

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,  
HELD ON WEDNESDAY 4 JANUARY 2017 AT 6.00 PM  
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY**

<b>Present:</b>	Councillors White (Chairman), Heaney (Vice-Chairman), Baker, Bennison, Fairley (except part of item 100 and all of item 101), Fowler, Gray, Hones and McWilliams
<b>Also Present:</b>	Councillors Honeywood (except items 98-101) and Scott (except items 95-101)
<b>In Attendance:</b>	Cath Bicknell (Head of Planning), Charlotte Parker (Solicitor) (Property, Planning and Governance), Nigel Brown (Communications Manager), Susanne Ennos (Planning Team Leader), Matthew Lang (Planning Officer) (except items 99-101) and Katie Sullivan (Committee Services Officer)

**90. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Everett and Hughes (there were no substitutions).

**91. MINUTES OF THE LAST MEETING**

The minutes of the last meeting of the Committee, held on Wednesday 30 November 2016, were approved as a correct record and signed by the Chairman.

**92. DECLARATIONS OF INTEREST**

Councillor Scott, present in the public gallery, declared a Non-Pecuniary Interest in relation to Planning Application 16/01621/FUL by virtue of the fact he was the local Ward Member.

Councillor Fairley, declared a Non-Pecuniary Interest in relation to Planning Applications 16/01699/FUL and 16/01698/FUL by virtue of the fact she was the local Ward Member and by virtue of the fact that she was pre-determined.

Councillor Baker declared a Non-Pecuniary Interest in relation to Planning Application 16/00618/FUL by virtue of the fact that he was a local Ward Member and a Lawford Parish Councillor, but he informed the Committee that he was not pre-determined on this application.

Councillor White declared a Non-Pecuniary Interest in relation to Planning Application 16/00618/FUL by virtue of the fact that he was a member of the Tendring Hundred Farmers Club who were the joint applicant and who used the showground on the application site to host the annual Tendring Hundred Show.

Councillor Honeywood, present in the public gallery, declared a Non-Pecuniary Interest in relation to Planning Application 16/01353/FUL by virtue of the fact that he was a local Ward Member.

Councillor Hones, declared a Non-Pecuniary Interest in relation to Planning Application 16/01353/FUL by virtue of the fact that he was a local Ward Member of the adjacent ward.

93. **A.1 - APPLICATION 16/00618/FUL - LAWFORD HOUSE, BROMLEY ROAD, LAWFORD, CO11 2JD**

Councillor Baker had earlier declared a Non-Pecuniary Interest in relation to Planning Application 16/00618/FUL by virtue of the fact that he was a local Ward Member and a Lawford Parish Councillor, and he had informed the Committee that he was not predetermined on this application.

Councillor White had earlier declared a Non-Pecuniary Interest in relation to this application by virtue of the fact that he was a member of the Tendring Hundred Farmers Club who were the joint applicant and who used the showground on the application site to host the annual Tendring Hundred Show.

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.

Members recalled that this application had first been considered by the Committee on 30 November 2016 when it had been decided to defer a decision to allow the applicants to address the Committee's concerns about the proposed extent of tree loss and the impact upon the setting of the Listed Building. In response to the concerns raised, the applicant had revised the proposal to remove a dwelling, thus safeguarding more trees and reducing the heritage impact. The application, as amended, had therefore been returned to the Committee.

The Chairman reminded the Committee that only those Members who had considered the application at the meeting held on 30 November 2016 were eligible to consider and decide on the application at this meeting.

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 McWilliams, seconded by Councillor Heaney 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;
2. Accordance with approved plans;
3. Detailed landscaping scheme;
4. Tree protection and retention measures;
5. Highways conditions (as recommended by the Highway Authority);
6. Surface water drainage scheme;
7. Ecological mitigation/tree protection measures (including bat protection measures);
8. Archaeological assessment/trial trenching;
9. Details of lighting, materials and refuse storage/collection points; and
10. Broadband connection.

94. **A.4 - APPLICATION 16/01621/FUL - LAND ADJACENT COCKAYNES HOUSE, COCKAYNES LANE, ALRESFORD, CO7 8BZ**

Councillor Scott, present in the public gallery, had earlier declared a Non-Pecuniary Interest in relation to Planning Application 16/01621/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 at the request of Councillor Scott, 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 Officer (ML) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of an additional representation received from Trinity Planning acting on behalf of the owner of Cockaynes House (Mr Crewe).

Malcolm Inkster, representing David Crewe (the owner of Cockaynes House), spoke against the application.

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

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

Lawrence Putter, the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Gray, seconded by Councillor Baker 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 3 year time limit;
2. List of approved plans;
3. Remove Permitted development rights for boundary treatments, outbuildings and pools;
4. Remove Permitted development rights for extensions to the dwelling;
5. Tree protection measures and hedgerow planting as shown on RPA plan;
6. Construction Method Statement;
7. Permeable paving;
8. No unbound material in first 6m of access;
9. Vehicular parking and turning area provided prior to occupation and retained thereafter;
10. Landscaping scheme; and
11. Implementation of landscaping scheme.

95. **A.2 - APPLICATION 16/00421/FUL - CHICKEN FARM, THORPE ROAD, LITTLE CLACTON, CO16 9RZ**

The Council's Head of Planning informed the Committee that there was an update that had not been listed down on the update sheet. The update related to the description of the development as 'retirement dwellings' having no planning justification to limit the occupation. It was advised to remove the word 'retirement' from the description of development and to remove condition 7 from the proposed planning conditions. Removal of the restriction on occupant type meant that education contributions to be made by the applicant would need to be assessed prior to Planning Permission being granted if the application was approved by 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 Head of Planning (CB) in respect of the application.

Kate Wood, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, and consideration of further advice provided by Officers, it was moved by Councillor Gray, 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 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 (if viable);
  - Health contribution;
  - Completion and transfer of public open space and maintenance contribution; and
  - Education contribution.
- 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;
    2. Compliance with approved plans;
    3. Highways requirements;
    4. Construction methods statement;
    5. Detailed landscaping scheme;
    6. Ecological mitigation/enhancement plan;
    7. Foul water strategy;
    8. Archeologic trial trenching and assessment;
    9. Ecological mitigation/enhancement plan;
    10. Surface water drainage scheme for construction and occupation phases;
    11. SuDS maintenance/monitoring plan;

12. Details of lighting, materials and refuse storage/collection points;
  13. Broadband connection; and
  14. Local employment arrangements.
- 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.

**96. A.3 - APPLICATION 16/00427/OUT - 24 THE STREET, LITTLE CLACTON, CO16 9LD**

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 (SE) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of revised comments received from Essex County Council Highways.

Edward Gittins, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Gray, seconded by Councillor Fairley and unanimously **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. Standard 3 year time limit for submission of reserved matters application;
2. Standard 2 year limit for commencement of development following approval of reserved matters;
3. Details of appearance, access, layout, scale and landscaping (the reserved matters);
4. Development to contain up to (but no more than) 10 dwellings;
5. Highways conditions (as recommended by the Highway Authority);
6. Foul water strategy;
7. Drainage scheme;
8. Contamination report;
9. Lighting survey;
10. Noise Survey;
11. Hard and soft landscaping plan/implementation; and
12. Broadband connection.

**97. A.5 - APPLICATION 16/01353/FUL - 124 WELLESLEY ROAD, CLACTON-ON-SEA, CO15 3PT**

Councillor Honeywood, present in the public gallery, had earlier declared a Non-Pecuniary Interest in relation to Planning Application 16/01353/FUL by virtue of the fact that he was a local Ward Member.

Councillor Hones, had earlier declared a Non-Pecuniary Interest in relation to Planning Application 16/01353/FUL by virtue of the fact that he was a local Ward Member of the adjacent ward.

It was reported that this application had been referred to the Planning Committee at the request of Councillors Honeywood, a local Ward Member and Stephenson, a local Ward Member of the adjacent ward.

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 (ML) in respect of the application.

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

It was moved by Councillor Gray and seconded by Councillor Bennison that consideration of the application be deferred until a highways survey was carried out, which motion on being put to the vote was declared **LOST**.

Following discussion by the Committee, and consideration of further advice provided by Officers, it was then moved by Councillor McWilliams, seconded by Councillor Heaney 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 Essex County Council Highways' objection in relation to highways/parking.

**98. A.6 - APPLICATION 16/016312/DETAIL - LAND ADJACENT TO ROSEDENE, ROXBURGHE ROAD, WEELEY, CO16 9DU**

Councillor Hones did not participate in the consideration of this item as he had not attended the site visit.

Members were informed that outline planning permission (all matters reserved) had been granted by the Planning Committee in October 2013 for three dwellings under Planning Application 13/00897/OUT and that the application that was before them sought reserved matters approval in relation to Plot two only, with regard to the scale, layout, appearance, access and landscaping.

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 (ML) in respect of the application.

Following discussion by the Committee, it was moved by Councillor Gray, seconded by Councillor Fairley 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. Development to be carried out strictly in accordance with submitted plans;
2. Details of hard and soft landscaping to include boundary treatments;
3. Parking and turning to be provided prior to occupation and retained thereafter; and
4. Approval of Materials.

99. **A.7 - APPLICATION 16/01442/DETAIL - LAND ADJACENT 109 HARWICH ROAD, MISTLEY, CO11 2DN**

The Committee were reminded that outline planning permission (all matters reserved) had been granted by the Planning Committee on 6 January 2015, for four dwellings under Planning Application 14/01462/OUT. The application that was before the Committee sought reserved matters approval with regard to scale, layout, appearance, access and landscaping.

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 (SE) in respect of the application.

Following discussion by the Committee, it was moved by Councillor Fowler, seconded by Councillor Gray 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. Dev in accordance with approved plans;
2. Scheme to be submitted for treatment of rear (northern) boundary;
3. Timescale to be agreed for implementation of landscaping;
4. Vehicular parking/turning to be provided before occupation; and
5. Vehicle hardstanding to be 2.9m x 5.5m minimum, and retained in perpetuity.

100. **A.8 - APPLICATION 16/01699/FUL - HEATH FARM, WINDMILL ROAD, BRADFIELD, CO11 2QR**

Councillor Fairley, had earlier declared a Non-Pecuniary Interest in relation to Planning Application 16/01699/FUL by virtue of the fact that she was the local Ward Member and by virtue of the fact she was pre-determined.

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

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 (SE) in respect of the application.

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

- (1) An additional plan received from the agent; and
- (2) An objection from Bradfield Parish Council.

Parish Councillor Sue Cunningham, representing Bradfield Parish Council, spoke against the application.

Councillor Fairley, in her capacity as the local Ward Member, spoke against the application. She then withdrew from the meeting, on the grounds of pre-determination, whilst the Committee considered the application and reached its decision.

Richard Horley, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, and consideration of further advice provided by Officers, it was moved by Councillor Heaney, seconded by Councillor Hones and unanimously **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 due to the following reasons:

- Out of Character with development in Windmill Road.
- Cramped appearance.

**101. A.9 - APPLICATION 16/01698/FUL - HEATH FARM, WINDMILL ROAD, BRADFIELD, CO11 2QR**

Councillor Fairley, had earlier declared a Non-Pecuniary Interest in relation to Planning Application 16/01698/FUL by virtue of the fact that she was the local Ward Member and by virtue of the fact that she was pre-determined. Councillor Fairley was not present for this item.

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

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 (SE) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of an amended plan received from the agent.

Councillor Fairley, in her capacity as the local Ward Member, had earlier asked the Committee to consider her comments made on 16/01699/FUL in consideration with this application.

Richard Horley, the agent on behalf of the applicant, confirmed he did not wish to speak on this application but the Committee agreed to consider his comments made on 16/01699/FUL in consideration with this application.

Following discussion by the Committee and consideration of further advice provided by Officers, it was moved by Councillor McWilliams, 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:

- Out of Character with development in Windmill Road.
- Cramped appearance.

The Meeting was declared closed at 9.24pm

**Chairman**