

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON WEDNESDAY, 30TH MAY, 2018 AT 6.00 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY,
CO16 9AJ**

Present:	Councillors White (Chairman)(except item 13), Alexander, Baker, Bennison, M Brown, Cawthron, Everett (except items 11 - 12), Fowler, Hones and McWilliams
Also Present:	Councillors Davis, Fairley (items 10 (part) – 12 only), Nicholls, Raby (item 10 only), Talbot and Watson (item 10 only)
In Attendance:	Graham Nourse (Planning Manager), Gary Guiver (Planning Manager)(except items 11 - 14), Ian Ford (Committee Services Manager), Charlotte Parker (Solicitor (Property, Planning and Governance)) and Susanne Chapman-Ennos (Planning Team Leader)

7. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

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

8. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 1 May 2018, were approved as a correct record and signed by the Chairman.

9. DECLARATIONS OF INTEREST

Councillor Everett declared Personal Interests in Planning Applications 18/00428/FUL and 18/00418/FUL insofar as he lived nearby to the application sites. He also declared that he would withdraw from the meeting at the appropriate time and he would not take part in the determining of those applications.

Councillor White declared a Personal Interest in Planning Application 18/00464/FUL insofar as he was a local Ward Member and a member of St Osyth Parish Council (who had objected to the application). He also declared that he was pre-determined on the application and that he would therefore vacate the Chair for this item, speak from the public gallery on the application, withdraw from the Chamber and would not take part in the determining of this application.

10. A.1 - PLANNING APPLICATION - 17/01229/OUT - LAND ADJACENT AND TO THE REAR OF 755 AND 757 ST JOHNS ROAD, CLACTON-ON-SEA, CO16 8BJ

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 (SC-E) in respect of the application.

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

- (1) Officers comments in response to an additional comment received in relation to the public advertisement of the application; and
- (2) a further consultation response received from Essex County Council.

Nicky Parsons, on behalf of the applicant's agent, spoke in support of the application.

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

- 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 and subject to the completion of viability testing):
 - On-site Council Housing/Affordable Housing (the quantum and tenure to be agreed by the Head of Planning following the satisfactory completion of viability testing);
 - Provision of land on-site for a new healthcare facility together with a financial contribution towards its provision. [In the event that the land is not required, the financial contribution will be spent on health facilities elsewhere (to be determined by the NHS);
 - Transfer of new open space, including proposed equipped play areas to the Council or a management company;
 - Land for a new primary school and early years and childcare facility on site with financial contributions towards the provision of those facilities;
 - Financial contributions to create additional secondary school places;
 - New neighbourhood centre;
 - Financial contributions towards off-site ecological mitigation; and
 - Routing of Bus services through the development.
- 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 3 year time limit for submission of first reserved matters application (which can thereafter be submitted in phases to reflect the phasing of the development.
 2. Standard 2 year limit for commencement of development following approval of reserved matters.
 3. Details of appearance, layout, scale and landscaping (the reserved matters).
 4. Layout and phasing plan/programme.
 5. Compliance with approved access plans.
 6. Development to be in accordance with the approved parameters plans.
 7. Development to contain up to (but no more than) 950 dwellings and quantum of non-residential development specified.

8. Highways conditions (as recommended by the Highway Authority) relating to:
 - detailed junction arrangements on St. Johns Road and Jaywick Lane;
 - cycleway/footway across St. Johns Road and Jaywick Lane frontages;
 - bus services to be routed through the development;
 - residential travel plans;
 - improvements at existing St. John's Road/Jaywick Lane junction;
 - improvements at the Bockings Elm junction of St. John's Road and Cloes Lane to include the provision of traffic signals or an alternative junction arrangement to be agreed with the Local Planning Authority;
 - improvements to St. John's Road/Peter Bruff Avenue junction;
 - improvements at St. John's roundabout;
 - road safety assessments to be completed for all the above measures;
 - no discharge of surface water onto the highway;
 - wheel cleaning facilities; and
 - car parking spaces and garages.
9. Construction methods statement.
10. Surface water drainage scheme and management arrangements.
11. Foul water drainage strategy.
12. Archaeological assessment/trial trenching.
13. Contaminated land investigation and remediation.
14. Piling restrictions.
15. Details of levels, lighting, boundary treatments, materials and refuse storage/collection points.
16. Hard and soft landscaping plan/implementation.
17. Tree protection measures.
18. Construction Environmental Management Plan.
19. Landscape and ecology mitigation/management plan.
20. Details of dog walking routes (part of ecological mitigation).
21. Broadband connection.
22. Local employment arrangements.
23. Details of water, energy and resource efficiency measures.

- 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, or further period as agreed, as the requirements necessary to make the development acceptable in planning terms had not been secured through a Section 106 planning obligation.

11. A.2 - PLANNING APPLICATION - 18/00428/FUL - LAND ADJACENT 28 ASHLYNS ROAD, FRINTON-ON-SEA, CO13 9EU

Councillor Everett had earlier declared a Personal Interest in Planning Application 18/00428/FUL insofar as he lived nearby to the application site. He therefore withdrew from the meeting and he did not take part in the determination of this application.

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

Councillor Fairley, on behalf of Councillor Turner, a local Ward Member, spoke against the application.

Peter Le Grys, the agent acting on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Bennison, 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:-

- Standard 3 year time limit
- List of approved plans
- Remove Permitted development rights for roof additions, outbuildings and extensions
- Construction method statement
- No unbound material in first 6m of access
- Vehicular parking/garage provided prior to occupation and retained thereafter
- Access to be 3m in width, at right angles to highway and served by dropped kerb
- No discharge of surface water onto the highway
- Details of materials
- Hard/Soft landscaping scheme/implementation

12. **A.3 - PLANNING APPLICATION - 18/00418/FUL – STOCKSFIELD, FIRST AVENUE, FRINTON-ON-SEA, CO13 9EZ**

Councillor Everett had earlier declared a Personal Interest in Planning Application 18/00418/FUL insofar as he lived nearby to the application site. He therefore withdrew from the meeting and he did not take part in the determination of this application.

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

Councillor Fairley, on behalf of Councillor Turner, a local Ward Member, spoke against the application.

Kieran O'Phelan, the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Alexander, 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. Three Year Time Limit
2. Approved Plans

13. **A.4 - PLANNING APPLICATION - 18/00464/FUL - 138 COLNE WAY, POINT CLEAR BAY, ST OSYTH, CO16 8LU**

Councillor White had earlier declared a Personal Interest in Planning Application 18/00464/FUL insofar as he was a local Ward Member and a member of St Osyth Parish Council (who had objected to the application). He had also declared that he was pre-determined on this application and he therefore, at this time, vacated the Chair for this item and retired to the public gallery.

In the absence of the Vice-Chairman of the Committee, it was then moved by Councillor McWilliams, seconded by Councillor Hones and **RESOLVED** that Councillor Baker occupy the Chair for this item only.

It was reported that this application had been referred to the Planning Committee as the applicant was an elected Councillor 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 Planning Manager (GN) in respect of the application.

Councillor White, in his capacity as a local Ward Member, spoke against the application. He then withdrew from the Chamber.

Councillor Talbot, as a local Ward Member, spoke against the application.

Following discussion by the Committee, it was moved by Councillor McWilliams, seconded by Councillor Alexander and **RESOLVED** that consideration of this application be deferred in order to enable the Officers to hold further discussions with the applicant with a view to persuading the applicant to reduce the mass and height of the proposed replacement dwelling.

14. **A.5 - PLANNING APPLICATION - 18/00308/OUT - MARSH FARM COTTAGE, STONEY LANE, BRIGHTLINGSEA, CO7 0SR**

At the request of the Chairman, this item had been deferred prior to the commencement of the meeting as further information was felt to be needed with regard to a habitat study of the site needing to be carried out.

The meeting was declared closed at 8.26 pm

Chairman