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**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,  
HELD ON TUESDAY, 6TH MARCH, 2018 AT 6.00 PM  
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY,  
CO16 9AJ**

<b>Present:</b>	Councillors White (Chairman), Alexander, Baker, Bennison, M Brown, Everett, Fowler, Hones and Turner (except item 97 (part))
<b>Also Present:</b>	Councillors Bray, Nicholls (except items 99 - 101) and Scott (items 92 – 95 only)
<b>In Attendance:</b>	Cath Bicknell (Head of Planning), Ian Ford (Committee Services Manager), Charlotte Parker (Solicitor (Property, Planning and Governance)) and Susanne Ennos (Planning Team Leader)

**92. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were apologies for absence received from Councillors Cawthron (with no substitute), Heaney (with no substitute) and McWilliams (with Councillor Turner substituting).

**93. MINUTES OF THE LAST MEETING**

The minutes of the last meeting of the Committee, held on 30 January 2018, were approved as a correct record and signed by the Chairman.

**94. DECLARATIONS OF INTEREST**

Councillor White, in relation to Planning Application 17/02080/DETAIL, declared that he was a former Trustee of St Osyth Beach Estate Ltd who was the applicant. However, in the light of the fact that it was two years since he had resigned as a Trustee he confirmed that he was not pre-determined on this application.

Councillor Turner, in relation to Planning Application 17/01286/FUL, declared that he was pre-determined on this application. He stated that he would speak on the application as a member of Frinton and Walton Town Council and as an adjacent Ward Member but he that would then withdraw from the meeting whilst the Committee deliberated on the Application and reached its decision.

Councillor Alexander, in relation to Planning Application 17/02143/FUL, queried whether he needed to declare an interest insofar as he was a member of the same political party. The Solicitor (Charlotte Parker) informed Councillor Alexander that membership of the same political party did not automatically mean that a Member had an interest and he needed to consider whether there was a strong personal relationship involved.

Councillor M Brown, in relation to Planning Applications 17/02080/DETAIL and 17/01955/OUT, declared an interest insofar as he was a member of Weeley Parish Council who had made representations on those applications. He stated that he would not take part in the deliberations or decision making of either application.

Councillor Nicholls, who was present in the public gallery, declared an interest in relation to Planning Application 17/00927/DETAIL insofar as he was a local Ward Member.

Councillor Bray, who was present in the public gallery, declared an interest in relation to Planning Applications 17/02080/DETAIL and 19/01955/OUT insofar as he was a local Ward Member.

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

Councillor Nicholls, who was present in the public gallery, had earlier in the meeting declared an interest in relation to this Planning Application insofar as he was a local Ward Member.

Members recalled that this application had been deferred at Planning Committee on 29 November 2017 as the Committee had considered that they did not have enough information from the Highways Authority to justify departing from their standard policy of a 2 metre wide footpath and reducing to 1.5 metres. At that meeting it was requested that a site visit be arranged to enable Councillors White, Baker, Everett and Planning Officers to meet with a representative from the Highways Authority. Furthermore, the Committee had requested the re-measurement of the entire width of the footpath in order to establish if it was the same width, as it was evident that existing hedgerows would be restrictive.

Members were informed that the requested meeting had taken place on 10 January 2018 and following the site visit, further information had been provided by Essex County Council Highways who had reaffirmed their position of no objection.

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

An update sheet was circulated to the Committee prior to the meeting with details of a correction to the wording of paragraph 6.14 contained in the Officers' report.

The Chairman reminded the Committee that only those Members who had considered the application at the meeting held on 29 November 2017 were eligible to consider and decide on the application at this meeting.

Following discussion by the Committee, it was moved by Councillor Everett, seconded by Councillor Alexander 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. In accordance with approved plans; and
2. No development shall commence until the footpath and highways works as shown on Drawing No. S161/216 Rev. C have been provided (entirely at the developer's expense).

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

Members recalled that this application had been deferred at Planning Committee on 3 January 2018, to enable further discussions and investigations to take place between Officers and the applicant with regards to the following:

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

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 additional letter of representation that had been received.

The Chairman reminded the Committee that only those Members who had considered the application at the meeting held on 3 January 2018 were eligible to consider and decide on the application at this meeting.

Following discussion by the Committee, it was moved by Councillor Alexander, seconded by Councillor Bennison and **RESOLVED** that the Head of Planning (or equivalent authorised officer) 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 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):
  - Open Space – Transfer of land and future maintenance contribution or setting up of management company
  - Financial Contribution towards play space (£60,035.63)
  - Education contribution toward early years and childcare; primary and secondary education
  - 6 no. gifted dwellings for affordable housing
  - Financial contribution of £39,905 towards healthcare provision
- 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).

Conditions:

1. Standard 3 year time limit for commencement;
  2. Accordance with approved plans;
  3. No work to take place until a detail surface water drainage scheme has been agreed;
  4. No work to take place until a scheme to minimise risk of off-site flooding during construction has been agreed;
  5. No work to take place until a surface water drainage system maintenance plan has been agreed;
  6. Maintain yearly logs of the agreed surface water drainage system maintenance plan;
  7. Development to be carried out in accordance with the mitigation measures set out in the Ecological Assessment and Habitats Regulations Assessment Screening Report;
  8. An Ecological Mitigation and Management Plan to be submitted and agreed;
  9. Submission of an Environmental Construction Management Plan to be agreed;
  10. Removal of permitted development rights for loft conversions on all plots;
  11. Landscaping to be carried out;
  12. Broadband Condition;
  13. Hours of Construction;
  14. Vehicular Visibility;
  15. Vehicular Parking and Turning to be provided in accordance with submitted plans;
  16. No unbound materials within 6 metres of a highway boundary;
  17. Details showing the means to prevent discharge of surface water onto the highway;
  18. Details of Wheel Cleaning Facilities;
  19. Completion of carriageways and footways;
  20. Provision of Residential Travel Information Packs;
  21. Provision of a footway across the whole Robinson Road frontage at the Developer's expense;
  22. Recent improvement works associated with Phase 1 and the site access upgraded to current policy standards of no less than 5.5 metres in width;
  23. Archaeological Trial Trenching;
  24. Completion of archaeological fieldwork; and
  25. Post-excavation archaeological assessment.
- 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 six months, as the requirements necessary to make the development acceptable in planning terms had not been secured through a Section106 planning obligation.

**97. A.3 - PLANNING APPLICATION - 17/01286/FUL - LAND TO THE SOUTH OF STONE POINT, OLD HALL LANE, WALTON-ON-THE-NAZE, CO14 8LQ**

Councillor Turner had earlier in the meeting declared that he was pre-determined on this application. This was as a result of the fact that he had recently held the office of the Council's Portfolio Holder with responsibility for coastal protection and that he had assisted in putting the planning application and project together.

It was reported that this application had been referred to the Planning 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 Head of Planning (CB) in respect of the application.

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

- (1) Comments and informal comments received from Natural England; and
- (2) An amendment to the site plan.

Councillor Turner, representing Frinton and Walton Town Council and a local Ward Member for an adjacent Ward, spoke in favour of the application.

Councillor Turner then withdrew from the meeting whilst the Committee deliberated on the Application and reached its decision.

Following discussion by the Committee, it was moved by Councillor Alexander, seconded by Councillor M Brown 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 3 year time limit for commencement;
2. Accordance with approved plans;
3. Reptile and water vole surveys and any required mitigation to be undertaken prior to commencement of any development/site clearance; and
4. Precautionary approach adopted for all vegetation clearance and soil stripping and to exclude breeding bird season (March to August inclusive) unless prior survey of all vegetation to be removed does not identify any active nests.

**98. A.4 - PLANNING APPLICATION - LAND SOUTH OF THE CREMATORIUM,  
COLCHESTER ROAD, WEELEY, CO16 9JP**

Councillor M Brown, in relation to this Planning Application, had earlier in the meeting declared an interest insofar as he was a member of Weeley Parish Council who had made representations on the application. He did not take part in the deliberations or decision making on this application.

Councillor Bray, who was present in the public gallery, had earlier in the meeting declared an interest in relation to this Planning Application insofar as he was a local Ward Member.

Councillor Turner declared an interest in relation to this application insofar that he had previously held the office of the Council's Portfolio Holder with responsibility for the Weeley Crematorium.

Members recalled that outline planning application 16/00182/OUT had been approved by the Committee at its meeting held on 18 May 2016.

Members were informed that this application had been referred back to the Committee as the original outline application had been approved along with three other housing developments in the Weeley area at the same meeting and that all applications had been submitted by the same applicant.

Members were further informed that at reserved matters stage the other three applications had been referred back to the committee at Members' request and therefore to be consistent the Head of Planning had requested that this application be referred back to the Planning 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 Head of Planning (CB) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of one additional letter of representation that had been received asking a number of questions together with the Officers' responses thereto.

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

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

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

Bethan Roscoe, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Turner, seconded by Councillor Baker 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. All parking areas and garages to be provided prior to first occupation of the dwellings and retained as approved for parking purposes only;
2. Provision of acoustic fencing prior to occupation and retention;
3. Submission of construction method statement which shall include –
  - No work on Saturdays, Sundays, Bank Holidays
  - No external music/radios
  - Parking on site for contractors
4. Accordance with approved plans;
5. Removal of permitted development rights with regard to the means of enclosure.

The Committee also requested that an informative be sent to the applicant requesting that the Construction Method Statement should adhere to the Considerate Constructor Scheme.

**99. A.5 - PLANNING APPLICATION - RAINBOW NURSERIES, 23 COLCHESTER ROAD, WEELEY, CO16 9JT**

Councillor M Brown, in relation to this Planning Application, had earlier in the meeting declared an interest insofar as he was a member of Weeley Parish Council who had made representations on the application. He did not take part in the deliberations or decision making on this application.

Councillor Bray, who was present in the public gallery, had earlier in the meeting declared an interest in relation to this Planning Application insofar as he was a local Ward Member.

It was reported that this application had been referred to the Planning Committee at the request of Councillor Bray, 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.

An update sheet was circulated to the Committee prior to the meeting with details of an additional email of representation received from the Tendring District Ramblers Footpath Secretary.

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

Councillor Bray, 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, it was moved by Councillor Baker, seconded by Councillor Hones and **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to:

- 1 – 3. Submission of Details in relation to access, layout, scale, appearance and landscaping and Time Limit;
4. Single storey only;
5. Details of boundary treatments; and
6. Construction Method Statement considering Public Right of Way impact.

The Committee also requested that an informative be sent to the applicant requesting that the detailed plans include a turning/wider area at the northern part of the access.

**100. A.6 - PLANNING APPLICATION - 17/02143/FUL - WISTERIA COTTAGE, SHOP ROAD, LITTLE BROMLEY, CO11 2PZ**

It was reported that this application had been referred to the Planning Committee as the applicant was an active elected Member of 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 Head of Planning (CB) in respect of the application.

Following discussion by the Committee, it was moved by Councillor Everett, 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. 3 Year Time limit;
2. Approved plans;
3. Vehicular turning facility;
4. No unbound materials in first 6m of access;
5. Any gates at the vehicular access shall be inward opening and set back 6m from the highway;
6. Any gates at the vehicular access shall be inward opening set back 6m from the highway;
7. Details of proposed boundary treatments; and
8. Removal of Permitted Development rights for extensions and dormers.

**101. A.7 - PLANNING APPLICATION - 18/00111/FUL - TENDRING DISTRICT COUNCIL, NORTHBOURNE COUNCIL DEPOT, VISTA ROAD, CLACTON-ON-SEA, CO15 6AY**

It was reported that this application had been referred to the Planning 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 (SE) in respect of the application.

Following discussion by the Committee, it was moved by Councillor Turner, seconded by Councillor Bennison 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. 3 year time limit; and
2. Approved plans condition.

The meeting was declared closed at 9.20 pm

**Chairman**



