

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON  
TUESDAY 27 MAY 2014 BEGINNING AT 6.02 P.M.**

**IN THE COUNCIL CHAMBER, COUNCIL OFFICES, WEELEY**

**Present:** Councillors Heaney (Chairman), Challinor (Vice-Chairman), Broderick, Brown, Casey, Fawcett, Johnson, Mitchell, Simons, Watling and White.

**Also Present:** Councillors Calver, De-Vaux Balbirnie MBE and G V Guglielmi (Portfolio Holder for Planning and Corporate Services).

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

**1. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were submitted on behalf of Councillor McLeod with Councillor Casey substituting.

**2. MINUTES OF THE LAST MEETING**

The minutes of the meeting of the Committee held on 29 April 2014 were approved as a correct record and signed by the Chairman.

**3. DECLARATIONS OF INTEREST**

Councillor White declared a non-pecuniary interest in Planning Application 14/00106/FUL by virtue of the fact the applicant was a member of his rotary club but stated that he intended to stay and take part in the debate.

Councillor Mitchell declared a non-pecuniary interest in Planning Application 14/00429/FUL by virtue of the fact she was a local Ward Member.

Councillor De-Vaux Balbirnie declared a non-pecuniary interest in Planning Application 14/00106/FUL by virtue of the fact he was a local Ward Member.

**4. PLANNING APPLICATION – 14/00106/FUL – 36 HOLLAND ROAD, LITTLE CLACTON, CLACTON-ON-SEA, CO16 9RS**

The Committee was aware that Councillors De-Vaux Balbirnie and White had previously declared non-pecuniary interests in this item, as detailed in Minute 3 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.

An update sheet was circulated to the Committee prior to the meeting with further details of letters received from Little Clacton Parish Council, a petition received that contained 121 signatures and that Members of the Planning Committee and Councillor G V Guglielmi had received letters directly from a local Residents Group.

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, representing 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 support of the application.

During public speaking, Councillor De-Vaux Balbirnie had observed that the applicant was a Tendring District Councillor and asked the Committee to refuse the application and allow the applicant to appeal because the application would then be decided by the Planning Inspector. He went on to say that in that way the process would be transparent.

The Chairman firmly indicated that the Committee had often had Councillors' applications before it and that never before had it been suggested that the Committee was not transparent and went on to say that any such suggestion was roundly rejected. Councillor G V Guglielmi strongly objected to Councillor De-Vaux Balbirnie's comments and asked that this be recorded in the minutes. The Chairman agreed and asked that her comments be minuted also.

Following discussion by the Committee, it was moved by Councillor Simons, seconded by Councillor Brown and:

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

**Conditions:**

- Time Limit for commencement – three years from the date of the decision
- Development in accordance with the plans
- Permitted development rights removed for loft conversions (dormers and roof lights)
- Details of materials and permeable surfacing to hard surfaced areas to be agreed
- External Materials to be agreed
- Hard and Soft Landscaping – including details of the protection of hedgerow and trees during and after construction
- Boundary treatments
- Site Levels
- Demolition and Construction Management Plan
- Surface and foul water drainage scheme to be agreed
- As per Highway Authority recommendations
- As per recommendations in phase 1 habitat survey

**The Committee stood adjourned between 6.55 p.m. to 6.59 p.m.**

**5. PLANNING APPLICATION – 14/00421/FUL – 158 HIGH STREET, HARWICH, CO12 3AT**

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 details of an amendment to suggested planning condition six.

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

Councillor Garry Calver, a local Ward Member, spoke against the application.

Mike McCready, on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor White and seconded by Councillor Watling that planning application 14/00421/FUL be approved, subject to conditions. The motion on being put to the vote was declared **LOST**.

It was then moved by Councillor Watling, seconded by Councillor White and:

**RESOLVED** that the application be deferred to allow Officers the opportunity to clarify the proposed hours of operation and the use of the proposed rear smoking area and that the application be reported back to the Committee at its next meeting.

**6. PLANNING APPLICATION – 14/00429/FUL – 83 MELBOURNE ROAD, CLACTON-ON-SEA, CO15 3JA**

The Committee was aware that Councillor Mitchell had previously declared a non-pecuniary interest in this item, as detailed in Minute 3 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.

It was moved by Councillor Watling, seconded by Councillor Casey 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

**7. PLANNING APPLICATION – 14/00377/FUL – 41 WALDEGRAVE WAY, LAW FORD, CO11 2DT**

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.

It was moved by Councillor Watling, seconded by Councillor Casey 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

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

There were none.

The meeting was declared closed at 7.44 p.m.

**Chairman**