

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON TUESDAY 11 JULY 2017 AT 6.00 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY**

Present:	Councillors White (Chairman), Heaney (Vice-Chairman), Alexander, Baker, Bennison, Cawthron, Everett, Fairley, Fowler, Hones and McWilliams
Also Present:	Councillors Coley (except minutes 18-21 and 22 part), Griffiths (except minutes 25-28), G V Guglielmi (except minutes 18-21 and 22 part), Land, Scott (except minutes 23-28) and Turner (except minute 28)
In Attendance:	Cath Bicknell (Head of Planning), Charlotte Parker (Solicitor - Property, Planning and Governance), Susanne Ennos (Planning Team Leader) and Katie Sullivan (Committee Services Officer)

18. CHAIRMAN'S OPENING REMARKS

The Chairman (Councillor White) announced that a decision had been made to defer item A.5 (Planning Application 16/00500/OUT – Tamarisk, 19 The Street, Kirby-le-Soken, CO13 0EE) in order to allow Officers to obtain further information and that the application would be reported back to the Committee once that information had been received and assessed. The Chairman confirmed that the information considered necessary was a tree survey report to ensure that the development could be accommodated on the site without resulting in an adverse impact on protected trees on adjacent land and also an ecology survey.

The Chairman also announced that item A.6 (Planning Application 17/00502/FUL – Wittonwood Road, Frinton-on-Sea, CO13 9LB) was a deferred item from the previous meeting of the Committee and that there would therefore be no public speaking for this item.

19. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

20. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 13 June 2017, were approved as a correct record and signed by the Chairman.

21. DECLARATIONS OF INTEREST

Councillor Turner, present in the public gallery, declared an interest in relation to Planning Application 17/00502/FUL by virtue of the fact that he was a local Ward Member and a Frinton and Walton Town Councillor.

Councillor Alexander declared an interest in relation to Planning Application 17/00725/FUL by virtue of the fact that he was a local Ward Member.

Councillor Scott, present in the public gallery, declared an interest in relation to Planning Application 17/00565/DETAIL by virtue of the fact that he was the local Ward Member.

Councillor Land, present in the public gallery, declared an interest in relation to Planning Application 16/00838/OUT by virtue of the fact that he was the local Ward Member.

Councillor Griffiths, present in the public gallery, declared an interest in relation to Planning Application 17/00725/FUL by virtue of the fact that he was a local Ward Member.

22. A.1 - PLANNING APPLICATION - 17/00565/DETAIL - LAND SOUTH OF COCKAYNES LANE, ALRESFORD, CO7 8BZ

It was reported that this application had been referred to the Planning Committee at the request of Councillor Scott, the local Ward Member.

Councillor Scott, present in the public gallery, had earlier declared an interest in relation to Planning Application 17/00565/DETAIL by virtue of the fact that he was the local Ward Member.

The Committee recalled that outline planning permission (14/01823/OUT), with all matters except access reserved, had been refused by Members but had then been allowed at appeal in June 2016. The principle of the development and the means of access had therefore already been approved and the matters for consideration were appearance, landscaping, layout and scale.

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 (CB) in respect of the application.

An update sheet had been circulated to the Committee prior to the meeting with details of:

- (1) Natural England had confirmed that they had no objection;
- (2) Comments received from the Council's Tree Officer; and
- (3) An additional comment which had been received from a neighbour.

Parish Councillor Ernie Osborne, representing Alresford Parish Council, spoke on the application.

Councillor Scott, the local Ward Member, spoke on the application.

Steven Brown, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor McWilliams, seconded by Councillor Fairley and unanimously **RESOLVED** (a) that the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to the following conditions:

1. List of approved plans;

2. Landscaping to be provided within first planting and seeding season following commencement of development;
3. Any landscaping lost within 5 years to be replaced;
4. Boundary treatments to be erected prior to occupation of the dwelling to which they relate;
5. Removal of permitted development rights for dormer windows or rooflights to Plots 11-12, 13-14, 18-19 and 20-21;
6. Tree protection measures during construction;
7. Bollards to be erected at emergency/pedestrian/cycle access prior to occupation; and
8. Details of external lighting.

(b) That a note be sent to the applicant to remind them of the planning conditions attached to the outline planning permission.

23. A.2 - PLANNING APPLICATION - 14/01863/FUL - THE WHITE HART, 9 HIGH STREET, MANNINGTREE, CO11 1AG

It was reported that this application had been referred to the Planning Committee at the request of Councillors Coley and G V Guglielmi, the local Ward Members.

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 Team Leader (SE) in respect of the application.

Town Councillor Ruth Stocks, representing Manningtree Town Council, spoke against the application.

Councillor G V Guglielmi, a local Ward Member, spoke against the application.

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

David Whipps, representing the applicant, spoke in support of the application.

Following discussion by the Committee and advice provided by Officers, it was moved by Councillor Everett, seconded by Councillor Bennison and **RESOLVED** that, contrary to the Officers' recommendation of approval, the Head of Planning (or equivalent authorised officer) be authorised to refuse planning permission for the development due to the following reason:-

- Contrary to Policy ER31 – Impact on Town Centre.

24. A.3 - PLANNING APPLICATION - 17/00725/FUL - WEST COUNTRY HOUSE, CHERRY TREE AVENUE, CLACTON-ON-SEA, CO15 1AR

It was reported that this application had been referred to the Planning Committee at the request of Councillor Griffiths, a local Ward Member.

Councillor Alexander had earlier declared an interest in relation to Planning Application 17/00725/FUL by virtue of the fact that he was a local Ward Member.

Councillor Griffiths, present in the public gallery, had earlier declared an interest in relation to Planning Application 17/00725/FUL by virtue of the fact that 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 Planning Team Leader (SE) in respect of the application.

John Barnsdale, a local resident, spoke against the application.

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

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

Following discussion by the Committee and advice provided by Officers, it was moved by Councillor McWilliams, seconded by Councillor Fowler and **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to the following conditions:

1. Standard time limit for implementation;
2. In accordance with approved plans; and
3. If this consent is implemented the access road as approved by 16/00731 shall not be constructed.

The Committee requested that any further applications for this site should be referred back to it for consideration.

25. A.4 - PLANNING APPLICATION - 17/00567/FUL - STARENA LODGE HOLIDAY PARK, CLACTON ROAD, WEELEY, CO16 9DH

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 (CB) in respect of the application.

An update sheet had been circulated to the Committee prior to the meeting with details of a further representation received from a member of the public.

Carol Bannister, a local resident, spoke against the application.

Parish Councillor Christine Hamilton, representing Weeley Parish Council, spoke against the application.

Following discussion by the Committee and advice provided by Officers, it was moved by Councillor Everett, seconded by Councillor Bennison and unanimously **RESOLVED** that, contrary to the Officers' recommendation of approval, the Head of Planning (or equivalent authorised officer) be authorised to refuse planning permission for the development due to the following reasons:-

- Contrary to Policy ER19 and PP11 – Doesn't propose improvements to whole site/diversify tourist economy.

26. A.5 - PLANNING APPLICATION - 16/00500/OUT - TAMARISK, 19 THE STREET, KIRBY-LE-SOKEN, CO13 0EE

This item had been deferred in accordance with the statement made by the Chairman under minute 18 above.

27. A.6 - PLANNING APPLICATION - 17/00502/FUL - 14F AND 14G WITTONWOOD ROAD, FRINTON-ON-SEA, CO13 9LB

Councillor Turner, present in the public gallery, had earlier declared an interest in relation to Planning Application 17/00502/FUL by virtue of the fact that he was a local Ward Member and a Frinton and Walton Town Councillor.

The Committee recalled that it had previously considered this application on 16 May 2017 following a 'call-in' by Councillor Turner, a local Ward Member, on the basis that the design was inferior to that which had been originally approved and what should have been built.

The resolution of the Committee had been to defer consideration of the application, to allow time for amended plans to be forwarded by the applicant to overcome the concerns expressed, to be reconsidered at the Committee in July 2017, and in the absence of such plans, that permission would be refused.

The Committee was informed that the applicant had taken on-board the matters of concern expressed and had submitted new plans indicating changes to the appearance.

The Committee was reminded that outline planning permission 11/00796/OUT and Reserved Matters Approval 14/01447/DETAIL had been granted on 30 June 2014 and 23 March 2015 respectively.

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 Team Leader (SE) in respect of the application.

An update sheet had been circulated to the Committee prior to the meeting with details of comments received from Frinton and Walton Town Council in relation to the revised plans.

The Chairman had earlier announced that item A.6 (Planning Application 17/00502/FUL – Wittonwood Road, Frinton-on-Sea, CO13 9LB) was a deferred item from the previous meeting of the Committee and so there would be no public speaking for this item.

Following discussion by the Committee, it was moved by Councillor Baker, seconded by Councillor Fairley and unanimously **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to the following conditions:

1. Development in accordance with approved plans; and
2. Parking to be retained.

28. A.7 - PLANNING APPLICATION - 16/00838/OUT - LAND TO SOUTH OF FRINTON ROAD, THORPE LE SOKEN, CO16 0LG

Councillor Land, present in the public gallery, had earlier declared an interest in relation to Planning Application 16/00838/OUT by virtue of the fact that he was the local Ward Member.

The Committee recalled that, at its meeting held on 1 November 2016, it had resolved to refuse outline planning application 16/00838/OUT for the following reasons:

- 1) Highways;
- 2) Heritage/Local Character; and
- 3) Ecology.

The Committee was informed that the application was now the subject of a planning appeal and that Officers had received a letter from the Planning Inspectorate to confirm that the appeal would be dealt with by way of an Informal Hearing scheduled to commence on Tuesday 22 August 2017 and that the Council's statement of case had to be submitted by 12 July 2017.

The Committee was now being asked to review the original grounds for refusal in the light of the latest available information and to agree the case upon which Officers would defend the appeal.

The Committee was reminded that the application had been refused on highways, heritage/local character and ecological grounds at a time when the Council had been unable to demonstrate a five-year supply of deliverable housing sites.

The Committee was aware that the Council could now demonstrate a five-year supply and that the emerging Local Plan had gained greater weight on reaching its publication stage.

The Committee was informed that Officers believed that the Council was now in a reasonable position to contest the appeal on the basis that the proposal was contrary to the Local Plan and that the adverse impact on the character of the area, heritage assets and ecology were not justified and would not be outweighed by the benefit of 49 new homes.

The Committee was made aware of Officers' concerns that the Council would find it difficult to reasonably defend the reason for refusal which had related to highways and

were recommending that this be withdrawn from the case to minimise the risk of an award of costs against the Council.

Following discussion, it was moved by Councillor McWilliams, seconded by Councillor Baker and unanimously **RESOLVED** that the Committee:

- 1) Confirms the withdrawal of reason for refusal 1 in respect of planning application 16/00838/OUT (Outline application for the construction of up to 49 houses together with access roads etc on land south of Frinton Road, Thorpe le Soken) which related to impact on highways; and
- 2) Agrees that the Council's case for the forthcoming appeal should focus on the site's location outside of settlement development boundaries, the achievement of a 5-year supply of deliverable housing sites; the unjustified harm to heritage assets; and adverse impacts on ecology.

The Meeting was declared closed at 9.45 pm

Chairman