
**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE, HELD ON TUESDAY 22
MARCH 2016, AT 6.00 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, WEELEY**

Present: Councillors White (Chairman), Heaney (Vice-Chairman), Bennison, Everett, Fairley (except minute 110), Fowler, Hones, McWilliams (except minute 110 (part)), Nicholls, Poonian and Watson

Also Present: Councillor Cossens

In Attendance: Head of Planning Services (Cath Bicknell), Acting Planning Development Manager (Gary Guiver), Communications and Public Relations Manager (Nigel Brown), Senior Planning Officer (Morne Van Rooyen), Senior Planning Officer (Susanne Ennos), Solicitor (Charlotte Parker-Smith), Senior Democratic Services Officer (Ian Ford) and Democratic Services Officer (Katie Sullivan)

106. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were apologies for absence received from Councillor Raby (with Councillor Watson substituting).

107. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 1 March 2016, were approved as a correct record and signed by the Chairman.

108. DECLARATIONS OF INTEREST

Councillor McWilliams declared an interest in relation to Planning Application 15/01820/OUT by virtue of the fact she was the local Ward Member and by virtue of the fact that she was pre-determined.

Councillor Fairley declared a non-pecuniary interest in relation to Planning Application 15/01737/OUT by virtue of the fact she was the local Ward Member.

Councillor Fairley also declared an interest in relation to Planning Application 15/01820/OUT by virtue of the fact that she was pre-determined.

Councillor Cossens, present in the public gallery, declared a non-pecuniary interest in relation to Planning Application 15/01710/OUT by virtue of the fact he was a local Ward Member.

Councillor White declared a non-pecuniary interest in relation to Planning Application 15/01737/OUT by virtue of the fact he knew the applicant.

109. PLANNING APPLICATION - 15/01710/OUT - 171 THORPE ROAD AND LAND TO REAR OF 121-183 THORPE ROAD AND 4-20 CHAPEL LANE, KIRBY CROSS, FRINTON-ON-SEA, CO13 0NH

Councillor Cossens, present in the public gallery, had earlier declared a non-pecuniary interest in relation to Planning Application 15/01710/OUT by virtue of the fact he was a local Ward Member.

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 Senior Planning Officer (MVR) in respect of the application.

Emma Painter, a resident, spoke against the application.

Councillor Cossens, a local Ward member, spoke against the application.

Robert Pomery, the agent on behalf of the applicant, spoke in support of the application.

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

(a) contrary to the Officer's recommendation of approval, the Head of Planning (or equivalent authorised officer) be authorised to refuse planning permission for the development for the following reasons:

- Local Green Gap
- Outside Settlement Development Boundary

(b) should this application be allowed on appeal and a reserved matters application is submitted for this site such application will be submitted to the Committee for its consideration.

(c) the applicant be made aware that the Committee would not wish to see any shared surfaces within any reserved matters application.

110. PLANNING APPLICATION - 15/01820/OUT - LAND WEST OF HECKFORDS ROAD, GREAT BENTLEY, CO7 8RR

Councillor McWilliams had earlier declared an interest in relation to Planning Application 15/01820/OUT by virtue of the fact she was the local Ward Member and also by virtue of the fact that she was pre-determined.

Councillor Fairley had earlier declared an interest in relation to Planning Application 15/01820/OUT by virtue of the fact she was pre-determined. Councillor Fairley therefore withdrew from the meeting, whilst the Committee considered the application and reached its decision.

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 Senior Planning Officer (MVR) in respect of the application.

(1) An update sheet was circulated to the Committee prior to the meeting with details of a letter of objection received from Mr Kirkman together with an Officer response thereto; and

(2) A correction to Paragraph 6.83 of the Officer's report.

Pippa Drew, representing Protect Great Bentley, spoke against the application.

Councillor McWilliams, in her capacity as the local Ward Member, spoke against the application. She then withdrew from the meeting, on the grounds of pre-determination, whilst the Committee considered the application and reached its decision.

Parish Councillor Kevin Plummer, representing Great Bentley Parish Council, spoke against the application.

David Barnes, the agent on behalf of the applicant, spoke in support of the application.

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

- (a) consideration of this application be deferred in order that a meeting can be held on site between the Essex County Council Highways Officer and Committee members to discuss that Officer's recommendation and address the concerns of the Committee.
- (b) should the applicants chose to appeal against non-determination and the appeal is allowed, any subsequent reserved matters application will be referred back to the Committee for its consideration.

111. PLANNING APPLICATION - 15/01737/OUT - LAND SOUTH OF STATION ROAD, WRABNESS, CO11 2TH

Councillor Fairley had earlier declared a non-pecuniary interest in relation to Planning Application 15/01737/OUT by virtue of the fact she was the local Ward Member.

Councillor White had earlier declared a non-pecuniary interest in relation to Planning Application 15/01737/OUT by virtue of the fact he knew the applicant.

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 Senior Planning Officer (SE) in respect of the application.

Parish Councillor Richard Colley, representing Wrabness Parish Council, spoke against the application.

Jim Macaulay, the applicant, spoke in support of the application.

Following discussion by the Committee, It was moved by Councillor Nicholls, seconded by Councillor Watson and **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to grant outline planning permission for the development, subject to:

- a) within six 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:
 - Affordable Housing On-Site Provision;
 - Public Open Space On-Site Provision and maintenance.
- 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 (or the equivalent authorised officer) in their discretion considers 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;
 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. Archaeology investigative and report works;
 14. Biodiversity enhancement provision;
 15. Removal of PD rights for fencing, walls and means of enclosure on the western and southern boundaries of the site;
 16. Details of measures for the control and suppression of dust emission;
 17. A comprehensive site investigation for contaminates or gases;
 18. A full construction method statement for protecting existing residential properties and restricting working hours;
 19. Details of a surface water drainage scheme;
 20. Details of a maintenance plan for the surface water drainage system, and;
 21. Yearly maintenance logs of surface water drainage system;
 22. Limit development to two storeys.
- 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 six months, as the requirements necessary to make the development acceptable in planning terms had not been secured through Section 106 planning obligation, contrary to saved policies HG4 and COM6 of the Tendring District Local Plan (2007) and draft policies PEO10 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).
- d) the applicant be made aware that the Committee would not wish to see any shared surfaces within any reserved matters application.
- e) that any reserved matters application for this development be submitted to the Committee for its consideration.

The meeting was declared closed at 8.46 pm.

Chairman