

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON TUESDAY, 21ST AUGUST, 2018 AT 6.00 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY,
CO16 9AJ**

Present:	Councillors White (Chairman) (except minute 45), Heaney (Vice-Chair) (except minute 46), Alexander, Baker, Bennison, Everett, Fowler, Hones and McWilliams (except minute 45)
Also Present:	Councillor Joy Broderick (except minutes 42 - 46), Councillor Anne Davis (except minutes 45 - 49), Councillor Ivan Henderson (except minute 49), Councillor Jo Henderson (except minute 49), Councillor Daniel Land (except minutes 45 - 49) and Councillor Mary Newton (except minutes 42 – 46), Councillor Mike Brown (except minutes 45 – 49)
In Attendance:	Cath Bicknell (Head of Planning), Susanne Chapman-Ennos (Planning Team Leader), Graham Nourse (Planning Manager), Gary Guiver (Planning Manager) (except minutes 47 - 49), Charlotte Parker (Solicitor (Property, Planning and Governance)) and Charlotte Cooper (Leadership Support Officer)

40. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Cawthron (with no substitute) and Brown (with no substitute).

41. MINUTES OF THE LAST MEETING

The Committee were made aware of an objection to the minutes of the previous meeting, held on 24 July 2018, the objection was raised by NEEB Holdings Ltd. with respect to the deferment of planning application 17/02168/OUT – Land West of Low Road, Dovercourt, CO12 3TR. The published minutes note that “this application be deferred in order for consideration to be given to alternative highway improvements / access”. NEEB Holdings Ltd. believed the agreed decision was “to allow the planning officer to discuss with the applicant whether they would approach highways to come up with some sort of traffic calming measures”. They were therefore requesting “that the minutes be amended to factually reflect the reason for deferment.”

The Chairman, having been provided with a Briefing Note for Members regarding the recording of the previous meeting, put this objection to the Proposer, Councillor Everett, and the seconder, Councillor Alexander, who agreed there was no material difference and therefore no amendment to be made to the draft minutes.

The minutes of the last meeting of the Committee, held on 24 July 2018, were therefore approved as a correct record and signed by the Chairman.

42. DECLARATIONS OF INTEREST

Councillor Heaney declared that, due to the fact she was not present at the meeting where Planning Applications 18/00464/FUL and 17/01229/OUT had previously been before the Committee, she would not participate whilst the Committee deliberated on application 18/00464/FUL and reached its decision, and would withdraw from the meeting on application 17/01229/OUT whilst the Committee deliberated and reached its decision.

Councillor White declared that due to the fact he had previously 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 the application previously). He had also previously declared he was predetermined on this application. He therefore vacated the Chair for this item only and withdrew from the meeting whilst the Committee deliberated and reached its decision. the Vice-Chairman, Councillor Heaney, therefore chaired the meeting for this item only, However, as stated above Councillor Heaney would not participate in any discussion on this item nor vote.

Councillor McWilliams declared that she was predetermined on Planning Application 18/00464/FUL, and would therefore withdraw from the meeting whilst the Committee deliberated and reached its decision.

Councillor Bennison declared that she had an interest in Planning Application 18/00734/OUT, insofar as she is a resident of Holland-On-Sea, however she is not predetermined. Councillor Bennison also declared an interest in Planning Application 17/01229/OUT insofar as she is the Ward Councillor for Peter Bruff, however she was not predetermined.

43. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 37

Subject to providing two working days' notice, a Member of the Committee may ask the Chairman of the Committee a question on any matter in relation to which the Council has powers or duties which affect the Tendring District **and** which falls within the terms of reference of the Committee.

One question had been submitted as set out below;

Question One

From Councillor Baker to Councillor White, Chairman of the Planning Committee;

"The NPPF 2018 was published by the Government on 24th July 2018, together with the Housing Delivery Test Measurement Rule Book. As this document is now referred to in our latest Agenda, when are we as a Committee, going to receive any training/input as to how this might affect our deliberations in the months to come?"

Our next Planning Training is scheduled for Tuesday 25th September, however this will be after September's Planning Meeting, which I personally feel is leaving it too long."

Councillor White replied as follows:

Thankyou Councillor Baker for the question. The revised National Planning Policy Framework was published in July 2018. The reports of the Planning Committee agenda

make reference to the revised NPPF, highlighting the areas of particular relevance to the applications being considered. The framework is taken into account in the recommendations made to the Committee.

As you correctly point out, training for members is planned for the 25th September and this event would focus on the revised framework.

However, officers have identified two earlier dates of either Monday 10th September or Wednesday 12th September when training could be held. These dates are subject to the usual administrative processes, such as rooms being available etc, and so member training on the revised NPPF could proceed on an earlier date. i.e before the next planning meeting on Tuesday 18th September.

I would add that we all have a full TDC meeting on the Tuesday 11th and that my personal preference would therefore be Wednesday 12th September.

44. A.3 - PLANNING APPLICATION - 17/02162/OUT - LAND TO THE SOUTH OF THORPE ROAD, WEELEY, CO16 9AJ.

In view of the large number of members of the public present at the meeting who were interested in this application, the Chairman decided to bring this item forward in the agenda.

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 two further letters which have been received by the Council from local residents to Weeley in respect of the above application.

Derek Stebbing, 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.

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

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

Following discussion by the Committee, it was moved by Councillor Everett, seconded by Councillor Alexander and **RESOLVED** that consideration of this application be deferred until the outcome of the Part 2 examination of the Council's Local Plan due to the fact the application is premature to the local plan process and would undermine the process if determined at this stage.

45. **A.1- PLANNING APPLICATION - 18/00464/FUL - 138 COLNE WAY, POINT CLEAR, CO16 8LU.**

Councillor Heaney had previously declared that due to the fact that she was not present at the meeting where Planning Application 18/00464/FUL had previously been before the Committee, she would not participate whilst the Committee deliberated and reached its decision.

Councillor White had previously declared an 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 the application previously). He had also previously declared he was predetermined on this application. He therefore vacated the Chair for this item only and withdrew from the meeting whilst the Committee deliberated and reached its decision. the Vice-Chairman, Councillor Heaney, therefore chaired the meeting for this item only, However, as stated above Councillor Heaney would not participate in any discussion on this item nor vote.

Councillor McWilliams had previously declared that she was predetermined on Planning Application 18/00464/FUL, and therefore withdrew from the meeting whilst the Committee deliberated and reached its decision.

It was reported that this application had been referred to the committee as the applicant is an elected councillor of Tendring District Council.

Members recalled that this application had been originally considered by the committee at its meeting held on 30 May 2018. At that meeting members requested the application is deferred to enable officers to negotiate a building of reduced height and bulk to improve its appearance within the street scene and ensure a more sympathetic relationship to neighbouring buildings.

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 further recommendations from St Osyth Parish Council.

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;

Conditions:

1. Standard 3 year time limit for commencement.
2. Accordance with approved plans.
3. Garage/parking bay available for use prior to occupation and retained as approved for parking purposes only.
4. Submission of flood evacuation plan.

5. Submission of flood proofing/building flood resilience measures report.
6. Ground floor shall only be used for purposes as shown on plans and retained (parking, storage and wet room/utility room and kitchen).
7. Details of materials/surface finishes.
8. Obscure glazing to side bathroom window and rear bedroom window
9. Removal of permitted development rights (extensions/outbuildings/Roof Additions and windows).

46. A.2 - PLANNING APPLICATION - 17/01229/OUT - LAND ADJACENT AND TO THE REAR OF 755 AND 757 ST JOHNS ROAD, CLACTON-ON-SEA, CO16 8BJ.

Councillor Heaney had previously declared that, due to the fact she was not present at the original meeting where Planning Application 17/01229/OUT went before the Committee, she withdrew from the meeting whilst the Committee deliberated and reached its decision.

Councillor Bennison had previously declared an interest in Planning Application 17/01229/OUT insofar as she is the Ward Councillor for Peter Bruff, however she was not predetermined.

Members recalled that this application had been originally considered by the committee at its meeting held on 30 May 2018. At this meeting the committee resolved to grant outline planning permission for this major development at Rouse Farm, Clacton – subject to the completion of a section 106 legal agreement and a series of planning conditions. However, since the aforementioned meeting there had been changes to the planning conditions relating to Highway improvement works that the Council's Planning Manager (GG) wanted to gain endorsement for from the committee.

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 (GG) in respect of the application.

Following discussion by the Committee, it was moved by Councillor Baker, 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 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; and
- Financial contributions towards off-site ecological mitigation.

[Also the routing of bus services through the development – as advised on the 30th May 2018 update sheet]

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 Rd and Jaywick Lane;
 - cycleway/footway across St. Johns Rd and Jaywick Lane frontages;
 - bus services to be routed through the development;
 - residential travel plans;
 - improvements at existing St. John's Rd/Jaywick Lane junction;
 - signals at the Bockings Elm junction of St. John's Rd and Cloes Lane;
 - improvements to St. Johns Rd/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.

[The Highway Authority's recommended conditions are revised to cover:

- The need for a construction management plan;
- The new junction onto St. John's Road – to be delivered prior to first occupation of Phase 1;
- The new junction onto Jaywick Lane – to be delivered prior to occupation of phase 2A, 3 or 4;
- The completion of the St. John's Road to Jaywick Lane link road – to be completed prior to occupation of phase 3 or 4;
- The completion of a cycleway/footway along Jaywick Lane frontage prior to phase SA, 3 or 4;
- Improvements to St. John's Road/Jaywick Lane and St. Johns Road/Cloes Lane junctions – to be delivered prior to occupation of 250 dwellings;

- Improvements to St. Johns Road/Peter Bruff Avenue junction and the St. John's Roundabout – to be delivered prior to occupation of 500 dwellings;
- Improvements to existing bus stops in St. John's Road and provision of pedestrian access to those stops;
- Provision of a high quality bus service through the development via the link road or £500,000 contribution towards its delivery (as being secured the s106 agreement);
- Provision of a pedestrian link between the proposed primary school and neighbourhood centre in advance of the link road being completed; and Residential travel plan and residential travel pack.]

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 s106 planning obligation.

47. A.4 - PLANNING APPLICATION - 18-00367-FUL - LAND NORTH OF COCKAYNES LANE ALRESFORD, CO7 8BT.

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 Amendment to Recommendations.

Parish Councillor Osborne, representing Alresford Parish Council, spoke against the application.

Stephen Brown, the agent on behalf of the applicant, spoke in support of the application.

Councillor Scott, a local Ward Member had registered to speak on this application, but was unable to attend the meeting. The Committee were therefore provided with Councillor Scott's written comments on the application.

Following discussion by the Committee, it was moved by Councillor Everett, seconded by Councillor McWilliams and **RESOLVED** that consideration of this application be deferred for further discussion with the applicant regarding the location of affordable housing, introducing bungalows, the potential of alternative types of housing ownership/occupation such as Almshouses and additional reports being required by the ecology report.

48. A.5 - PLANNING APPLICATION - 18/00827/FUL - 13 CHURCH STREET, HARWICH, CO12 3DS.

It was reported that this application had been referred to the Committee at the request of Councillor I. Henderson.

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;

- (1) Additional information in relation to the rear access
- (2) Lack of Heritage Statement

Ian Jones, a local resident, spoke against the application.

Councillor I. Henderson, a local Ward Member, spoke against the application.

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

- (1) Lack of amenity space
- (2) Insufficient parking provision
- (3) Insufficient provisions for refuse disposal
- (4) Adverse impact on existing residential amenity
- (5) Adverse impact on character of the locality and conservation area

49. **A.6 - PLANNING APPLICATION -18/00734/OUT - 48 COLCHESTER ROAD, HOLLAND-ON-SEA, CO15 5DG.**

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.

Following discussion by the Committee, it was moved by Councillor Baker, 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;

Conditions:

1. Reserved Matters standard conditions;
2. Approved plans;
3. Submission of a Construction Method Statement; and
4. Adhere to the recommendations within the Preliminary Ecological Appraisal.

The meeting was declared closed at 21:45

Chairman