

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON TUESDAY, 13TH MAY, 2025 AT 5.00 PM
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

Present:	Councillors Fowler (Chairman), White (Vice-Chairman) (except item 5), Alexander, Everett, Goldman, Scott and Smith
Also Present:	Councillor Bush (items 1 – 4 (part) only)
In Attendance:	Gary Guiver (Corporate Director (Planning & Community)), John Pateman-Gee (Head of Planning & Building Control), Joanne Fisher (Planning Solicitor), Amy Lang (Senior Planning Officer) (except items 6 - 8), Michael Pingram (Senior Planning Officer) (except items 7 & 8), Bethany Jones (Democratic Services Officer) and Katie Koppenaal (Democratic Services Officer)

1. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was received from Councillor Wiggins (with Councillor Scott substituting).

2. MINUTES OF THE LAST MEETING

It was moved by Councillor Goldman, seconded by Councillor Smith and:-

RESOLVED that the minutes of the special meeting of the Committee, held on Wednesday 19 March 2025, be approved as a correct record and be signed by the Chairman.

It was then moved by Councillor White, seconded by Councillor Everett and:-

RESOLVED that the minutes of the meeting of the Committee, held on Tuesday 1 April 2025, be approved as a correct record and be signed by the Chairman.

3. DECLARATIONS OF INTEREST

Councillor Scott declared for the public record in relation to Planning Application **25/00451/FUL – 3 Orchard View, Wivenhoe Road, Alresford, CO7 8BD** that he was one of the local Ward Members. Councillor Scott stated that he was not predetermined on this application, and he therefore would remain in the meeting and take part in the deliberations and decision making on that application.

Councillor White declared for the public record in relation to Planning Application **25/00029/FUL – Oaklands Holiday Village, Colchester Road, St Osyth, CO16 8HW** that he was one of the local Ward Members as well as the caller-in and that he intended to speak on the application in that capacity. He therefore would not participate in the Committee's deliberations and decision making for that application and that he would also leave the room at that juncture.

Councillor Bush, present in the public gallery, declared an interest in relation to Planning Application **24/00280/FUL – Red House, High Street, Great Oakley, Harwich, CO12 5AQ** that he was the local Ward Member and also a member of the Great Oakley Community Hub.

Later on in the meeting, as reported in Minute 7 below, Councillor Scott declared for the public record in relation to Planning Application **25/00451/FUL – 3 Orchard View, Wivenhoe Road, Alresford, CO7 8BD** that he was also a Parish Councillor for Alresford Parish Council. Councillor Scott again stated that he was not predetermined, and that he therefore would remain in the meeting and take part in the deliberations and decision making on that application.

Later on in the meeting, as reported in Minute 8 below, Councillor Smith declared for the public record in relation to Planning Application **25/00324/FULHH – 61 Colchester Road, Holland-on-Sea, CO15 5DG** that he was one of the local Ward Members. Councillor Smith stated that he was not predetermined, and he therefore would remain in the meeting and take part in the deliberations and decision making on that application.

4. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

There were no such Questions on Notice submitted by Councillors on this occasion.

5. REPORT OF THE DIRECTOR (PLANNING & COMMUNITY) - A.1 - 25-00029-FUL – OAKLANDS HOLIDAY VILLAGE, COLCHESTER ROAD, ST OSYTH, CO16 8HW

Earlier on in the meeting as detailed in Minute 3 above, Councillor White had declared for the public record that he was one of the local Ward Members. Councillor White stated that he was pre-determined on this application, and he therefore would not remain in the meeting and not take part in the deliberations and decision making. Councillor White had also stated that he would be speaking on this application as the Caller-in and Ward Member.

Members were told that the application was before the Committee at the request of Councillor White due to his concerns with highway safety.

The Committee was informed that the application related to the Oaklands Holiday Village, Colchester Road, St Osyth, specifically the planned expansion for 138 static holiday caravan and lodge pitches, and recreational space approved under planning application reference 21/02129/FUL.

Officers told Members that the application now before them sought temporary planning permission for up to 5 years, for a new construction access from Colchester Road to facilitate the approved holiday park extension.

Members heard that the proposed access could provide the necessary visibility splays in both directions and that Essex County Council Highway Authority had raised no objections, subject to conditions.

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 (AL) in respect of the application.

An Officer Update Sheet had been circulated to Members before the meeting which was as follows:-

- *“Essex County Council Place Services Ecology comments received 13.05.2025. Comments provided in full below:*

Holding objection due to insufficient ecological information on protected species (out of date report)

Summary

We have assessed the Preliminary Ecological Appraisal (The Ecology Consultancy, February 2021), submitted by the applicant, relating to the likely impacts of development on designated sites, protected and Priority species & habitats.

We are not satisfied that there is sufficient ecological information on protected species available for determination. This is because the Preliminary Ecological Appraisal (The Ecology Consultancy, February 2021) is out of date to support this application, in line with CIEEM Guidance¹

1 CIEEM (2019) Advice note on the Lifespan of Ecological Reports and Surveys - <https://cieem.net/wp-content/uploads/2019/04/Advice-Note.pdf> and paragraph 6.2.1 of British Standard (BS) BS42020 ‘Biodiversity – Code of practice for planning and development 2013’. This is because the initial site walkover was undertaken in 2020.

As a result, we recommend that the applicant’s ecologist provides an ecological addendum or an updated ecological report to support this application, which should require an additional site visit and may require updated desk study information. The ecologist will be required to provide appropriate justification, on:

- *The validity of the initial report;*
- *Which, if any, of the surveys need to be updated; and*
- *The appropriate scope, timing and methods for the update survey(s).*

If additional impacts to protected species are identified as a result of the additional ecological assessment, then any necessary further surveys for protected species should also be provided prior to determination. This is necessary as the Government Circular 06/2005 identifies that the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Therefore, it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed application, is established before planning permission is granted.

Therefore, this further information is required to provide the LPA with certainty of impacts on protected and priority species and enable it to demonstrate compliance with its statutory duties, as well as its biodiversity duty under s.40 NERC Act 2006 (as amended).

Biodiversity Net Gain

Please note we do not provide comments on Biodiversity Net Gain as we have been instructed to leave comments on this matter to the LPA.

Additional comments – bespoke species enhancements:

We also support the proposed reasonable biodiversity enhancements for protected and Priority species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

We look forward to working with the LPA and the applicant to receive the additional information required to overcome our holding objection.

- Amended recommendation to allow for the submission of an addendum to the ecology report, and receipt of no objection from Essex County Council Place Services Ecology:*

Recommendation: Approval

- 1) That the Head of Planning and Building Control be authorised to grant full planning permission subject to the submission and assessment of an acceptable addendum to the Ecology Report following a 'walk-over site survey', and receipt of 'no objection' from Essex County Council Place Services Ecology;*
- 2) The conditions as stated at paragraph 10.2 (including any additional conditions recommended as part of the consultation with Essex County Council Place Services Ecology following consultation on the ecology report addendum) or varied as is necessary to ensure the wording is enforceable, precise, and reasonable in all other respects, including appropriate updates, so long as the principle of the conditions as referenced is retained; and,*
- 3) The informative notes as may be deemed necessary.*

Or: -

- 4) That in the event of the requirements referred to in Resolution (1) above not being secured within 12 months of the date of the committee, that the Head of Planning and Building Control be authorised to refuse the application on appropriate grounds at their discretion.*
- Amended Post Construction Access Arrangement Revision A received showing an increased length of hedge reinstatement / new planting, fully closing off the access and former field access.*
 - Amended Condition 2 to account for the Post Construction Access Arrangement Revision A plan received:*

2. COMPLIANCE: PLANS AND SUPPORTING DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the local planning authority as a non-material amendment following an application in that regard.

- SHF201254-ENZ-XX-XX-DR-T-0001 P01 Site Plan
- SHF201254-ENZ-XX-XX-DR-T-0002 P01 Block Plan
- E5097-3PD-001 Construction Compound (in relation to vehicular turning facility only)
- **E5097-3PD-002 A Post-Construction Access Arrangement**
- E5097-4PD-101 A Proposed Construction Access Visibility
- E5097-4PD-102 A Proposed Construction Access General Arrangement
- E5097-4PD-108 A Proposed Construction Access Standard Details
- Arboricultural Impact Assessment & Arboricultural Method Statement (including appendices) CA Ref: CA19/085-12 dated 20.11.2024.

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non-Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

- Correction to Condition 3 relating to the temporary nature of the permission:

3. COMPLIANCE: TIME LIMIT OF TEMPORARY PERMISSION

*CONDITION: Prior to first occupation of Phase 3 of the development approved under planning application reference 21/02129/FUL and any subsequent s73 and s96A application, **or within 5 years from the date of this permission, whichever is sooner**, the temporary construction access hereby approved shall be suitably and permanently closed as indicated on drawing no. E5097-3PD-002 Post-Construction Access Arrangement and in accordance with planting details approved under Condition 4 of this planning permission, unless otherwise agreed in writing by the Local Planning Authority.*

REASON: To remove unnecessary points of vehicular access, in the interests of visual amenity and highway safety.

- *Addition of tree related conditions (in addition to the approved plans and documents condition), for completeness and the avoidance of doubt:*

11. COMPLIANCE: IN ACCORDANCE WITH AIA

CONDITION: The development shall be carried out in accordance with the approved Arboricultural Impact Assessment & Arboricultural Method Statement (including appendices) CA Ref: CA19/085-12 dated 20.11.2024. This shall include tree works being undertaken by a professional and specialist Arboricultural contractor, who carries the appropriate experience, qualifications and insurance cover. In order to protect retained trees from root damage caused by storage of materials, vehicular movement or construction parking, the approved protection barriers set out within Appendix 2: Tree Protection Plan drawing no. 19/085/011 shall be erected to exclude trees from the construction site. Once installed the Barriers will form a construction exclusion zone (CEZ) to be maintained and observed until completion of the development.

No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

REASON: To ensure existing trees, shrubs and hedges that are identified as being retained are not removed and are protected appropriately during the development, as they are considered essential to maintain the character, in the interests of visual amenity.

12. COMPLIANCE: TREE WORKS HAND EXCAVATION ONLY

CONDITION: All hard surface areas or development within the root protection area of the retained trees, as identified within the approved Arboricultural Impact Assessment shall be carried out in accordance with the tree protection methods, construction techniques and working practices set out within the approved Arboricultural Method Statement CA Ref: CA19/085-12 dated 20.11.2024. Where approved excavation/re-grading is required within the RPA of any retained tree this will be completed under the supervision of the project Arboriculturalist. Where it is safe to do so the excavation will be completed by hand digging or airspade to the required depth of excavation.

No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

REASON: To ensure the longevity of the retained and protected trees, in the interests of visual amenity."

Doug Moulton, the agent for the applicant, spoke in favour of the application.

Councillor White, caller-in and Ward Councillor, spoke against the application.

Matters raised by Members of the Committee:-	Officer's response thereto:-
<i>Has this application only come to the Planning Committee because Councillor White called the application in?</i>	<i>That is correct.</i>
<i>Is the only turning being from North to South?</i>	<i>In terms of the proposed access, you would be able to turn into it from either direction.</i>
<i>Are you allowed to cross over a double white line to turn into a place?</i>	<i>The applicants would have to go through the Section 278 process in any event to alter the existing road. That would be a second phase that the applicant would have to deal with, that would be with Highways directly.</i>
<i>Are there going to be lorries turning right into that site going over double white lines?</i>	<i>No, because they would not be allowed to do that unless they get approval from the Highways Authority as a second phase.</i>
<i>So, the rule of the road means that the lorries are only allowed to come from North to South to access the site from the proposed access?</i>	<i>The rules of the road would apply; Members are only dealing with the application. Officers do not deal with other permissions. Highways Authority is responsible for the highway and those rules.</i>
<i>Because of the law of the land, the vehicles would not be able to turn right into this proposed access, would it be an idea to put that as an advisory on the planning to point that out?</i>	<i>Officers do put advisories on the planning applications to say that the applicant would need to seek advice and possible permissions from the Highways Authority. If the applicant is unable to get past the Highways Authority, then that is their risk.</i>
<i>Would Officers say it was a reasonable view that it is possible that lorries would illegally turn right into the proposed access site?</i>	<i>Yes, a lorry could go North, and it needs to cross the road and to wait for cars coming the other way and this could allow for traffic to build up. This is the same situation as the current access.</i>
<i>With the possible tailbacks, is that going to cause a Highways safety concern?</i>	<i>That would be down for debate.</i>
<i>Could Officers expand on the possible extension of the speed limit on Page 28 of the Officer report?</i>	<i>That was additional information that Officers were offered from the Highways Authority during the course of the application with concerns from the Parish Council and Councillor White, Essex County Council Highways have clarified their view and stance and to make sure that Officers had all the information required which includes this additional information section in the Officer report. It lets Officers and Members know that there are plans in the pipeline for the whole stretch of that road to be a 40mph limit but there are no efficient details that can be shared at the moment.</i>
<i>Is the speed reduction a matter of debate between Essex County Council Highways and the applicant?</i>	<i>Yes, Essex County Council Highways can answer that as it would be down to their determination to make a decision. That does not fall under this application form.</i>

<i>Would the double yellow lines also be part of a consultation with ECC Highways?</i>	<i>The double yellow lines would be subject of a change to the road layout. That would be picked up within the required application under Section 278, that the developer would need to apply and deal with the Highway Authority if they implemented this permission.</i>
<i>At this moment in time, the road is remaining a 60mph limit, the double white lines are staying, and this could come up in the future, is that correct?</i>	<i>Officers do not have a direct answer to that question. The planning merits are the proposal.</i>
<i>Has the applicant looked at the layby before looking at this proposed access site?</i>	<i>Officers believe they had, there is no issue in terms of access, but one issue would be that it would reduce the size of the layby and not as much available space; however, that is not before Members in this application.</i>
<i>Have Officers and the applicant discussed the reference to the location being moved?</i>	<i>No, this proposed access site is a better application.</i>
<i>In reference to the tree, what would happen with the roots of the tree?</i>	<i>The Officer report includes the tree report and the method that would be used as well, and the protection measures would be hand excavation only around the roots.</i>
<i>What clarity could Members have around where the accidents occurred, when they were and whether they are on this stretch of road?</i>	<i>Officers do have a 'crash map' but there are other sources as well to get that information. It goes back around 23 years and every accident, whether minor or severe is recorded. There are a number of accidents on this road as it is a main road.</i>
<i>Is this stretch of road more dangerous than the rest of the road?</i>	<i>Officers cannot answer that question.</i>
<i>Are Officers saying that if Members do not like what is in front of them then Members should refuse the application or is there a way that Members could defer this application for ECC Highways to take another look into the application?</i>	<i>Highway safety is a planning consideration. As part of the Officer assessment of Highway Safety, Officers ask their experts – that being ECC Highways – to take these applications into consideration. This item is before Members to make their own judgement. NPPF paragraph 116 does state for the purpose of the local planning authority, that developments should only be prevented or refused on highway grounds if there would be unacceptable impact on the highway safety.</i>
<i>Is there any way that Members could approve this application as it is now but with an advisory to speak to ECC Highways about the road issues and then come back to Members with a solution?</i>	<i>Officers cannot ask the applicant to guarantee a speed limit as that is beyond their control. The merit of this proposal is before Members and that is down for Members as decision makers to decide. Members can ask for Officers to do that, but Members run the risk of the same application coming back to Committee with no changes.</i>
<i>Am I correct in saying that it is an Essex County Council decision that would progress with the road safety issues?</i>	<i>It is an ECC decision in terms of the road speed limit. It would be an ECC decision on whether they would allow access themselves as a separate regime, but it would be unfair and</i>

	<i>unreasonable to unnecessarily delay this application subject to a third party making those decisions that they may not make. Officers and Members would then run the risk of an appeal of non-determination.</i>
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It was moved by Councillor Everett and seconded by Councillor Scott that consideration of this application be deferred on the basis of:

- relocation of the proposed access site;
- speed limit reduction consideration from ECC; and
- the junction of the right turn into the proposed access site not being double white lines.

After being put to the vote that motion was declared **LOST**.

It was then moved by Councillor Alexander, seconded by Councillor Smith and:-

RESOLVED that:-

- 1) the Head of Planning and Building Control be authorised to grant full planning permission subject to the submission and assessment of an acceptable addendum to the Ecology Report following a 'walk-over site survey', and receipt of 'no objection' from Essex County Council Place Services Ecology;
- 2) the conditions as stated at paragraph 10.2 of the Officer Report (A.1) and subject to the variation to the wording of Condition 2 and Condition 3 and the addition of Condition 11 and Condition 12 as detailed in the Update Sheet (including any additional conditions recommended as part of the consultation with Essex County Council Place Services Ecology following consultation on the ecology report addendum), or varied as is necessary to ensure that wording is enforceable, precise, and reasonable in all other respects, including appropriate updates, so long as the principle of the conditions as referenced is retained;
- 3) the sending of any informative notes as may be deemed necessary; and
- 4) that in the event of the requirements referred to in Resolution (1) above not being secured within 12 months of the date of the Committee, that the Head of Planning and Building Control be authorised to refuse the application on appropriate grounds at their discretion.

6. REPORT OF THE DIRECTOR (PLANNING & COMMUNITY) - A.2 - 24-00280-FUL – RED HOUSE HIGH STREET, GREAT OAKLEY, HARWICH, CO12 5AQ

Earlier on in the meeting as detailed in Minute 3 above, Councillor Bush had declared an interest in that he was the local Ward Member and also a member of the Great Oakley Community Hub.

Members were told that the application was before the Planning Committee following a call-in request from Councillor Bush in the event the application was recommended for refusal. The application sought full planning permission for the demolition of Red House

followed by the construction of a like-for-like replacement building and infill extension to create three flats and a multi-use community facility.

The Committee was informed that the site fell within the Settlement Development Boundary for Great Oakley and that the enhanced community facilities were in accordance with Policy HP2, and therefore the principle of the development was acceptable. In addition, Officers had considered that there was sufficient private amenity space and the impact to neighbours was not significantly harmful.

Officers told Members that the Red House was a non-designated heritage asset that made a positive contribution to the area despite its condition and some previous inappropriate alterations, and its demolition would result in a level of less than substantial harm to the Great Oakley Conservation Area. Following the submission of a Structural Engineering Inspection Report, that had confirmed that the building could be retained and repaired, albeit with extensive works, there was not clear and convincing justification for the complete loss of the significance of the building and the consequential harm to the setting of the Great Oakley Conservation Area.

Members heard that despite some amendments/improvements to the design, the proposed replacement building would not preserve or enhance the character of the area, lacking the authenticity and inherent historic interest of the existing building. On this occasion Officers had considered that the public benefits of the scheme, including the proposed multi-use community area and extension to the garden area, did not outweigh that identified level of less than substantial harm to the Conservation Area.

The Committee was also told that ECC Highways had also raised an objection due to insufficient parking provision and the impacts that would generate to the highway network. Officers had acknowledged the proposal presented an enhancement to the District's community facilities, that there was no parking for the existing building and the site was within a sustainable location, however on balance they had concluded that the harm through insufficient parking provision was such that it justified a recommendation of refusal.

Officers made Members aware that under the NPPF in paragraph 212, Members were obligated to give great weight to the assets within a conservation area.

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 (MP) in respect of the application.

An Officer Update Sheet had been circulated to Members before the meeting which was as follows:-

- *"Update to the second paragraph of refusal reason one to make reference to Paragraph 216 of the NPPF, and to read as follows:*

Paragraph 215 of the NPPF confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where

*appropriate, securing its optimum viable use. **Paragraph 216 adds that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.***

- Update paragraph 8.42 to read as follows:

In accordance with Natural England's standing advice the application site and surrounding habitat have been assessed for potential impacts on protected species. The proposal is for a replacement building and infill extension to provide for three flats and a multi-use community facility. Whilst the existing building would be demolished, the site is within a heavily urbanised location with no connectivity to bat foraging routes, and the building itself is of solid construction, and it is therefore considered that the proposal is unlikely to adversely impact upon protected species or habitats."

Terry Richmond, Chairman of the Great Oakley Community Hub and applicant, spoke in support of the application.

Patrick Wooding, a member of the public, spoke in favour of the application.

Councillor Bush, caller-in and the local Ward Councillor, spoke in favour of the application.

Councillor Bush then left the room when the Committee went into their deliberations and decision-making process.

Matters raised by Members of the Committee:-	Officer's response thereto:-
<i>Has this application come to the Committee because Councillor Bush called it in?</i>	<i>Yes, it is from a call-in that this application is before Members, but it is also here for transparency.</i>
<i>If Members were to refuse this application, what happens to the building?</i>	<i>Officers cannot answer that question as it would be down to the owner of the building to decide.</i>
<i>Was there an infill between the two buildings in the same way as this building?</i>	<i>Yes, there was a similar scheme which was similar to this one.</i>
<i>Is there anything legally that would prevent the applicant from building a like-for-like building?</i>	<i>To replace the building, even like-for-like, it would need planning permission.</i>
<i>If it was just a replacement building being done, could it be done without planning permission?</i>	<i>Not lawfully in planning terms.</i>
<i>What about under normal circumstances?</i>	<i>It would depend on case-by-case, on this occasion it would not be as simple as that with the comments received by ECC Heritage. Like-for-like would not replicate what is historically there.</i>
<i>Essex County Council would rather this building fell down than be used?</i>	<i>That is not what they are saying. Their comments are that there is insufficient justification for the building to</i>

	<i>be removed. Officers had requested an additional survey to understand that the building is beyond repair. The survey has come back to say that it is possible to convert the building, but it would require extensive work. ECC comments are that works have not been justified given that the survey confirms it is possible to convert the building.</i>
<i>Would the applicants need planning permission to rebuild?</i>	<i>The applicants would need planning permission for demolition and planning permission for a new building.</i>
<i>Does the Council have policies relating to parking and could you explain what they are?</i>	<i>There is not a specific policy in the Local Plan, but TDC are abiding by the Essex Parking standards, and they require that a one bedroom property would need one parking space, two or more bedrooms would need two parking spaces, therefore on the basis of this proposal, it would require 5 parking spaces.</i>
<i>Is there room around the building for 5 parking spaces?</i>	<i>There is no parking. Essex County Council raised an objection on that basis.</i>
<i>If an application came to Officers for a two-bedroom and three-bedroom property with no parking, what weight would be given to that application?</i>	<i>The parking provision could be considered acceptable with less provision but with no parking it would have to be weighed up and to see if the Highways Authority would have an objection. It would be a similar recommendation to the one in front of Members.</i>
<i>What would Officers say would be on the list of balances for this application?</i>	<p><i>1. Loss of the Red House building results in less than substantial harm. The replacement like-for-like would not be as historical as the building that is there at the moment. The Community facility area is a public benefit, and three new properties are also, although the benefits of this are limited given the Council can currently demonstrate a five-year housing land supply. There could be more weight attached to this in the future following alterations to the NPPF and the impact that would have to the five-year housing supply, however that cannot be taken into consideration at this time.</i></p> <p><i>There are no parking spaces when the Parking Standards would require a total of five spaces for a scheme of this size. In some instances, Officers could accept reduced parking provision given the site is within a good, sustainable location, however a drop from five to zero spaces is significant. On a previous scheme, a lack of parking was, on balance, considered to be acceptable on the basis that the wider development provided strong public benefits as it retained the existing building. These benefits do not exist with this current application.</i></p>
<i>Is the Red House building a listed building?</i>	<i>It is not a listed building; it is a non-designated asset.</i>
<i>If the building was granted to be demolished and rebuilt, would that harm the conservation area and set a</i>	<i>For demolition and to rebuild, there would be a need for planning permission. It would result in some harm to the conservation area. Any development done; it is</i>

<i>precedent for other conservation areas?</i>	<i>done in a sympathetic manner. Every scheme needs to be considered on its own individual merits.</i>
<i>Has a viability study been done to help the Committee make its decision?</i>	<i>In the original submission a survey report was supplied to say that the structure was not able to be converted, but it was not undertaken by a conservation accredited engineer. This has since been undertaken and confirmed that it is possible to repair the building, but it would require extensive work to do so.</i>
<i>If the Committee refuse the application to demolish, then years down the line something happened to the building, would Officers ask the owners to do repairs work? Did ECC Heritage come down in person to look at the building?</i>	<i>ECC Heritage have come and visited the site previously, but Officers cannot guarantee that they have as part of this current application. Because the building is not a listed building, there is nothing to maintain it as a listed building. As a normal building, the owners would be obligated under the enforcement powers as an untidy site to clean the area.</i>
<i>If this building was rebuilt like-for-like, what is the impact on the neighbouring property?</i>	<i>The Maybush Inn is not listed. The question related to building control matters which is not for your consideration for this application.</i>

It was moved by Councillor White and seconded by Councillor Everett that the application be approved contrary to the Officer recommendation of refusal. On being put to the vote, that motion was declared **LOST** on the Chairman's casting vote.

It was moved by Councillor Fowler, seconded by Councillor Alexander and:-

RESOLVED that:-

- 1) the Head of Planning and Building Control be authorised to refuse planning permission subject to the reasons as stated at paragraph 10.2 of the Officer report (A.2) and including the addition to the second paragraph of refusal reason one as detailed within the Officer Update Sheet, or varied as is necessary to ensure the wording is precise, and reasonable in all other respects, including appropriate updates, so long as the principle of the reasons for refusal as referenced is retained; and
- 2) the sending of the informative notes to the applicant as may be deemed necessary.

7. REPORT OF THE DIRECTOR (PLANNING & COMMUNITY) - A.3 - 25-00451-FUL - 3 ORCHARD VIEW, WIVENHOE ROAD, ALRESFORD, CO7 8BD

Earlier on in the meeting as detailed in Minute 3 above, Councillor Scott had declared for the public record that he was one of the local Ward Members. Councillor Scott had stated that he was not predetermined on this application, and he therefore remained in the meeting and took part in the deliberations and decision making.

Members were told that the application was before the Planning Committee as the applicant was a member of staff for Tendring District Council. The proposal sought permission for the change of use of land to garden. The application site served a large parcel of land located towards the east of No. 3 Orchard View.

The Committee was informed that the boundary treatment consisted of mature hedging and part wire fence to the front and timber field gate and 1.1-metre-high post and rail fencing to the east, and that it was not proposed to change the existing boundary treatment. The proposal was therefore deemed by Officers to have no significant effects on the visual amenities of the area and was deemed appropriate in that regard.

Officers told Members that the use of the site would become residential and therefore any noise levels emitted from the garden would be consistent with those expected of a residential use, raising no major concerns in terms of noise impacts. There were no neighbouring residential dwellings located immediately adjacent to the site. The proposal was therefore deemed by Officers to be acceptable in terms of residential amenities.

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 and Building Control (JP-G) in respect of the application.

There were no updates circulated to Members on this application.

There were no public speakers on this application.

At this point in the proceedings, Councillor Scott declared for the public record that he was also a Parish Councillor for Alresford Parish Council. Councillor Scott again stated that he was not predetermined on this application, and he therefore remained in the meeting and took part in the deliberations and decision making.

Matters raised by Members of the Committee:-	Officer's response thereto:-
<i>With the trees, are there going to be any alterations to them?</i>	<i>Not as part of this proposal. This proposal does not propose any works.</i>

It was moved by Councillor Alexander, seconded by Councillor Smith and:-

RESOLVED that:-

- 1) the Head of Planning and Building Control be authorised to grant planning permission subject to the conditions as stated in paragraph 10.2 of the Officer report (A.3), or varied as is necessary to ensure the wording is enforceable, precise, and reasonable in all other respects, including appropriate updates, so long as the principle of the conditions as referenced is retained; and
- 2) the sending of the informative notes to the applicant as may be deemed necessary.

8. **REPORT OF THE DIRECTOR (PLANNING & COMMUNITY) - A.4 - 25-00324-FULHH
- 61 COLCHESTER ROAD, HOLLAND-ON-SEA, CO15 5DG**

Members were told that the application had been brought to the Planning Committee as the property was owned by a staff member of Tendring District Council.

The Committee was informed that the application sought planning permission for the proposed flat roof rear extension.

Officers told Members that the extension would be sited to the rear of the property and was deemed by Officers to be of an acceptable size, scale and appearance with no significant adverse effects on the visual amenities of the area.

Members heard that the extension would be a single storey with a flat roof so it posed no significant threat of loss of light, privacy, outlook or amenity.

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 and Building Control in respect of the application.

There were no updates circulated to Members for this item.

There were no public speakers for this item.

At this point in the proceedings, Councillor Smith declared for the public record that he was one of the local Ward Members. Councillor Smith stated that he was not predetermined on this application, and he therefore remained in the meeting and took part in the deliberations and decision making.

Matters raised by Members of the Committee:-	Officer's response thereto:-
<i>Was the roof slightly over permitted development rights?</i>	<i>Yes, that is correct.</i>

It was moved by Councillor Goldman, seconded by Councillor Scott and unanimously:-

RESOLVED that:-

- 1) the Head of Planning and Building Control be authorised to grant planning permission subject to the conditions as stated at paragraph 10.2 of the Officer report (A.4), or varied as is necessary to ensure the wording is enforceable, precise, and reasonable in all other respects, including appropriate updates, so long as the principle of the conditions as referenced is retained; and
- 2) the sending of the informative notes to the applicant as may be deemed necessary.

The meeting was declared closed at 7.49 pm

Chairman