
MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON**TUESDAY 1 APRIL 2014 BEGINNING AT 6.00 P.M.****IN THE COUNCIL CHAMBER, COUNCIL OFFICES, WEELEY**

Present: Councillors Challinor (Chairman), Brown, Fawcett, Johnson, McLeod, Mitchell, Nicholls, Turner, Watling and White.

Also Present: Councillors De-Vaux Balbirnie, Griffiths, McWilliams, D Skeels, M J D Skeels, Talbot and Wood.

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

120. CHAIRMAN OF THE MEETING

In the absence of the Chairman of the Committee (Councillor Heaney) the meeting was chaired by the Vice-Chairman (Councillor Challinor).

121. UPDATE ON PLANNING APPLICATION 14/00101/FUL – BELMANS COURT, DEANES CLOSE, DOVERCOURT, CO12 4JH

The Committee was informed that, following a request at the Planning Committee on 4 March 2014 (Minute number 117) for details to be brought back to the Committee for information only, the cost of painting the air source heat pumps would not be financially viable so the above application had now been approved subject to shrub planting along the whole side boundary to Blacksmith's Lane, Dovercourt.

122. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Broderick, Candy (with Councillor Watling substituting), Heaney (with Councillor Turner substituting), G V Guglielmi (Planning and Corporate Services Portfolio Holder) and Simons (with Councillor Nicholls substituting).

123. MINUTES OF THE LAST MEETING

The minutes of the meeting of the Committee held on 4 March 2014 were approved as a correct record and signed by the Chairman.

124. DECLARATIONS OF INTEREST

Councillor White declared a non-pecuniary interest in Planning Application 13/00997/FUL by virtue of the fact that the applicant was the Senior Vice-President of his Rotary Club and stated that he would leave the room for the duration of the item.

Councillor White declared a non-pecuniary interest in Planning Application 13/01448/OUT by virtue of the fact he was a local Ward Member and also declared that he had received lobbying from both the applicant and the objectors.

Councillor D Skeels declared a disclosable pecuniary interest in Planning Application 14/00106/FUL by virtue of the fact that she was an owner of the land in question and also declared a non-pecuniary interest by virtue of the fact she was a local Ward Member

Councillor M J D Skeels declared a disclosable pecuniary interest in Planning Application 14/00106/FUL by virtue of the fact he was an owner of the land in question.

Councillor Turner declared a non-pecuniary interest in Planning Applications 14/00204/FUL and 14/00130/FUL by virtue of the fact he was the decision maker on the Executive that had led to the applications being submitted and stated that he would abstain from the debate and voting on those items.

Councillor Griffiths declared a non-pecuniary interest in Planning Application 14/00130/FUL by virtue of the fact he was a local Ward Member.

Councillor Wood declared a non-pecuniary interest in Planning Application 14/00130/FUL by virtue of the fact he was a local Ward Member.

125. PLANNING APPLICATION 14/00204/FUL – SEA DEFENCES, MARINE PARADE EAST, CLACTON-ON-SEA, CO15 5AG

The Committee was aware that Councillor Turner had previously declared a non-pecuniary interest in this item, as detailed in Minute 124 above.

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 Development Manager.

Following discussion by the Committee, it was moved by Councillor Watling, seconded by Councillor McLeod and:

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

1. Standard time limit of three years
2. In accordance with the revised drawings to show 22 fishtail groynes
3. Highways conditions requiring a construction management plan
4. Construction Environmental Management Plan/Traffic Management Plan to be agreed including details of compound areas; lighting; waste management; emission control; noise and vibration; and construction traffic routing (where relevant)

The remaining business was considered in the order recorded in these minutes.

126. PLANNING APPLICATION – 14/00130/FUL – WESTERN END OF GREENSWARD, MARINE PARADE WEST, CLACTON-ON-SEA, CO15 1XB

The Committee was aware that Councillors Griffiths, Turner and Wood had previously declared a non-pecuniary interest in this item, as detailed in Minute 124 above.

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 Development Manager.

Councillor Griffiths, as a local Ward Member, spoke on the application.

Following discussion by the Committee, it was moved by Councillor White, seconded by Councillor McLeod and:

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

Conditions:

1. Standard three year time limit for commencement.
2. Development in accordance with submitted plans.

127. PLANNING APPLICATION - 14/00106/FUL - 36 HOLLAND ROAD, LITTLE CLACTON, CO16 9RS

The Committee was aware that Councillor D Skeels had previously declared pecuniary and non-pecuniary interests in this item and that Councillor M J D Skeels had declared a pecuniary interest in this item, as detailed in Minute 124 above. Councillor D Skeels and Councillor M J D Skeels withdrew from the meeting whilst this item was considered.

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

An update sheet was circulated to the Committee prior to the meeting with further details of comments received from the Council's Tree and Landscape Officer.

At the meeting an oral presentation was made by the Council's Planning Development Manager.

Avril Black, a local resident, spoke against the application.

John Cutting, a representative of Little Clacton Parish Council, spoke against the application.

Councillor De-Vaux Balbirnie, a local Ward Member, spoke against the application.

Ron Cross, the agent on behalf of the applicant, spoke in favour of the application.

Following discussion by the Committee, it was moved by Councillor Johnson, seconded by Councillor Watling and:

RESOLVED that the application be deferred to allow for revisions (in consultation with the Chairman, Vice-Chairman and local Ward Members) to the submitted scheme to address the Planning Committee's concerns regarding the over-development of the site. The application was also to be referred back to the Committee.

The Committee stood adjourned between 7.08 p.m. to 7.12 p.m.

128. PLANNING APPLICATION - 14/00189/FUL - FORMER TUDOR LODGE, CLACTON ROAD, WEELEY HEATH, CLACTON-ON-SEA, CO16 9EF

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

An update sheet was circulated to the Committee prior to the meeting with further details of comments received by the Council's Tree and Landscape Officer.

At the meeting an oral presentation was made by the Council's Planning Development Manager.

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

Following discussion by the Committee, it was moved by Councillor Johnson, seconded by Councillor McLeod and **RESOLVED** that:

(a) In respect of Planning Application 14/00189/FUL, the proposed erection of 1 No. detached two-storey dwelling with attached swimming pool complex and barbeque area be approved (subject to the conditions listed in (b) below) but that the proposed erection of a detached triple garage with storage over be refused for the reason set out in (c) below.

(b) **Conditions:**

1. Development in accordance with submitted plans, except those showing the submitted triple garage
2. Use of materials (for dwelling and barbeque building as shown on submitted drawing)
3. Boundary treatment (as previously approved)
4. Hard and Soft Landscaping (as previously approved)
5. Protective fencing for existing trees to be retained during construction works (as previously approved)
6. Driveways and parking areas to be made of porous materials, or direct run-off water to permeable area.
7. Any gates erected to be set back 6m from highway and open inwards.
8. First floor windows on north-west elevation (facing The Towers) marked as obscure glazed on the submitted drawing to be glazed as such prior to occupation of the dwelling, and thereafter retained.
9. Roof covering of swimming pool complex to be Marley Modern concrete interlocking tile, smooth grey colour
10. Roof covering of barbeque building to be natural slate
11. Before the installation of any swimming pool plant equipment, details to be submitted to the local planning authority including acoustic rating required to ensure residential amenities of occupiers of The Towers are not adversely affected.

(c) The erection of the detached triple garage with storage over is refused contrary to the Officers recommendation on the following grounds:-

- The erection of a detached triple garage building with storage over is considered contrary to the National Planning Policy Framework (2012) and saved policy QL11 of the Tendring District Local Plan (2007), and policy SD9 (Part C) of the Tendring District Local Plan Proposed Submission Draft (November 2012).
- The National Planning Policy Framework states decisions should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Saved policy QL11 of the Tendring District Local Plan (2007), and policy SD9 (Part C) of the Tendring District Local Plan Proposed Submission Draft (November 2012), seek to ensure, amongst other things, that all new development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.
- It is considered that the proposed detached triple garage with storage over as shown on drawing no. 1522-55B, by virtue of its scale, height and bulk will have an

overbearing adverse impact on the residential amenities of the neighbouring property at The Towers, thereby contrary to the above mentioned policies.

129. PLANNING APPLICATION - 13/00997/FUL - LAND ADJACENT TO KIMBOLDS, HEATH ROAD, ST OSYTH, CO16 9BP

The Committee was aware that Councillor White had previously declared a non-pecuniary interest in this item, as detailed in Minute 124 above. He then withdrew from the meeting whilst this item was considered.

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

An update sheet was circulated to the Committee prior to the meeting with updated details of an objection received from a member of the public and the Officer response.

At the meeting an oral presentation was made by the Council's Planning Development Manager.

Simon Bourgoyne, a local resident, spoke against the application.

Councillor Talbot, as a local Ward Member, spoke against the application.

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

Following discussion by the Committee, it was moved by Councillor Fawcett, seconded by Councillor Nicholls and:

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

Conditions:

1. Standard time limit
2. Development in accordance with plans
3. Details of surface treatment to be agreed
4. Parking space sizes
5. Inward opening gates
6. Provision of a communal refuse collection point
7. No year round tipi/tent use
8. Only holiday use for all caravan and camping pitches
9. Waste disposal/treatment
10. Restrict number of pitches to those applied for in interest of noise and disturbance and highway safety
11. Lighting scheme to reduce impact on wildlife (inc low UV levels for bats) only to light footpaths, amenity block etc
12. Bat/bird boxes to encourage habitats
13. Protection of hedgerow
14. Landscaping scheme to provide trees/shrubs for habitats
15. Details of entrance barrier
16. Surface and foul water drainage/utilities

The Committee stood adjourned between 8.27 p.m. to 8.33 p.m.

130. PLANNING APPLICATION - 13/01448/OUT - LAND ADJACENT THE OLD COTTAGE DALTES LANE, ST OSYTH, CO16 8RZ

The Committee was aware that Councillor White had previously declared a non-pecuniary interest in this item and that he had received lobbying from both the applicant and the objectors as detailed in Minute 124 above.

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 Development Manager.

Jane Byrne, a local resident, spoke against the application.

Councillor Talbot, a local Ward Member, spoke in favour of the application.

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

Following discussion by the Committee, it was moved by Councillor McLeod, seconded by Councillor Nicholls and:

RESOLVED that the Head of Planning be authorised to grant planning permission for the development contrary to the Officer recommendation subject to:-

(a) A Unilateral Undertaking in accordance with Policies COM6 and PEO22.

(b) **Conditions:**

1. Standard time limits for submission of reserved matters and implementation
2. Highways conditions as listed in the report
3. Submission of material samples
4. Details of root protection measures
5. Level details
6. Details of surface water and foul water drainage

(c) Any other conditions considered necessary by the Head of Planning to make the development acceptable.

(d) Any subsequent reserved matters application to be referred to the Planning Committee.

131. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

There were none.

The meeting was declared closed at 9.11 p.m.

Chairman