accordance with the provisions of Council Procedure Rule 23.5 Councillor Turner required that he be recorded in the minutes as having abstained from voting on the above resolution.

**63. PLANNING APPLICATION - 13/01027/FUL – REDUNDANT SITE ADJACENT BLUE CHALETS, LOWER KINGS PROMENADE, MARINE PARADE WEST, CLACTON-ON-SEA, CO15 5AF**

It was moved by Councillor Candy, seconded by Councillor McWilliams 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 – within three years
2. Development to be carried out fully in accordance with approved plans

NOTE: In accordance with the provisions of Council Procedure Rule 23.5 Councillor Turner required that he be recorded in the minutes as having abstained from voting on the above resolution.

**64. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT**

There were none.

The meeting was declared closed at 8.51 p.m.

**Chairman**