

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON WEDNESDAY 3 JANUARY 2018 AT 6.00 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY**

Present:	Councillors White (Chairman), Heaney (Vice-Chair), Alexander, Baker (except item 81), Bennison, M Brown, Cawthron, Everett, Fowler, Hones and McWilliams
Also Present:	Councillors Pemberton and Scott (items 76 – 79 only)
In Attendance:	Cath Bicknell (Head of Planning), Susanne Ennos (Planning Team Leader)(items 76 - 80 only), Alison Newland (Planning Team Leader (Major Applications)), Charlotte Parker (Solicitor (Property, Planning and Governance)), Ian Ford (Committee Services Manager) and Nigel Brown (Communications and Public Relations Manager)(except items 83 – 85)

76. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were none.

77. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 29 November 2017, were approved as a correct record and signed by the Chairman.

78. DECLARATIONS OF INTEREST

Councillor Baker declared a non-prejudicial interest in Planning Application 17/01527/DETAIL insofar as he was a local Ward Member. He also declared a prejudicial interest in this application insofar as he was a member of Lawford Parish Council which potentially stood to gain from the development of a community building as part of the application.

Councillor White reminded the Committee that he was a member of St Osyth Parish Council but informed Members that he had not been party to the Parish Council's representations in respect of Planning Application 17/00825/OUT and that therefore he was not pre-determined on this application.

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.

79. A.1 - 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 the meeting of the Committee held on 19 November 2015 at which time it had been requested that any related reserved matters application be submitted to the Committee for its determination.

At its meeting on 29 November 2017 the Committee had resolved that this detailed planning application be deferred in order to enable further discussions to take place with the Developers in an effort 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 and for the Developer to reconsider single storey properties for Plots 23, 24 and 25 to also address the Committee's concerns of overlooking of the school and swimming pool.

Members were informed that amended plans had now been received which had amended the garden sizes. Plots 24 and 25 remained two storey in height but that the first floor bedroom window on the rear elevation had been moved to the side elevation, which had resulted in all windows at first floor level being obscure glazed. The garage of Plot 23 had been amended to a gable roof which obscured views towards the school and the window of bedroom 2 had been moved as far to the right as possible in order to reduce the viewing angle.

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 was circulated to the Committee prior to the meeting with details of one further letter of objection.

Following discussion by the Committee, it was moved by Councillor Hones, seconded by Councillor Bennison 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;
- 2 Samples of materials to be submitted and agreed;
- 3 Details of soft landscaping – including access arrangements;
- 4 Landscape to be carried out in first planting and seeding season following commencement of development;
- 5 Any landscaping lost within 5 years to be replaced;
- 6 Details of boundary treatments/enclosures to be submitted and agreed;
- 7 Hours of Construction; and
- 8 Windows at first floor on rear elevations of Plots 24 and 25 to be obscure glazed.

80. A.2 - PLANNING APPLICATION - 17/01318/FUL - LAND AT ROBINSON ROAD, BRIGHTLINGSEA, CO7 0ST

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 was circulated to the Committee prior to the meeting with details of four further letters of objection.

Robert Eburne, 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, whilst accepting the principle of the development, consideration of this application be deferred for further discussions and investigations to take place between the Officers and the applicant with regards to:

- (1) the need for an emergence survey for any potential bat roosts on the application site;
- (2) the need for a Phase 2 survey for the potential hibernation of Great Crested Newts on the application site;
- (3) the potential removal of vehicular access from the application site onto Wilfreds Way;
- (4) the proposed removal of the hedgerow along the Robinson Road frontage and the width of that road; and
- (5) the undersized gardens in relation to certain plots within the application site.

81. A.3 - PLANNING APPLICATION - 17/01527/DETAIL - LAND EAST OF BROMLEY ROAD, LAWFORD, CO11 2HS

Councillor Baker had earlier declared a non-prejudicial interest in Planning Application 17/01527/DETAIL insofar as he was a local Ward Member. He had also declared a prejudicial interest in this application insofar as he was a member of Lawford Parish Council which potentially stood to gain from the development of a community building as part of the application. Councillor Baker thereupon withdrew from the meeting, whilst the Committee considered the application and reached its decision.

Members recalled that outline planning permission (with all matters apart from access reserved) had been granted on 13 April 2017 for a mixed development of 360 houses and community facilities/open space on 22.76ha of land to the south of Lawford, under planning application 15/00876/OUT.

Members were informed that the current submission related to phase one of the development, and was for the outstanding reserved matters of scale, layout, appearance and landscaping.

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.

An update sheet was circulated to the Committee prior to the meeting with details of amended plans that had been received on 20 December 2017.

Anthony Merritt, a local resident, spoke against the application.

Steven Rose, the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Hones, seconded by Councillor McWilliams 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;
- 2 Implementation of landscaping;
- 3-5 Archaeology Conditions re programme of archaeological evaluation;
- 6 Anglian Water condition re drainage strategy; and
- 7 Any conditions as advised by the Highway Authority.

82. A.4 - PLANNING APPLICATION - 17/00825/OUT - LAND NORTH OF 782 TO 828 ST JOHNS ROAD, CLACTON-ON-SEA, CO16 8BS

Councillor White had earlier reminded the Committee that he was a member of St Osyth Parish Council but had informed Members that he had not been party to the Parish Council's representations in respect of Planning Application 17/00825/OUT and that therefore he was not pre-determined on this application.

It was reported that this application had been referred to the Planning Committee at the request of Councillor Whitmore, 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 (AN) in respect of the application.

Ron Cross, planning agent acting on behalf of a local resident, spoke against the application.

Peter LeGrys, 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 Fowler and **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to:

- a) within 6 (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 (where relevant):
 - an Education contribution of £318,402 for primary school transport, plus primary and secondary school place contributions in accordance with the formula set out in the ECC Developers Guide to Infrastructure Contributions;
 - 30% on-site affordable housing;
 - a NHS financial contribution of £29,187;

- provision of on-site open space and (if they wish to transfer to the Council) a commuted sum for maintenance of public open space for twenty years.
- 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. Reserved matters standard conditions
 2. Accordance with approved plans
 3. Construction method statement
 4. Vehicular visibility splays of 2.4m x 120m
 5. No unbound materials within 6 metres of the highway boundary
 6. Residential Travel Information Packs
 7. Provision of bus stop improvements to the two closest bus stops
 8. Access road and 2 x 2 metre wide footways to be provided prior to occupation
 9. No vehicular access from the application site onto Earls Hall Drive
 10. Archaeological trial trenching
 11. Completion of archaeological fieldwork
 12. Post-excavation archaeological assessment
 13. Phase 2 Intrusive Investigation, remediation strategy, verification plan and report, long-term monitoring and maintenance plan, and unsuspected contamination.
 14. Detailed surface water drainage scheme
 15. scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution
 16. Maintenance Plan for surface water drainage system
 17. Yearly logs of maintenance
 18. Recommendations of Preliminary Ecological Assessment
 19. Approval of any street lighting
- c) that the Head of Planning (or the equivalent authorised officer) be authorised to refuse planning permission in the event that such legal agreement has not been completed within the period of 6 (six) months, as the requirements necessary to make the development acceptable in planning terms had not been secured through a Section 106 planning obligation.
- d) that any future reserved matters application(s) arising from this planning approval be submitted to the Committee for its determination.

83. A.5 - PLANNING APPLICATION - 17/01811/OUT - MICHAELSTOWE FARM, RAMSEY ROAD, RAMSEY, CO12 5EW

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 updated comments received from Building Control.

Following discussion by the Committee, it was moved by Councillor Hones and seconded by Councillor Cawthron 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 reasons:-

"The Council can demonstrate a five year housing supply and the application site lies outside the settlement boundary and is therefore contrary to the development plan."

Councillor Hones' motion on being put to the vote was declared LOST.

It was then moved by Councillor Fowler, seconded by Councillor McWilliams and **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to:

- a) within 6 (six) months of the date of the Committee's resolution to approve, the completion of a Unilateral Undertaking under the provisions of section 106 of the Town and Country Planning Act 1990 dealing with the following matter(s) (where relevant):
 - On-site or off-site open space/play equipment.
- 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. Standard conditions for submission of reserved matters and time limit for commencement.
 2. Visibility Splays (2.4m x 90m in both directions).
 3. Parking/turning areas provided prior to first occupation of dwellings.
 4. No unbound materials in first 6m of access.
 5. Carriageway/Estate Road/Footways construction timings.
 6. 500mm overhang strip provided adjacent to carriageway.
 7. Parking/Garage dimensions in accord with parking standards.
 8. Residential Travel Information Packs.
 9. Ecological mitigation/enhancement plan.
 10. Surface water drainage/foul drainage scheme.
 11. Hard and soft landscaping plan/implementation.
 12. Details of refuse storage/collection points.
 13. Archaeology – Historic Building Recording & Field Evaluation.
 - (c) that the Head of Planning (or the equivalent authorised officer) be authorised to refuse planning permission in the event that such legal agreement has not been

completed within the period of 6 (six) months, as the requirements necessary to make the development acceptable in planning terms had not been secured through a Section 106 planning obligation.

- (d) that any future reserved matters application(s) arising from this planning approval be submitted to the Committee for its determination.

84. A.6 - PLANNING APPLICATION - 17/01840/OUT - 98 JAYWICK LANE, CLACTON-ON-SEA, CO16 8BB

It was reported that this application had been referred to the Planning Committee at the request of Councillor Whitmore, a local Ward Member and Councillor Pemberton, an adjacent 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 Head of Planning in respect of the application.

Following discussion by the Committee, it was moved by Councillor McWilliams, seconded by Councillor Heaney 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 reasons:-

- Contrary to Policy HG13 (III) (V) and (VII) and Policy LP8 B, D and F.

85. A.7 - PLANNING APPLICATION - 17/01790/FUL - THE GROVE FLATS, GROVE AVENUE, WALTON-ON-THE-NAZE, CO14 8QX

It was reported that this application had been referred to the Committee as the applicant was Tendring District Council.

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.

Following discussion by the Committee, it was moved by Councillor Alexander, seconded by Councillor McWilliams 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. Time Limit;
2. Approved plans;
3. Lighting scheme details;
4. Positioning and shielding of light source from floodlighting;
5. Surfacing of vehicle parking area;

6. Multi-use games area not to be used for any pre-arranged competitive matches;
7. Construction method statement; and
8. Floodlights shall not be used during the hours of 9pm and 8am the following day.

The meeting was declared closed at 9.15 pm

Chairman