
**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE, HELD ON
TUESDAY 3 FEBRUARY 2015, AT 6.03 P.M.
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, WEELEY**

Present: Councillors Heaney (Chairman), Challinor (Vice-Chairman), Brown, Johnson, D R Mayzes, McLeod, Mitchell, Nicholls and White.

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

In Attendance: Head of Planning (Catherine Bicknell), Temporary Senior Development Control Planner (Morne Van Rooyen), Legal Services Manager (Lisa Hastings), Communications and Public Relations Officer (Nigel Brown) and Democratic Services Officer (Michael Pingram).

78. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Fawcett, Scott and Simons (with Councillor D R Mayzes substituting).

79. MINUTES

The minutes of the last meeting of the Committee, held on 6 January 2015, were approved as a correct record and signed by the Chairman.

80. DECLARATIONS OF INTEREST

Councillor Johnson declared a non-pecuniary interest in relation to Planning Application 14/01447/DETAIL by virtue of the fact she was a member of the Frinton and Walton Town Council. She stressed that she would determine the application with an open mind.

Councillor Turner declared a non-pecuniary interest in relation to Planning Application 14/01447/DETAIL by virtue of the fact he was a member of the Frinton and Walton Town Council and also a local Ward Member.

81. PLANNING APPLICATION 12/01262/OUT – OAKWOOD PARK, LAND EAST OF THORPE ROAD, CLACTON-ON-SEA CO15 4TL

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 Head of Planning in respect of the application.

Miss Joanna Jones, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor McLeod and seconded by Councillor Nicholls and **RESOLVED** that the Head of Planning be authorised to grant outline planning permission for the development subject to:-

- a) Within 6 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 the following matters (where required):
- Affordable Housing
 - Education Contribution
 - Provision of Bus Service
- 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 considers appropriate).

(i) Conditions:

1. Details of the appearance, access, layout, scale and landscaping (the reserved matters)
2. Application for approval of the reserved matters to be made within three years
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. Development to contain a maximum of 250 dwellings
5. Development to contain a maximum of 2,273 sqm of B1c floorspace
6. Phasing Plan and Programme
7. Details of materials
8. Development constructed in accordance with details contained within the Tree Report
9. Landscape/Public open space management plan
10. Ecological mitigation scheme and management plan
11. Details of boundary treatments
12. Details of refuse storage/collection points
13. Archaeology investigative and report works
14. Site lighting strategy
15. Sustainability report for reserved matters
16. Construction Method Statement, including details of hours of operation during construction.
17. A minimum of 10% of the site area (gross) (within the residential element of the scheme) to be allocated as public open space
18. Details of a surface water drainage scheme, including surface water swales
19. No dwellings/premises to be occupied until the surface water drainage strategy is carried out
20. Details of a foul water strategy
21. Details of wheel cleaning facility
22. The South and West Roads shown on Indicative Site Plan (or other such roads as shown on any alternative plan) to be provided in accordance with an approved Phasing Plan, and shall be no less than 6.75m wide, and shall extend and abut to the eastern and northern application site boundaries. The west road must have a spur which extends to and abuts the boundary with Oak House Farm.
23. No part of the development other than the employment units shall be accessed by motor vehicles from Fowler Road (except emergency vehicles)
24. Details of engineering solution to prevent motor vehicle access between employment element and residential element of scheme (but that allows access by emergency vehicles)
25. No commencement of development until Fowler Road has been adopted as highway.
26. No commencement of development until details of the following have been approved:
 - On site bus stop locations and specification
 - New and/or improved off-site bus stops
 - On site bus turn round and/or layover facilities (temporary and/or permanent)
 - No occupation of the development until the agreed details have been provided.
27. No occupation of the development until the following have been provided or completed:

- A roundabout in Thorpe Road to provide access to the residential element of the proposal
 - Fowler Road extended in a northerly direction to provide access to the employment element of the proposal. Extension to include a minimum 3 metre wide footway/cycleway into the proposed residential element of the proposal
 - A continuation of the footway/cycleway on the south side of Stephenson Road West to the footway/cycleway on the south side of Centenary Way, west of the Thorpe Road roundabout
 - A residential travel plan
 - Residential travel information packs
- (c) That the Head of Planning be authorised to refuse outline planning permission in the event that such legal agreement has not been completed within the period of 6 months, as the requirements necessary to make the development acceptable in planning terms had not been secured through S106 planning obligation, contrary to saved policies QL2, HG4, COM26 and QL12 of the Tendring District Local Plan (2007) and draft policies SD7 and PEO10 of the Tendring District Local Plan Proposed Submission Draft (2012), as amended by the Tendring District Local Plan: Pre-Submission Focussed Changes (2014).
- (d) That all reserved matters be submitted to the Committee for approval.

82. PLANNING APPLICATION 14/01447/DETAIL – LAND TO THE NORTH OF WITTONWOOD ROAD, FRINTON-ON-SEA CO13 9LB

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 two letters of objection received.

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

Mr Alan Eldret, representing the Frinton Residents Association, spoke against the application.

Councillor Turner, a local Ward Member, spoke against the application.

Mr Michael Smith, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Johnson, seconded by Councillor White and **RESOLVED** that consideration of planning application 14/01447/DETAIL be deferred in order that issues relating to the number of dwellings, contribution to equip the play area and footpaths within the site could be resolved.

The Committee stood adjourned between 7.54 p.m. and 8.02 p.m.

83. PLANNING APPLICATION – 14/00931/FUL – LAND OFF GAINSFORD AVENUE, CLACTON-ON-SEA CO15 5AT

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 updated recommendation, consultation responses to an amended drawing from Sports England and Highways and additional neighbour letters.

At the meeting, an oral presentation was made by the Council's Temporary Senior Development Control Planner in respect of the application.

It was moved by Councillor McLeod, seconded by Councillor Mitchell and **RESOLVED** that the Head of Planning be authorised to grant planning permission for the development subject to:-

- a) Within six months of the date of the Committee's resolution to approve, the satisfactory completion of a Viability Assessment associated legal agreement under the provisions of Section 106 of the Town and County Planning Act 1990 (on such detailed terms as the Head of Planning in their discretion considers appropriate). Then the application will be referred to the National Planning Case Work Unit.

Conditions:

- b) Planning conditions in accordance with those set out below (but with such amendments and additions, if any, to the detailed wording there of as the Head of Planning in their discretion considers appropriate.)
 1. Standard time limit
 2. Development in accordance with submitted plans
 3. Retention of existing hedges and trees
 4. Details of surface water management scheme
 5. Details of primary point of access from Gainsford Avenue in accordance with drawings
 6. Details of primary point of access from Dulwich Road in accordance with drawings
 7. Pedestrian crossing facility (pram crossing only)
 8. Ecological management scheme (Recommendations of Bat Survey)
 9. External facing and roofing materials
 10. Driveway and parking areas hard surfaced, sealed and marked out prior to occupation
 11. Works to be carried out outside bird breeding season
 12. Gates at vehicular access inward opening and recessed min. 6m
 13. Screen walls/fences.
 14. Full method statement for approval by Pollution and Environmental Control.
 15. Hard and soft landscaping
 16. Landscape planting period
 17. Landscape management plan
 18. Existing and proposed site levels
 19. Pedestrian visibility splays
 20. Vehicular visibility splays
 21. No unbound materials within 6m of highway boundary
 22. Estate road junction visibility splay
 23. Turning facility for service and delivery vehicles
 24. Vehicular turning facility for service and delivery vehicles and passenger carrying vehicles
 25. Details of estate roads and footways
 26. Construction of carriageway of estate roads
 27. All off-street parking provided in accordance with adopted standards
 28. Residential Travel Plans
 29. Construction method statement
 30. Details of hardstanding/parking spaces
 31. Details of hardstanding/parking spaces for coaches

32. Public rights and ease of passage over Public Footpath No29 (Gt Clacton) shall be maintained free and unobstructed at all times
 33. Removal of Permitted Development Rights for dormer windows and rooflights.
 34. Scheme for the provision and implementation of water, energy and resource efficiency measures
 35. Driveways and parking areas constructed of porous materials, or provision made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellings
 36. Hours of floodlighting
- c) The Head of Planning be authorised to refuse planning permission in the event that such legal agreement has not been completed within the period of six months, as the requirements necessary to make the development acceptable in planning terms had not been secured though a Section 106 planning obligation, contrary to Saved Policies COM6, HG4, QL12 and COM26 of the Tendring District Local Plan (2007) and Draft Policies SD7, PE010 and PEO22 of the Tendring District local Plan Proposed Submission Draft (2012), as amended by the Tendring District Local Plan – Pre Submission Focussed Changes.(2014).

84. PLANNING APPLICATION – 14/01668/OUT – LAND NORTH EAST OF BETTS GREEN ROAD, LITTLE CLACTON CO16 9NH

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 Temporary Senior Development Control Planner in respect of the application.

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

It was moved by Councillor White, seconded by Councillor Nicholls and **RESOLVED** that the Head of Planning be authorised to grant outline planning permission for the development subject to:-

Conditions:

1. Details of reserved matters
2. Application for approval of the reserved matters
3. Time scales for commencement
4. Construction Method Statement to include:
 - i) the parking of vehicles of site operatives and visitors
 - ii) loading and unloading of plant and materials
 - iii) storage of plant and materials used in constructing the development
 - iv) wheel and under-body washing facilities
 - v) hours of construction
5. Location and design of the proposed private drive
6. Minimum vehicular visibility splays
7. No unbound materials
8. Off street parking details
9. Vehicular turning facility
10. Details of materials
11. Garage details
12. Hard and soft landscaping
13. Detailed Tree Survey and Report
14. Width of carriageways
15. Sewage Management Scheme
16. Ecological management scheme

85. PLANNING APPLICATION – 14/00447/OUT – LAND SOUTH OF STATION ROAD, WRABNESS CO11 2TH

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 Head of Planning in respect of the application.

Mr Richard Colley, Vice-Chairman of Wrabness Parish Council, spoke against the application.

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

Following discussion, it was moved by Councillor McLeod, seconded by Councillor White and **RESOLVED** that the Head of Planning be authorised to grant planning permission subject to completion by Tendring District Council of the legal agreement under Section 106 of the Town and Country Planning Act 1990 within three months, and subject to the conditions detailed in Appendix A of the report.

86. PLANNING APPLICATION – 14/01810/DETAIL – PLOT ONE ROXBURGHE ROAD, WEELEY CO16 9DU

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 two additional letters of support received.

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

Mr John Roberts, agent on behalf of the applicant, spoke in support of the application.

Following discussion, it was moved by Councillor White, seconded by Councillor Mitchell and **RESOLVED** that the Head of Planning be authorised to grant reserved matters approval subject to:-

Conditions:

1. Development to be carried out strictly in accordance with submitted plans
2. Details of hard and soft landscaping to include boundary treatments
3. Parking and turning to be provided prior to occupation and retained thereafter

87. PLANNING APPLICATION – 14/01781/FUL – 9 & 10 WINDMILL VILLAS, WINDMILL ROAD, BRADFIELD CO11 2QR

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 Head of Planning in respect of the application.

Following discussion, it was moved by Councillor Brown, seconded by Councillor Mitchell and **RESOLVED** that the Head of Planning be authorised to grant planning permission subject to:-

Conditions:

1. Standard time limit for commencement of development
2. Development in accordance with approved plans
3. Width and specification of proposed vehicular accesses
4. No unbound materials
5. Construction Method Statement to include:
 - i) the parking of vehicles of site operatives and visitors
 - ii) loading and unloading of plant and materials
 - iii) storage of plant and materials used in constructing the development
 - iv) wheel and under-body washing facilities
 - v) hours of construction

The meeting was declared closed at 9.16 p.m.

Chairman