

MINUTES OF THE MEETING OF THE PLANNING COMMITTEE HELD ON

TUESDAY 19 AUGUST 2014 AT 6.00 P.M.

IN THE COUNCIL CHAMBER, COUNCIL OFFICES, WEELEY

Present: Councillors Heaney (Chairman), Challinor (Vice-Chairman), Brown, Johnson, McLeod, Nicholls, Simons, Turner, Watling and White.

Also Present: Councillors Bucke, G V Guglielmi (Portfolio Holder for Planning and Corporate Services) and J Henderson.

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

26. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Fawcett (with Councillor Nicholls substituting), Mitchell (with Councillor Turner substituting) and Scott.

27. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 22 July 2014, were approved as a correct record and signed by the Chairman.

28. DECLARATIONS OF INTEREST

Councillor Johnson declared a non-pecuniary interest in relation to Planning Application 14/00610/OUT by virtue of the fact she was a Frinton-on-Sea Town Councillor.

Councillor Watling declared a non-pecuniary interest in relation to Planning Application 14/00610/OUT by virtue of the fact he was a Frinton-on-Sea Town Councillor.

Councillor Turner declared a non-pecuniary interest in relation to Planning Application 14/00610/OUT by virtue of the fact he was a Frinton-on-Sea Town Councillor.

29. PLANNING APPLICATION 14/00610/OUT – LAND AT THE SHELTONS, KIRBY CROSS, FRINTON-ON-SEA, CO13 0LX

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 additional comment of objection to the proposal from Councillor Bucke.

At the meeting, an oral presentation was made by the Council's Planning Development Manager in respect of the application.

Mrs Denise Peggs, a local resident, spoke against the application.

Mr Peter Le Grys, the Agent on behalf of the Applicant, spoke in support of the application.

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

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

- a) Within three 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 public open space contribution provision; and
- 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 considered appropriate);

(i) Conditions:

- 1. Details of the appearance, landscaping, layout, access and scale, (hereinafter called "the reserved matters")
 - 2. Application for approval of the reserved matters
 - 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. Samples of the materials
 - 5. Hard and soft landscaping including Tree Report
 - 6. All hard and soft landscaping implementation
 - 7. Landscaping - Five year clause
 - 8. As requested by the Highway Authority
 - 9. Boundary treatments
 - 10. Details of Refuse storage/collection areas
 - 11. Permeable surfacing
 - 12. Scheme to provide renewable energy and energy and water efficiency technologies to be used
 - 13. Biodiversity enhancement provision
- c) That the Head of Planning be authorised to refuse outline planning permission in the event that such legal agreement had not been completed within the period of three months, as the requirements necessary to make the development acceptable in planning terms had not been secured through S106 planning obligation, contrary to saved policy COM6 of the Tendring District Local Plan (2007) and draft policy PEO22 of the Tendring District Local Plan Proposed Submission Draft (2012), as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014);
 - d) All reserved matters be brought back to the Committee; and
 - e) An informative to indicate that the position of the access on to The Sheltons be positioned to take account of the road alignment and the residential property immediately opposite and an informative that the Applicant consider the inclusion of a play space within the reserved matters application.

30. PLANNING APPLICATION 14/00757/FUL – 35 PARKESTON ROAD, DOVERCOURT, HARWICH, CO12 4HF

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 in respect of the application.

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

Mr Mahesh Mistry, the Applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Simons, seconded by Councillor Turner 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 and air conditioning specifications.
3. Parking to be maintained free from obstruction at all times for that sole purpose.

31. PLANNING APPLICATION – 14/00486/FUL – MEADOW LANDS, GUTTERIDGE HALL LANE, WEELEY, CO16 9DL

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 a further letter of objection received.

At the meeting, an oral presentation was made by the Council's Planning Development Manager in respect of the application.

Mrs Carol Bannister, on behalf of Weeley Parish Council, spoke against the application.

It was moved by Councillor White, seconded by Councillor Watling 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.
3. Access to be constructed with porous materials
4. Access to be constructed in accordance with submitted plans
5. Provision of vehicular visibility splays
6. Submission of bridging/piping details of ditch
7. Provision of parking bays
8. No public access to site and no sales directly from the land
9. No gates within 8m of the highway and inward opening only
10. Agree materials before work commences

NOTE: The Committee requested that an informative be sent to the Applicant regarding the preferred external material of the facing brick.

32. PLANNING APPLICATION – 14/00800/FUL – 100 CLOES LANE, CLACTON-ON-SEA, CO16 8AG

All Members of the Committee present at the meeting declared a non-pecuniary interest in relation to Planning Application 14/00800/FUL by virtue of the fact the Applicant was a Tendring District 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 Development Manager in respect of the application.

It was moved by Councillor Simons, seconded by Councillor Turner 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.

The meeting was declared closed at 8.06 p.m.

Chairman