

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,  
HELD ON TUESDAY, 24 JULY, 2018 AT 6.00 PM  
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY**

<b>Present:</b>	Councillors White (Chairman), Heaney (Vice-Chairman) (except minutes 29, 34 and 35), Alexander, Baker (except minute 34), Bennison, MBrown, Everett, Fowler, Hones and Turner (except minutes 34 and 35)
<b>Also Present:</b>	Councillors P. Honeywood (except minutes 37-39), Land, Nicholls (except minute 39) and Raby (except minutes 37-39)
<b>In Attendance:</b>	Cath Bicknell (Head of Planning), Graham Nourse (Planning Manager), Susanne Chapman-Ennos (Planning Team Leader) (except minutes 34-39), Alison Newland (Planning Team Leader), Charlotte Parker (Solicitor (Property, Planning and Governance)), Charlotte Cooper (Leadership Support Officer) and Katie Sullivan (Committee Services Officer)

**29. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillor McWilliams (with Councillor Turner substituting) and Councillor Cawthron (with no substitute).

**30. MINUTES OF THE LAST MEETING**

The minutes of the last meeting of the Committee, held on 26 June 2018, were approved as a correct record and signed by the Chairman.

**31. DECLARATIONS OF INTEREST**

Councillor Turner declared that, due to the fact that he was acting as a substitute and was not present at the meetings where Planning Applications 17/02168/OUT, 17/00535/DETAIL and 17/02204/FUL had previously been before the Committee, he would not participate whilst the Committee deliberated on those Applications and reached its decision.

Councillor Baker declared an interest in Planning Application 17/00535/DETAIL, insofar as he was pre-determined. Councillor Baker confirmed that he would withdraw from the meeting whilst the Committee deliberated on the Application and reached its decision.

Councillor Baker also declared that he had been lobbied on Planning Application 17/01845/FUL, however, he was not pre-determined.

Councillor Baker further declared an interest in Planning Application 18/00640/FUL insofar as he was a local Ward Member and a Lawford Parish Councillor, Councillor Baker confirmed that he had not attended the Parish Council meetings regarding those items was not pre-determined.

Councillor Heaney declared that, due to the fact that she was not present at the meeting where Planning Applications 17/00535/DETAIL and 17/02204/FUL were previously before the Committee, she would withdraw from the meeting whilst the Committee deliberated on those Applications and reached its decision.

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32. **QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 37**

There were none.

33. **A.1 - PLANNING APPLICATION - 17/02168/OUT - LAND WEST OF LOW ROAD, DOVERCOURT, CO12 3TR**

Councillor Turner had earlier declared that, due to the fact that he was acting as a substitute and had not been present at the meeting where Planning Application 17/02168/OUT was previously before the Committee, he would not participate whilst the Committee deliberated and reached its decision.

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

Members recalled that this application had been originally considered by the Committee at its meeting held on 28 March 2018. At that meeting Members had deferred the application in order to enable Officers to chase up on all outstanding consultation responses from Consultees, discuss with Highways the possibility of moving the southern access point opposite the existing access and also the possible addition of a roundabout and to discuss with Essex County Council Archaeology the possibility of war graves on 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 (SC-E) in respect of the application.

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

- (1) One further letter received; and
- (2) Amendment to suggested planning conditions.

The Chairman reminded the Committee that only those Members who had considered the application at the meeting held on 28 March 2018 were eligible to consider and vote on the application at this meeting.

Following discussion by the Committee and advice provided by Officers, it was moved by Councillor Everett, seconded by Councillor Alexander and **RESOLVED** that this application be deferred in order for consideration to be given to alternative highway improvements/access.

34. **A.2 - PLANNING APPLICATION - 17/00535/DETAIL - LAND TO THE SOUTH OF LONG ROAD AND TO WEST OF CLACTON ROAD, MISTLEY, CO11 2HN**

Councillor Turner had earlier declared that, due to the fact that he was acting as a substitute and had not been present at the meeting where Planning Application 17/00535/DETAIL was previously before the Committee, he would not participate whilst

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

Councillor Baker had earlier declared an interest in Planning Application 17/00535/DETAIL, insofar as he was pre-determined. Councillor Baker therefore withdrew from the meeting whilst the Committee deliberated on the Application and reached its decision.

Councillor Heaney had earlier declared that, due to the fact that she had not been present at the meeting where Planning Application 17/00535/DETAIL was previously before the Committee she would not participate. Councillor Heaney therefore withdrew from the meeting whilst the Committee deliberated on the Application and reached its decision.

Members recalled that this application had been considered by the Committee at its meeting held on 6 June 2018. At that meeting Members had deferred the application following concerns that the juxtaposition of the proposed dwelling houses with the countryside had not properly addressed the perceived need to soften the transition from countryside to built development, it being considered that this could be achieved by introducing a lower rise (bungalow) development to the most visible parts of the site periphery. It was also considered that a small element of retail should be introduced into the scheme to afford future residents local shopping opportunity.

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.

An update sheet was circulated to the Committee prior to the meeting with details of an amendment to the proposed conditions.

Following discussion by the Committee, it was moved by Councillor Alexander, seconded by Councillor Everett and unanimously **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to grant approval of Phase 1 reserved matters in respect of access, appearance, landscaping, layout and scale for detailed planning permission for 96 residential units and 162 sqm A2 floorspace subject to conditions as set out below.

All other planning conditions are to remain unchanged from the original outline planning permission as amended/superseded by planning permission 17/01537/OUT for Variation of Condition 4 of 15/00761/OUT as well as the completed Section 106 legal agreement to secure education contributions, affordable housing, open space and open space maintenance contribution, healthcare contributions and contributions towards highway improvements to the crossing at Manningtree Station.

Conditions:

1. Development in accordance with outline permission except as modified by this permission.
2. Development to be in accordance with the approved plans.

3. Site levels.
4. Estate Roads and Footway details to be submitted and approved.
5. Estate Roads and Footways implementation and management.
6. Vehicular access to dwellings to be constructed prior to occupation.
7. No loose surfacing to parking areas, shared vehicular courts or vehicular accesses.
8. Landscaping (Hard and Soft) details and Open Space to include 'The Green' and Village Square' details to be submitted and approved.
9. Landscaping (Hard and soft) and Open Space to include 'The Green' and 'Village Square' implementation, management and retention.
10. Lighting details to be submitted and approved.
11. Removal of PD Rights.
12. Obscure glazing to flank wall windows of House Type '4'.
13. A2 Marketing suite to revert to A1 use upon completion of phase 1.

**35. A.3 - PLANNING APPLICATION - 17/02204/FUL - CROWN BUSINESS CENTRE, OLD IPSWICH ROAD, ARDLEIGH, CO7 7QR**

Councillor Turner had earlier declared that, due to the fact that he was acting as a substitute and was not present at the meeting where Planning Application 17/02204/FUL was previously before the Committee, he would not participate whilst the Committee deliberated on the Application and reached its decision. Councillor Turner withdrew from the meeting.

Councillor Heaney had earlier declared that, due to the fact that she was not present at the meeting where Planning Application 17/02204/FUL17 was previously before the Committee she would not participate. Councillor Heaney therefore withdrew from the meeting whilst the Committee deliberated on the Application and reached its decision.

Members recalled that this application had been considered by the Committee at its meeting held on 6 June 2018. At that meeting Members had deferred the application in order to allow the applicant time to re-consider the retention of a mature protected Oak Tree and amendment to the scheme.

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.

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

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. Time limit for commencement.
2. Compliance with plans.
3. Site Levels.
4. Landscape details.

5. Planting and Replacement.
6. Tree protection – Compliance with Report.
7. Landscape Management Plan.
8. Boundary treatment.
9. Highway Improvements Schedule.
10. Construction Method statement.
11. Archaeology Evaluation/Fieldwork/Post excavation Assessment.
12. Suds 1 Surface Water Drainage Scheme.
13. Suds 2 Offsite flooding.
14. Suds 3/4 Maintenance Plan and Monitoring.
15. Artificial Lighting.
16. Materials.
17. Scheme for control of noise emanating from the site.
18. Scheme for access for the disabled.
19. Scheme for Renewable Energy/Energy Conservation.
20. Removal of PD Rights (Industrial buildings).
21. Removal of PD Rights (Offices).
22. No external Storage.
23. Foul Drainage Strategy.

**36. A.4 - PLANNING APPLICATION - 17/01845/FUL - 42 - 46 BROOKLANDS GARDENS, JAYWICK, CO15 2JP**

Councillor Baker had earlier declared that he had been lobbied on Planning Application 17/01845/FUL, however, he was not pre-determined.

It was reported that this application had been referred to the Committee because Jaywick was one of the most deprived areas in the country with many of the existing properties originally built as holiday homes. Most properties were substandard by modern day expectations and were within the high risk flood zone.

Members were aware that the regeneration of Jaywick was one of the Council's top long-term objectives and that the Council had been leading a multi-agency project to explore and deliver improvements in the area to better the quality of life for residents and secure a long-term sustainable future for the community. Part of the strategy for regenerating Jaywick was to actively encourage the redevelopment of the poorest and most vulnerable properties in the area and to introduce a new benchmark for building design that addressed flood risk concerns, improved the quality of accommodation, maximised the enjoyment of Jaywick's assets and inspired property owners and developers to redevelop and remodel other parts of the area.

It was reported that, unfortunately, the scale of development that had been proposed within this application was considered excessive, upsetting the delicate balance of regeneration of the area versus existing residents' amenity.

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 refusal.

At the meeting, an oral presentation was made by the Council's Planning Team Leader (AN) in respect of the application.

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

- (1) An Ecological Assessment provided by the applicant;
- (2) Removal of reason for refusal number 3;
- (3) Aerial photographs submitted by the applicant; and
- (4) An error in the report in relation to the height of the second storey.

Councillor Raby, a local Ward Member, spoke in favour of the application.

Councillor P Honeywood, the Council's Housing Portfolio Holder, spoke in favour of the application.

Following discussion by the Committee, it was moved by Councillor Everett, seconded by Councillor Turner and **RESOLVED** that, contrary to the Officer's recommendation of refusal, the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development because the improvement the development could contribute to the regeneration of Jaywick Sands, supported by the emerging Local Plan, outweighs the concerns regarding overlooking and the development being overbearing in this instance and therefore permission should be granted subject to the following conditions:

1. 3 year time limit
2. Approved plans
3. Recommendations of habitat survey
4. Construction Method Statement
5. Provision of cycle and car parking and ebike charging as shown prior to occupation and retained thereafter
6. No unbound materials
7. Residential travel packs
8. Provision of bin stores as shown prior to occupation and retained thereafter
9. Finished first floor levels to be set no lower than 5.605 metres above Ordnance Datum
10. Development to be carried out in accordance with the submitted FRA and Flood Evacuation Plan (to remain a live document and updated as required)
11. Approval of external materials
12. Approval of privacy screens to both balconies
13. Obscure glazing to living/dining/kitchens at first and second floor rear and side.

**37. A.5 - PLANNING APPLICATION - 18/00876/OUT - RAMSEY WAR MEMORIAL HALL, CHURCH HILL, RAMSEY, CO12 5EX**

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.

Suzanne Howe, the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Baker, seconded by Councillor Hones, and unanimously **RESOLVED** that the Head of Planning (or

equivalent authorised officer) be authorised to grant planning permission for the development, subject to:

1. Outline planning permission time limit for commencement.
2. Reserved matters submission.
3. Construction Management Plan.

Informative: This planning permission is granted in relation to the replacement village hall approved under 16/02070/FUL, and the benefits of providing that community facility outweigh the modest harm to the sites location 400 metres outside the settlement development boundary of the Strategic Urban Settlement of Harwich and Dovercourt.

**38. A.6 - PLANNING APPLICATION - 18/00640/FUL - 168 LONG ROAD, LAWFORD, CO11 2EF**

Councillor Baker had earlier declared an interest in Planning Application 18/00640/FUL insofar as he was a local Ward Member and a Lawford Parish Councillor, Councillor Baker confirmed that he was not pre-determined.

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

Toby Spencer-Campbell, the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor M Brown, 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. Three Year Time Limit.
2. Approved Plans.
3. Ancillary Use to 168 Long Road, Lawford.

**39. A.7 - PLANNING APPLICATION - 18/00781/FUL - LAND ADJACENT LITTLE THATCH MILL LANE, THORPE-LE-SOKEN, CO16 0ED**

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

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

- (1) A representation submitted by a member of the public; and
- (2) An amendment to paragraph 1.1.

Kirstine Hansen, a local resident speaking on behalf of the residents of Mill Lane, spoke against the application.

Councillor Land, the 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 Everett, seconded by Councillor Heaney and unanimously **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:-

- Lack of Habitat Survey.
- Impact on both immediate neighbours.
- Impact on setting of Listed Building.

The meeting was declared closed at 9.08 pm

**Chairman**