

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON TUESDAY 1 NOVEMBER 2016 AT 6.00 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY**

Present:	Councillors White (Chairman), Baker, Bennison, Fairley, Fowler, Hones, Hughes, V E Guglielmi and Nicholls
Also Present:	Councillors G V Guglielmi (except items 64-67), Land (except items 68-74) and Steady (except items 72-74)
In Attendance:	Lisa Hastings (Head of Governance and Legal Services), Cath Bicknell (Head of Planning), Susanne Ennos (Senior Planning Officer) and Katie Sullivan (Committee Services Officer)

64. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillors Everett, Gray, Heaney (with Councillor Nicholls substituting) and McWilliams (with Councillor V E Guglielmi substituting).

The Chairman informed the Committee that, in the absence of the Vice-Chairman (Councillor Heaney), Councillor Fairley would be informally acting as his Vice-Chairman for this meeting.

65. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on Tuesday 18 October 2016, were approved as a correct record and signed by the Chairman, subject to it being noted that there had been an error with the audio equipment and, as a result, the meeting had not been recorded.

66. DECLARATIONS OF INTEREST

Councillor V E Guglielmi declared a Non-Pecuniary Interest in relation to Planning Applications 16/01370/OUT and 16/01373/OUT by virtue of the fact she was a member of a committee of a charitable housing company on which Mr Rose (the applicant) was also a member, but that the applications were nothing to do with that committee.

The Council's Head of Governance and Legal Services (Lisa Hastings) asked Councillor V E Guglielmi to confirm that her judgement was not prejudiced in any way as she knew the applicant. Councillor V E Guglielmi confirmed that she was not prejudiced in any way and that her decision would be based on the applications before her.

Councillor Nicholls declared a Non-Pecuniary Interest in relation to Planning Applications 16/01370/OUT and 16/01373/OUT by virtue of the fact he was a member of a committee of a charitable housing company on which Mr Rose (the applicant) was also a member, but that the applications were nothing to do with that committee.

Councillor Fairley declared a Non-Pecuniary Interest in relation to Planning Application 16/00871/DETAIL by virtue of the fact she was the local Ward Member.

Later on in the meeting, as recorded below in minute 69, Councillor G V Guglielmi, present in the public gallery, declared a Non-Pecuniary Interest in relation to Planning Applications 16/01370/OUT and 16/01373/OUT by virtue of the fact he was a Director of a charitable housing company in which Mr Rose (the applicant) was also a Director.

67. **A.1 - PLANNING APPLICATION - 16/00838/OUT - LAND TO SOUTH OF FRINTON ROAD, THORPE-LE-SOKEN, CO16 0JF**

It was reported that this application was before the Committee as it was a departure from the Local Plan and it had also been referred to the 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 Head of Planning (CB) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of an objection submitted by Councillor Bucke.

Sue Parker, a local resident, spoke against the application.

Parish Councillor Carpenter, representing Thorpe-le-Soken Parish Council, spoke against the application, being contrary to the Parish Council's previous submission.

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

Tim Snow, the agent for the applicant, spoke in support of the application.

Questions were raised in regards to the views of Thorpe-le-Soken Parish Council which Officers responded to.

Following discussion by the Committee, and consideration of further advice provided by Officers at the meeting with regards to defending potential reasons for refusal, in particular evidence to justify any impact on highways, it was moved by Councillor Hughes, seconded by Councillor Bennison and **RESOLVED** that contrary to the Officers' recommendation of approval, the Head of Planning (or equivalent authorised officer) be authorised to refuse planning permission for the development for the following reasons:

- Adverse impact on heritage assets;
- Adverse impact on wildlife/protected species; and
- Adverse impact on highways.

68. **A.2 - PLANNING APPLICATION - 16/01137/FUL - SITE WEST OF EDWARDS DRIVE, THORRINGTON, CO7 8JN**

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 Head of Planning (CB) in respect of the application.

Tim Snow, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Nicholls, seconded by Councillor Hones and unanimously **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to grant outline planning permission for the development, subject to:

- a) Within 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):
 - On-site Council Housing/Affordable Housing;
 - On-site or off-site open space/play equipment.
- 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 commencement;
 2. Accordance with approved plans;
 3. Highways conditions (as recommended by the Highway Authority);
 4. Ecological mitigation/enhancement plan;
 5. Surface water drainage/foul drainage scheme;
 6. SuDS maintenance/monitoring plan;
 7. Hard and soft landscaping plan/implementation;
 8. Details of lighting, materials and refuse storage/collection points;
 9. Broadband connection; and
 10. Contaminated land.
- 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 six months, as the requirements necessary to make the development acceptable in planning terms had not been secured through a Section 106 planning obligation.

69. A.3 - PLANNING APPLICATION - 16/01370/OUT - LAND ADJACENT 6 MANNINGTREE ROAD, LITTLE BENTLEY, CO7 8SP

Councillor V E Guglielmi had earlier declared a Non-Pecuniary Interest in relation to Planning Applications 16/01370/OUT and 16/01373/OUT by virtue of the fact she was a member of a committee of a charitable housing company on which Mr Rose (the applicant) was also a member.

The Council's Head of Governance and Legal Services (Lisa Hastings) had earlier asked Councillor V E Guglielmi to confirm that her judgement was not prejudiced in any way as she knew the applicant. Councillor V E Guglielmi had confirmed that she was not prejudiced in any way and that her decision would be based on the applications before her.

Councillor Nicholls had earlier declared a Non-Pecuniary Interest in relation to Planning Applications 16/01370/OUT and 16/01373/OUT by virtue of the fact he was a member of a committee of a charitable housing company on which Mr Rose (the applicant) was also a member.

Councillor G V Guglielmi, present in the public gallery, declared a Non-Pecuniary Interest in relation to Planning Applications 16/01370/OUT and 16/01373/OUT by virtue of the fact he was a Director of a charitable housing company in which Mr Rose (the applicant) was also a Director. Councillor Guglielmi also confirmed that the company did not have any connection to the applications before the committee.

It was reported that this application had been referred to the Planning Committee at the request of Councillor G V 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 refusal.

At the meeting, an oral presentation was made by the Council's Senior Planning Officer (SE) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of comments which had been received from Little Bentley Parish Council supporting the application.

Parish Councillor Dyson, representing Little Bentley Parish Council, spoke in support of the application.

Councillor G V Guglielmi, a local Ward Member, spoke in support of the application.

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

Following discussion by the Committee, and consideration of further advice provided by Officers at the meeting in regards to the inclusion of standard conditions, it was moved by Councillor Nicholls, seconded by Councillor Baker and unanimously **RESOLVED** that contrary to the Officers' recommendation of refusal, the Head of Planning (or equivalent authorised officer) be authorised to approve planning permission for the development, subject to:

- a) Standard outline application conditions being applied; and
- b) Any reserved matters application for this development being submitted to the Committee for its consideration.

70. A.4 - PLANNING APPLICATION - 16/01373/OUT - CARBRIA, TENDRING ROAD, LITTLE BENTLEY, CO7 8SH

Councillor V E Guglielmi had earlier declared a Non-Pecuniary Interest in relation to Planning Applications 16/01370/OUT and 16/01373/OUT by virtue of the fact she was a member of a committee of a charitable housing company on which Mr Rose (the applicant) was also a member.

The Council's Head of Governance and Legal Services (Lisa Hastings) had earlier asked Councillor V E Guglielmi to confirm that her judgement was not prejudiced in any

way as she knew the applicant. Councillor V E Guglielmi had confirmed that she was not prejudiced in any way and that her decision would be based on the applications before her.

Councillor Nicholls had earlier declared a Non-Pecuniary Interest in relation to Planning Applications 16/01370/OUT and 16/01373/OUT by virtue of the fact he was a member of a committee of a charitable housing company on which Mr Rose (the applicant) was also a member.

Councillor G V Guglielmi, present in the public gallery, had earlier declared a Non-Pecuniary Interest in relation to Planning Applications 16/01370/OUT and 16/01373/OUT by virtue of the fact he was a Director of a charitable housing company on which Mr Rose (the applicant) was also a Director.

It was reported that this application had been referred to the Planning Committee at the request of Councillor G V 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 refusal.

At the meeting, an oral presentation was made by the Council's Senior Planning Officer (SE) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of comments which had been received from Little Bentley Parish Council supporting the application.

Parish Councillor Dyson, representing Little Bentley Parish Council, spoke in support of the application.

Councillor G V Guglielmi, a local Ward Member, spoke in support of the application.

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

Following discussion by the Committee, it was moved by Councillor Nicholls, seconded by Councillor Bennison and unanimously **RESOLVED** that contrary to the Officers' recommendation of refusal, the Head of Planning (or equivalent authorised officer) be authorised to approve planning permission for the development, subject to:

- a) Standard outline application conditions being applied; and
- b) Any reserved matters application for this development being submitted to the Committee for its consideration.

71. A.5 - PLANNING APPLICATION - 16/01385/FUL - HOMEFIELD, CHURCH ROAD, BRIGHTLINGSEA, CO7 0QT

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

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

- (1) One additional letter of objection;
- (2) Additional photographs of the site received from Councillor Chapman; and
- (3) An email received from the agent.

Elizabeth Artindale, a local resident, spoke against the application.

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

Tim Snow, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Baker, seconded by Councillor Fairley and **RESOLVED** that contrary to the Officers' recommendation of approval, the Head of Planning (or equivalent authorised officer) be authorised to refuse planning permission for the development for the following reasons:

- Back land development;
- Harmful to the character of the area; and
- Impact of access on neighbours' amenities.

72. A.6 - PLANNING APPLICATION - 16/01400/OUT - LAND ADJACENT HOLLYOAK, PORK LANE, GREAT HOLLAND, CO13 0JE

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 Senior Planning Officer (SE) in respect of the application.

Members were informed that since the update sheet had been published a further letter of objection had been received.

Peter LeGrys, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Fowler, seconded by Councillor Bennison and **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to grant outline planning permission for the development, subject to the following conditions:

- 1) Time Limit – Outline;
- 2) Time Limit – Submission of Reserved Matters;
- 3) No Development until Reserved Matters (access, appearance, layout, landscaping and scale) submitted;
- 4) Materials;
- 5) Boundary treatments;
- 6) Submission of hard/soft landscaping scheme;
- 7) Implementation of landscaping scheme;
- 8) A suitably constructed access measuring no less than 5.5m in width and providing a parallel visibility band of 2m deep across the site frontage;

- 9) No unbound materials in first 6m of access;
- 10) Off-street parking in accordance with current parking standards;
- 11) Garages being set back 6m from highway; and
- 12) Boundary hedge being setback 1m from highway and 1m behind visibility splays.

73. A.7 - PLANNING APPLICATION - 16/00871/DETAIL - LAND REAR OF WHITE HART, HARWICH ROAD, WIX, CO11 2SA

Councillor Fairley had earlier declared a Non-Pecuniary Interest in relation to Planning Application 16/00871/DETAIL by virtue of the fact she was the local Ward Member.

Members were reminded that, in 2011, full planning permission had been granted for a 36 bedroom motel on the site following previous planning permission for an 18 bedroom motel and a 36 bedroom motel on the site. The 2011 planning permission had been implemented thereby securing that planning permission in perpetuity. In April 2013 Planning Permission had been subsequently granted (under planning reference 12/01135/OUT) following Committee approval for the site to be re-developed for 10 dwellings.

The outline application had required matters of landscaping and appearance to be determined by reserved matters which were the subject of this application. The application also included details relating to the discharge of conditions relating to site levels, bicycle storage, on-site parking/loading and wheel and underbody cleaning facilities (during site development).

In accordance with Members' request the current application was before the Committee to seek consent with regard to the reserved matters of landscaping and appearance.

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 Head of Planning (CB) in respect of the application.

Following discussion by the Committee, it was moved by Councillor Nicholls, seconded by Councillor V E Guglielmi and unanimously **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to approve the reserved matters and condition details, subject to the following Condition:

1. Approved Plans.

Informative:

That the applicant be reminded that those conditions attached to outline planning permission 12/01135/OUT remain extant and of effect.

74. A.8 - PLANNING APPLICATION - 16/01441/FUL - 36 HARWICH ROAD, LITTLE OAKLEY, CO12 5JF

It was reported that this application had been referred to the Planning Committee as the applicant was 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 Senior Planning Officer (SE) in respect of the application.

Following discussion by the Committee, it was moved by Councillor Fowler, seconded by Councillor Hughes 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. Time Limit; and
2. Approved Plans.

The meeting was declared closed at 9.28 pm

Chairman