

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON WEDNESDAY 29 NOVEMBER 2017 AT 6.03 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY**

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| Present: | Councillors White (Chairman), Heaney (Vice-Chairman) (except minute 71), Alexander, Baker, Bennison, Cawthron, Everett, Fowler, Hones and McWilliams |
| Also Present: | Councillors Bush (except minute 75), Nicholls (except minutes 72-75) and Scott (except minutes 73-75) |
| In Attendance: | Ewan Green (Corporate Director (Planning and Regeneration)), Lisa Hastings (Head of Governance and Legal Services), Nigel Brown (Communications and Public Relations Manager) (except minutes 74-75), Susanne Ennos (Planning Team Leader), Alison Newland (Planning Team Leader) and Katie Sullivan (Committee Services Officer) |

68. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor M Brown (with no substitute).

69. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 31 October 2017, were approved as a correct record and signed by the Chairman.

70. DECLARATIONS OF INTEREST

Councillor Heaney declared an interest in relation to Planning Application 17/00927/DETAIL by virtue of the fact that she was a local Ward Member and by virtue of the fact that she was pre-determined.

Councillor Scott, present in the public gallery, declared an interest in relation to Planning Application 17/00658/DETAIL by virtue of the fact that he was the local Ward Member.

Councillor Nicholls, present in the public gallery, declared an interest in relation to Planning Application 17/00927/DETAIL by virtue of the fact that he was a local Ward Member.

Councillor Bush, present in the public gallery, declared an interest in relation to Planning Application 17/01686/FUL by virtue of the fact that he was the local Ward Member.

71. A.1 - PLANNING APPLICATION - 17/00927/DETAIL - LAND TO THE EAST OF TYE ROAD, ELMSTEAD, CO7 7BB

Councillor Heaney had earlier declared an interest in relation to Planning Application 17/00927/DETAIL by virtue of the fact that she was a local Ward Member and by virtue of the fact that she was pre-determined. Councillor Heaney thereupon withdrew from the meeting, whilst the Committee considered the application and reached its decision.

Councillor Nicholls, present in the public gallery, had earlier declared an interest in relation to Planning Application 17/00927/DETAIL by virtue of the fact that he was a local Ward Member.

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

Members recalled that outline planning application 16/00219/OUT had been granted at appeal in April 2017. The Committee's approval was now sought for the access, which had included a footpath along the western side of Tye Road.

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.

Councillor Fairweather, representing Elmstead Market Parish Council, spoke against the application.

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

Jessica Pratt, a Transport Consultant for the applicant's agent, spoke in support of the application.

Following discussion by the Committee on various matters but mainly relating to highway safety, and advice provided by Officers, it was moved by Councillor Baker, seconded by Councillor Everett and **RESOLVED** that consideration of this application be deferred for the following reasons:

1. The Committee did not have enough information before them from the Highways Authority to understand their justification for departing from their standard policy of a 2 meters width footpath and reducing to 1.5 meters in this case and request that a site visit be arranged to enable Councillor White (Chairman), Councillor Baker, Councillor Everett and Planning Officers to meet with a representative from the Highways Authority.
2. The Committee would appreciate a re-measurement of the entire width of the footpath to establish if it is the same width, as it was evident that existing hedgerows would be restrictive.

72. A.2 - PLANNING APPLICATION - 17/00658/DETAIL - LAND SOUTH OF ST ANDREWS CLOSE, ALRESFORD, CO7 8BL

Councillor Scott, present in the public gallery, had earlier declared an interest in relation to Planning Application 17/00658/DETAIL by virtue of the fact that he was the local Ward Member.

Members recalled that outline planning application 15/01277/OUT had been approved at Planning Committee on 19 November 2015 and at which time it had been requested that the reserved matters application be brought back to Committee for determination.

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.

Councillor Scott, the local Ward Member, 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 **RESOLVED** that consideration of this application be deferred for the following reasons:

1. To enable further discussions to take place with the Developers in order to address the Committee's concerns over the non-compliant size of the amenity space for the properties intended to be gifted to the Council as the garden spaces should be increased to meet policy standards.
2. An informative at outline stage had requested single storey properties along the boundary of the adjacent school and that had not been taken into account in the reserved matters application. The Committee had legitimate concerns of properties overlooking a school and swimming pool and so the Developer is requested to reconsider single storey properties for plots 23, 24 and 25 whilst maintaining and keeping within the character of the street scene.

73. A.3 - PLANNING APPLICATION - 17/01477/DETAIL - LAND NORTH OF FORMER BETTS FACTORY, IPSWICH ROAD, COLCHESTER, CO4 4HE

Members recalled that outline planning application 15/00932/OUT had been approved at Planning Committee on 22 September 2015 and at which time it had been requested that the reserved matters application be brought back to Committee for determination.

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:

- (1) An amendment to paragraph 1.5 in the report;
- (2) Clarity in regards to condition 2; and
- (3) Comments received from Natural England.

Jen Carroll, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Alexander, seconded by Councillor Baker 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. In accordance with approved plans; and
2. Open Space to be provided prior to first occupation.

74. A.4 - PLANNING APPLICATION - 17/01686/FUL - 3 SKIGHAUGH, CLACTON ROAD, STONES GREEN, CO12 5BY

Councillor Bush, present in the public gallery, had earlier declared an interest in relation to Planning Application 17/01686/FUL by virtue of the fact that he was the local Ward Member.

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

Members recalled that planning application 16/01346/FUL had been refused for the demolition of the existing semi-detached property and the erection of a replacement detached dwelling, with an extended residential curtilage, due to the significant detrimental visual impact upon the rural character of the surrounding area. The current application had sought permission to part demolish the existing semi-detached properties and replace with a new detached dwelling, whilst also extending the residential curtilage.

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 (AN) in respect of the application.

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

Peter Le Grys, 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 Baker, seconded by Councillor McWilliams and **RESOLVED** that, 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 due to the following reason:-

1. Contrary to Policy HG12 (i) size and scale out of keeping with locality and (ii) not well related and not in proportion to original dwelling.

75. A.5 - PLANNING APPLICATION - 17/01478/FUL - THE NEWSPAPER KIOSK, TOP OF THE PIER GARDEN, MARINE PARADE EAST, CLACTON-ON-SEA, CO15 1QX

It was reported that this application had been referred to the Committee as the application site was owned by Tendring District Council (TDC).

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 (AN) in respect of the application.

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

- (1) Comments received from TDC as the Landlord;
- (2) Comments received from TDC as the operator; and
- (3) An update to the recommendation.

Danny Partridge, the applicant, spoke in support of the application.

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

1. 3 Year Time limit;
2. Approved plans;
3. Details of external materials and details of railings; and
4. Only tables and chairs shall be sited in the seating area and no display of goods for sale without prior written approval.

(b) the following informatives be sent to the applicant:

- Landlord consent is required for the works; and
- Advertisement consent will be required for any advertising signage or art work and that it must be sympathetic to the Conservation Area location.

The meeting was declared closed at 9.07 pm

Chairman