

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,  
HELD ON TUESDAY 15 JANUARY 2019 AT 6.00 PM  
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY**

<b>Present:</b>	Councillors White (Chairman), Heaney (Vice-Chairman), Alexander, Baker, M Brown, Cawthron, Everett, Fowler, Hones and McWilliams
<b>Also Present:</b>	Councillors Nicholls and Scott (except minutes 99 – 100)
<b>In Attendance:</b>	Cath Bicknell (Head of Planning), Charlotte Parker (Solicitor (Property, Planning and Governance)), Susanne Chapman-Ennos (Planning Team Leader), Michael Pingram (Planning Officer) (except minutes 99 - 100) and Katie Sullivan (Committee Services Officer)

**94. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

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

**95. MINUTES OF THE LAST MEETING**

The minutes of the last meeting of the Committee, held on Tuesday 11 December 2018, were approved as a correct record and signed by the Chairman.

**96. DECLARATIONS OF INTEREST**

Councillor Scott, present in the public gallery, declared an interest in relation to Planning Application 18/01775/FUL by virtue of the fact that he was the local Ward Member.

Councillor White declared an interest in Planning Application 18/00194/FUL insofar as his daughter owned an existing property on Tokely Road. Councillor White confirmed that he was not pre-determined.

Councillor Heaney declared that, due to the fact that she was not present at the meeting where Planning Application 18/00194/FUL was previously before the Committee, she would not participate whilst the Committee deliberated on that application and reached its decision.

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

There were no questions submitted on this occasion.

**98. A.1 - 18/01775/FUL - LAND ADJACENT TO WIVENHOE ROAD, CO7 8AD**

Councillor Scott, present in the public gallery, had earlier declared an interest in relation to Planning Application 18/01775/FUL by virtue of the fact that he was the local Ward Member.

It was reported that this application had been referred to the Planning Committee as one of the applicants was employed by Tendring District Council and worked within the Planning Department.

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 (MP) in respect of the application.

Parish Councillor Ernie Osbourne, representing Alresford Parish Council, spoke against the application.

Councillor Scott, the local Ward Member, spoke against the application.

Following discussion by the Committee and advice provided by Officers, 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 the following conditions:

1. Standard time limit.
2. Approved plans.
3. Details of boundary treatments.
4. Details of how retained trees will be protected during construction.
5. Soft landscaping details.
6. Soft landscaping implementation scheme.
7. Removal of Permitted Development rights for outbuildings and extensions and means of enclosure along the site boundaries.

**99. A.2 - 18/00194/FUL - LAND NORTH OF TOKELY ROAD , FRATING, CO7 7AG**

Councillor White had earlier declared an interest in Planning Application 18/00194/FUL insofar as his daughter owned an existing property on Tokely Road. Councillor White confirmed that he was not pre-determined.

Councillor Heaney had earlier declared that, due to the fact that she was not present at the meeting where Planning Application 18/00194/FUL was previously before the Committee, she would not participate whilst the Committee deliberated on that application and reached its decision.

Members recalled that this application had originally been considered at Planning Committee on 26 June 2018 when it had been resolved that the application be approved subject to the completion of a Section 106 agreement and a series of planning conditions.

It was reported that, following the Committee's decision, there had been positive progress in preparing the Section 106 agreement which had now included necessary additional requirements and that it was nearing completion.

It was further reported that the Committee had originally given until 26 December 2018 for the Section 106 agreement to be completed, however, an extension was now sought to allow more time for the completion.

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 and advice provided by Officers, it was moved by Councillor Baker, seconded by Councillor McWilliams and **RESOLVED** that the Head of Planning be authorised to grant planning permission for the development subject to:-

- a) By 26 March 2019 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):
- Affordable housing;
  - Provision of Open space and open space maintenance contributions;
  - Children's play space contribution;
  - Education Contribution – a financial contribution of £311,732 towards local primary provision; £315,710 towards secondary school provision and £48,399 towards secondary school transport costs;
  - Healthcare – a financial contribution of £23,667.
- b) Planning conditions in accordance with those set out 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. Time limit for commencement of development (Full permission).
2. Details – Compliance with all plans.
3. Landscaping details submission and approval.
4. Landscaping implementation and retention.
5. Tree protection/replacement.
6. Landscape Management Plan.
7. Levels.
8. Principal and secondary means of access.
9. Access/carriageway specification.
10. Details and provision of bicycle storage.
11. Permeable surfacing.
12. Walls fences and boundary treatments.
13. Sustainable Urban Drainage (Where SUDS required and scheme not agreed).
14. Foul water strategy.
15. Lighting Scheme.
16. Materials.
17. Access for the disabled.
18. Garage/car spaces (to be retained).
19. Glazing – obscured (flank wall windows).
20. Construction Management Plan.
21. Parking provision – prior to occupation.
22. Permitted Development Rights restriction.

100. **A.3 - 17/01338/FUL - CLIFF HOTEL 22 MARINE PARADE, DOVERCOURT, CO12 3RE**

Members recalled that this application had originally been considered at Planning Committee on 31 October 2017 when it had been resolved that the application be approved subject to the completion of a Section 106 agreement and a series of planning conditions.

Members were informed that during the six months that had been given to complete the Section 106 agreement, a viability report had been submitted and independently assessed. The report had concluded that the scheme generated a deficit and on that basis, the residualised land value would be negative and the scheme was therefore not viable.

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 and advice provided by Officers, it was moved by Councillor Fowler, seconded by Councillor Baker and unanimously **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 Committee's resolution to approve the grant of planning permission, the completion of a legal agreement under the provisions of section 106 of the Town and Country Planning Act 1990 to deal with a viability review if groundworks not commenced within 2 (two) years from the date the decision notice is issued or such other appropriate trigger as recommended by the Council's Solicitor during the course of approving the agreement on behalf of the Council.

b) Planning conditions in accordance with those set out 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.
2. Highways conditions (as recommended by the Highway Authority).
3. SUDS and drainage (surface water and foul drainage) conditions.
4. Hard and soft landscaping plan/implementation.
5. Ecological mitigation - wildlife/tree protection measures.
6. Construction methods plan.
7. Details of lighting, materials and refuse storage/collection points.
8. Archaeological investigation and report works, including historic building recording.
9. Site lighting strategy.
10. Broadband.
11. Accordance with approved plans.
12. Contaminated land.

The meeting was declared closed at 7.25 pm

**Chairman**