
**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON TUESDAY, 31ST JANUARY, 2017 AT 6.00 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY,
CO16 9AJ**

Present:	Councillors White (Chairman), Heaney (Vice-Chair), Baker, Bennison, Everett, Fairley (except item 108), Fowler, Gray, Hones and McWilliams
Also Present:	Councillor M Brown (except items 108 and 109)
In Attendance:	Gary Guiver (Planning Manager), Ian Ford (Committee Services Manager), Nigel Brown (Communications Manager), Charlotte Parker (Solicitor (Property, Planning and Governance)) and Susanne Ennos (Planning Team Leader)

102. TRIBUTE TO THE LATE COUNCILLOR JOHN HUGHES

The Chairman of the Committee expressed his sadness at the death of Councillor John Hughes and placed on record the Committee's appreciation of his contribution as a member of the Committee.

All persons present stood in silent tribute to the memory of John Hughes.

103. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence received from Councillors on this occasion and there were no substitutions.

104. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on Wednesday 4 January 2017, were approved as a correct record and signed by the Chairman.

105. DECLARATIONS OF INTEREST

Councillor Fairley declared a non-pecuniary interest in relation to Planning Application 16/01084/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 Fowler declared a non-pecuniary interest in relation to Planning Application 16/01946/FUL by virtue of the fact that she was a local Ward Member.

Councillor M Brown, present in the public gallery, declared a non-pecuniary interest in relation to Planning Applications 15/01750/FUL and 16/01456/DETAIL.

106. A.1 - PLANNING APPLICATION - 15/01750/FUL - LAND AT ST. ANDREWS ROAD, WEELEY, CO16 9HR

Councillor M Brown, present in the public gallery, had earlier declared a non-pecuniary interest in relation to Planning Application 15/01750/FUL by virtue of the fact that he was 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 Planning Manager (GG) in respect of the application.

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

- (1) Section 106 Planning Obligations; and
- (2) Dispute over ownership of part of the site.

Sally Piper, a local resident, spoke against the application.

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

Richard Sykes-Popham, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor McWilliams, seconded by Councillor Bennison 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):
 - Open space contribution and/or other parish projects; and
 - A potential review of viability at a later stage.
- 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. Environmental Health conditions;
 5. Ecological mitigation/enhancement;
 6. Surface water drainage scheme;
 7. SuDS maintenance/monitoring plan;
 8. Archaeology;

9. Hard and soft landscaping plan/implementation;
 10. Details of lighting, materials and refuse storage/collection points;
 11. Broadband connection;
 12. Local employment arrangements;
 13. Removal of permitted development rights for extensions and conversion of roof space;
 14. Update to Ecological Survey; and
 15. Other necessary ecological mitigation measures (including avoiding bird nesting season)
- 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.

107. A.2 - PLANNING APPLICATION - 16/01456/DETAIL - LAND ADJACENT WILLOW FARM, MILL LANE, WEELEY HEATH, CO16 9BZ

Councillor M Brown, present in the public gallery, had earlier declared a non-pecuniary interest in relation to Planning Application 16/01456/DETAIL by virtue of the fact that he was a local Ward Member.

Members were informed that the reserved matters application sought their approval of detailed plans for 46 dwellings on the pig farm site in Weeley Heath. This had followed on from the approval of outline planning permission 15/00541/OUT on 18 March 2016 in line with the Committee's resolution of 22 September 2015.

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.

John Crisp, 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 Hones and **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to the following condition:

1. Accordance with approved plans.

108. A.3 - PLANNING APPLICATION - 16/01084/FUL - STRANGERS HOME, THE STREET, BRADFIELD, MANNINGTREE, CO11 2US

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

Councillor Fairley had earlier declared a non-pecuniary interest in relation to Planning Application 16/01084/FUL by virtue of the fact that she was the local Ward Member and by virtue of the fact that she was pre-determined.

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.

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.

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

After discussion, it was moved by Councillor Everett and seconded by Councillor Bennison that the application be refused, with reasons provided.

Having received advice from the Council's Solicitor (CP), Councillors Everett and Bennison withdrew the motion.

Following further discussion by the Committee, it was moved by Councillor Baker, seconded by Councillor McWilliams and unanimously **RESOLVED** that consideration of Planning Application 16/01084/FUL be deferred to enable the applicant to:

- Demonstrate a compelling functional need (to comply with Policy EN3 – Coastal Protection Belt Policy);
- Explore alternative location within the site to minimise harm to amenity, the listed buildings and the Conservation Area;
- Provide details of Materials; and
- Provide details of how refuse will be removed from the building.

109. A.4 - PLANNING APPLICATION - 16/01946/FUL - CHURCHILL COURT, PARKESTON ROAD, DOVERCOURT, CO12 4NU

Councillor Fowler had earlier declared a non-pecuniary interest in relation to Planning Application 16/01946/FUL by virtue of the fact that she was a local Ward Member.

It was reported that this application had been referred to the Planning Committee as Tendring District Council was the owner and applicant.

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 Gray, seconded by Councillor Bennison 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;
2. Approved Plans; and
3. Restrict Working Hours.

The Meeting was declared closed at 8.20 pm

Chairman