



## PLANNING COMMITTEE

**DATE:** Monday, 22 October 2018  
**TIME:** 6.00 pm  
**VENUE:** Council Chamber, Council Offices,  
Thorpe Road, Weeley, CO16 9AJ

### MEMBERSHIP:

**Councillor White (Chairman)**  
**Councillor Heaney (Vice-Chairman)**  
**Councillor Alexander**  
**Councillor Baker**  
**Councillor Bennison**  
**Councillor MBrown**

**Councillor Cawthron**  
**Councillor Everett**  
**Councillor Fowler**  
**Councillor Hones**  
**Councillor McWilliams**

**Most Council meetings are open to the public and press.**

**Agendas and Minutes are published on the Council's website [www.tendringdc.gov.uk](http://www.tendringdc.gov.uk). Agendas are available to view five working days prior to the meeting date and the Council aims to publish Minutes within five working days of the meeting.**

**Meeting papers can be provided, on request, in large print, in Braille, or on disc, tape, or in other languages.**

**For further details and general enquiries about this meeting, contact Charlotte Cooper on 01255686007**

DATE OF PUBLICATION: Monday, 15 October 2018

## **AGENDA**

### **1 Apologies for Absence and Substitutions**

The Committee is asked to note any apologies for absence and substitutions received from Members.

### **2 Declarations of Interest**

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

### **3 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.

### **4 Reference Report ; Dust Suppression at development sites (Pages 1 - 4)**

To report to the Committee a motion submitted at the meeting of the Council held on 11 September 2018.

**Date of the Next Scheduled Meeting**

*The next scheduled meeting of the Planning Committee is to be held in the Council Chamber, Council Offices, Thorpe Road, Weeley, CO16 9AJ at 6.00 pm on Tuesday, 13 November 2018.*

## **Information for Visitors**

**FIRE EVACUATION PROCEDURE**

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the hall and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point.

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Your calmness and assistance is greatly appreciated.

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## PLANNING COMMITTEE

15 OCTOBER 2018

### REFERENCE FROM COUNCIL

#### A.1 **PROPOSED PLANNING CONDITION RE: DUST SUPPRESSION AT DEVELOPMENT SITES**

(Report prepared by Ian Ford)

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

To report to the Committee a motion submitted at the meeting of the Council held on 11 September 2018.

##### **EXECUTIVE SUMMARY**

This report sets out a motion submitted by Councillor Bray to the meeting of the Council held on 11 September 2018 relating to a proposed standard planning condition for dust suppression at development sites and which was referred to the Committee by the Chairman of the Council for consideration and report, in accordance with the provisions of Council Procedure Rule 12.4.

##### **RECOMMENDATION**

**That, following the explanation of the motion by Councillor Bray, the Committee decides whether to recommend, or not, that the Council should support the motion in its original format.**

**If the Committee decides to advise the Council that in its opinion the motion should not be supported in its original format it may, in addition, suggest to Council that an amended motion be proposed.**

#### **PART 2 – SUPPORTING INFORMATION**

##### **BACKGROUND**

At a meeting of the Council held on 11 September 2018, the following motion was moved by Councillor Bray and seconded by Councillor Bush and, in accordance with Council Procedure Rule 12.4, stood referred to the Planning Committee for consideration and report:

*“This Council resolves that:-*

- 1. Subject to there being no objection from the Planning Inspectorate, ALL future planning applications approved by this Council, contain a condition requiring the developer / constructor to take all reasonable steps, using dust suppression*

*techniques to ensure that, as far as possible, existing residents living in near proximity to the construction site are not adversely affected by construction related dust; and*

- 2. If any objection is received from the Planning Inspectorate, that objection will be disclosed fully to Councillors in order that this motion can be amended to take account of any such objection at some future time.”*

Tendring District Council imposes a planning condition requiring the submission and approval of a construction method statement to some planning permissions. In many cases this will include measures to reduce the amount and spread of dust from construction sites. The condition is generally used in relation to the larger development sites and those in close proximity to existing residential properties.

The Government provides guidance on the use of planning conditions. Paragraph 206 of the National Planning Policy Framework states “Planning conditions should only be imposed where they are:

1. necessary;
2. relevant to planning and;
3. to the development to be permitted;
4. enforceable;
5. precise and;
6. reasonable in all other respects.”

Local planning authorities should therefore ensure that all conditions imposed on planning permissions meet these ‘tests’. To meet these tests, the individual circumstances of each case should be considered.

The guidance advises local planning authorities to consider whether it will be appropriate to refuse planning permission without the requirements imposed by the condition? It goes on to say that a condition must not be imposed unless there is a definite planning reason for it, ie it is needed to make the development acceptable in planning terms.

A planning condition relating to dust suppression is likely to be more relevant for some development proposals than others. Some developments are for changes of use and include no operational development. Many are minor in scale and have limited works likely to generate dust.

Complaints about dust from construction sites generally relate to larger development sites during periods of hot dry weather. This has been the case during the summer period this year.

## **CURRENT POSITION**

In accordance with Council Procedure Rule 12.5 Councillor Bray has been invited to attend the meeting and explain the motion.

## **BACKGROUND PAPERS FOR THE DECISION**

None.

**APPENDICES**

None.

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