MINUTES OF THE MEETING OF THE PLANNING COMMITTEE, HELD ON TUESDAY, 5TH AUGUST, 2025 AT 5.00 PM IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE

Present:	Councillors Fowler (Chairman)(except item 31), White (Vice-Chairman)(in the Chair for item 31 only), Alexander, Everett, Smith and Wiggins
In Attendance:	John Pateman-Gee (Head of Planning & Building Control), Joanne Fisher (Planning Solicitor), Maddie Adger (Leadership Support Manager), Amy Lang (Senior Planning Officer)(except item 31), Michael Pingram (Senior Planning Officer), Alison Pope (Planning Officer)(except items 30 and 31) and Bethany Jones (Democratic Services Officer)

25. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

An apology for absence was received on behalf of Councillor Goldman (with no substitution).

An apology for absence was received on behalf of the Corporate Director (Planning & Community).

26. MINUTES OF THE LAST MEETING

It was moved by Councillor Alexander, seconded by Councillor White and unanimously:-

RESOLVED that the minutes of the meeting of the Committee, held on Tuesday 8 July 2025, be approved as a correct record and be signed by the Chairman.

27. DECLARATIONS OF INTEREST

Councillor Fowler (Chairman) declared for the public record in relation to Planning Application **24/01922/VOC – Land to Rear of 135 and 137 Fronks Road, Dovercourt, CO12 4EF** that she was one of the Ward Members. Councillor Fowler stated that she was predetermined and that therefore she would not participate in the Committee's deliberations and decision making for this application and that Councillor White (Vice-Chairman) would take over as Chairman for that item.

28. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

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

29. REPORT OF THE CORPORATE DIRECTOR (PLANNING & COMMUNITY) - A.1 - 24/01734/OUT - WEST MANSTON, WINDMILL ROAD, BRADFIELD, CO11 2QR

Members were told that the application sought outline consent with all matters reserved, apart from access, for the erection of three dwellings to the rear of the existing dwelling of West Manston, Windmill Road, Bradfield.

Notwithstanding the application site was partly outside of the Settlement Development Boundary, the principle of residential development in that location was acceptable on the strength of the prevailing character of development to the south of the application site and the support of Local Plan spatial strategies.

The Committee heard that the proposed development would represent sustainable development and would not result in any material harm in terms of archaeological interest, residential amenities, highway safety, tree protection, ecology and biodiversity and was acceptable in all other regards.

Members were updated that there were no objections from statutory consultees, although Bradfield Parish Council had objected to the proposal.

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 subject to conditions.

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

An Officer Update Sheet had been circulated to Members prior to the meeting which informed the Committee as follows:-

"Additional planning condition proposed:

Habitat Management and Monitoring Plan for BNG Condition

Unless all BNG requirements are achieved via credits, no development shall commence on the site until a 30 year Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan/s under condition 4, has been submitted to and approved in writing by the local planning authority for the site, and shall contain the following unless otherwise agreed in writing by the Local Planning Authority:

a) *a description and evaluation of the planned habitat works for the creation and/or enhancement of the onsite habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;*

b) *the management measures to maintain the onsite habitat creation and/or enhancement works for a period of a least 30 years from the completion (defined for this purpose as first use and/or occupation unless agreed in writing by the LPA) of the development including: i) ecological trends and constraints on site that may influence management; ii) aims, objectives and targets for management e.g. links with local and national species and habitat action plans; iii) a description of the management operations necessary to achieving aims and objectives; iv) prescriptions for management actions; v) preparation of a works schedule, including annual works schedule; vi) mechanisms of adaptive management to*

account for necessary changes in work schedule to achieve the required targets;

c) *details of the monitoring methodology, to measure the effectiveness of the management of the onsite habitat creation and/or enhancement works together with the timetable for each element of the monitoring programme including when first implemented with provision for monitoring reports to be provided to the local planning authority in writing on year 1, 2, 3, 5, 7, 10, 15, 20, 25 and 30, with biodiversity reconciliation calculations at each stage; and*

d) *details of the roles and responsibilities of the people or organisation(s) delivering the HMMP including implementation and monitoring; and*

e) *There shall be a completion report evidencing the completed habitat enhancements prior to first use and/or occupation unless agreed in writing by the LPA.*

The approved HMMP shall be strictly adhered to at all times and implemented in full for its duration no later than the first use/occupation of the development.

REASON: To enhance biodiversity in accordance with the National Planning Policy Framework and to achieve the Biodiversity Net Gain objectives set out in Schedule 7A of the Town and Country Planning Act 1990 (as amended).

NOTE: If the approved BNG Plan is for credits only, this condition does not require discharge. For all development that include a BNG plan on site and/or off site, in full or part, this condition is imposed and needs to be discharged as set out. Should the BNG requirement be considered to be "significant" an associated legal agreement shall be expected to secure monitoring fees."

Councillor Coley, on behalf on Bradfield Parish Council, spoke against the application.

Matters raised by Members of the Committee:-	**Officer's response thereto:-**
The situation with the tree that is dead, has that tree been tested to see if there are any bats contained within it?	*A ground level tree assessment was conducted which looked at the stem and limbs for potential bat roost features. That particular tree did form part of the Officer report. All of the trees within the site were inspected. Other trees were unsuitable for roosting bats and all other trees lacked defects and it was considered that the proposal was unlikely to impact on foraging if the application was to go ahead.*
Are Members looking at the whole site or just the entrance?	*The description of the application proposes 3 dwellings, so Members are looking at the proposal of 3 dwellings on the whole site and the access.*
What is a tandem development and what is its relevance to this case?	*It is a development behind another dwelling.*
What was the access arrangement for that out to the road?	*It is believed to be shared with the existing dwelling.*
Is the access to the whole of the site?	*Members are looking at the vehicular access into the*

	site. It is for the Highways Authority, that have looked at that, to decide and assess if the splays are available when entering and exiting the site and whether the access will be wide enough for vehicles serving for dwellings to access and leave the site.
Are Members just looking at the entrance for the access?	*Yes, Members are only looking at access.*
Will there be strict controls on vehicles going up and down the road and will there be a one-way system in place?	*At this time, there is a construction management condition that will be placed on any approval and Officers would ask the developer or applicant to come forward with details of how they would manage construction and the Highway Authority will need to accept that and assess that it is accessible – this will control the building materials and where they are sited, where the parking for the construction workers is going to be located and varies things within the site. A construction management plan will secure the construction of the site.*
How can Members make a decision on a document that will not be seen by Members?	*The condition would need to be discharged so the applicant will need to submit to the Council a construction management plan which will go to the Highway Authority for them to review and ensure that the plan has met the requirements. The construction management condition that has been placed in the Officer report (A.1) with the details and criteria that is needed to be complied with and that the applicant/developer need to evidence to within their plan. Any discharge of conditions that come forward to Officers is available on the public access website so anyone will have access to that information.*
Is the access road that Officers are presenting a different access road to the building below it?	*The existing road will be widened.*
Is it a shared access road?	*No.*
Would Officers agree that the application is a shared access road?	*That is not part of the application in front of Members. There is one shared access point that will serve the existing access to the front of the site and would continue to serve for up to 3 dwellings to the rear of the site.* *This is an outline application, this is a decision about the principle of allowing residential use. Members are dealing with the application of 3 properties that are likely to be outside of the Settlement Development Boundary. Once Members have the principle, whether that is acceptable or not, the only thing that is part of this outline is the access (the point of access, not the layout road beyond the access road itself). The access point is the same access point that is currently being used but will be a bit wider and then there will be 3 properties in the garden of this property – those details are reserved matters. Members have got an indicative plan which is showing Members and Officers one possible layout. Officers have restricted this development to being single storey dwellings for being a backland development and to keep the character of the area.*

So, Officers are confirming that the application is a shared access?	*Yes.*
Can Officers tell Members what Policy LP8 says about tandem developments?	*Policy LP8 confirms that the proposals for the residential development of "backland" sites must comply with the following criteria:* *a. where the development would involve the net loss of private amenity space serving an existing dwelling, that dwelling must be left with a sufficient area of private amenity space having regard to the standards of the Local Plan;* *b. a safe and convenient means of vehicular and pedestrian access/egress must be provided that does not cause undue disturbance or loss of privacy to neighbouring residents or visual detriment to the street scene. Long or narrow driveways will not be permitted;* *c. the proposal must avoid "tandem" development using a shared access;* *d. the site must not comprise an awkwardly shaped or fragmented parcel of land likely to be difficult to develop in isolation or involve development which could be prejudice a more appropriate comprehensive development solution;* *e. the site must not be on the edge of defined settlements where likely to produce a hard urban edge or other form of development out of character in its particular setting; and* *f. the proposal must not be out of character with the area or set a harmful precedent for other similar forms of development.*
Part C of the LP8 says that the proposal must avoid "tandem" development using a shared access, is that correct?	*That is correct but unfortunately appeals within the locality does not continue to support that point of the policy. If Officers have to find a point of harm, that is difficult and would be hard to refuse the application on that single issue.*
Page 33 of the Officer report on paragraph 8.58 – have the further surveys been carried out?	*Yes.*

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

RESOLVED that:-

1) the Head of Planning and Building Control be authorised to refuse outline consent subject to the reasons as stated below that follows:

   - the proposed development constitutes backland development that fails to comply with the criteria set out in Policy LP8 of the Tendring District Council Local Plan 2013 – 2033 and Beyond (Section 2). Specifically – the development would extend built form beyond the established rear building line of neighbouring properties, creating a hard urbanised area eroding the character and openness of the area and the amenity enjoyed, including loss

of trees and loss of the opportunity of trees, contrary to the criterion (e) of Policy LP8. As such, the proposal would set a harmful precedent for similar forms of development in the locality and would be out of character with the prevailing pattern of development, outside the settlement development boundary, contrary to criterion of Policy LP8 and the design principles of Policy SP7 and SPL3 of the Local Plan;

- 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.

30. REPORT OF THE CORPORATE DIRECTOR (PLANNING & COMMUNITY) - A.2 - 25/00708/DISCON - SACKETTS GROVE RESIDENTIAL PARK, CLACTON-ON-SEA, CO16 7JB

Members heard that the application was a Discharge of Condition Application relating to the details pursuant to conditions imposed on planning application approval reference 22/00556/FUL relating to a parcel of land centrally located within the Sacketts Grove Caravan Park site, on the western side of Jaywick Lane, Clacton-on-Sea.

The Committee was reminded that the Planning Committee resolved to approve application 22/00556/FUL for the '*Change of use of land for the siting of up to 8 no. residential park homes'* at their meeting on the 4 July 2023, subject to conditions, including a requirements for the details of a revised layout to be referred to Committee for determination (Condition 3) to allow for the consideration of the Hornbeam tree, protection of existing amenity and to allow for improved access and parking arrangements.

Members were made aware that the application sought to discharge Condition 3 in relation to the detailed layout of the additional park home pitches, therefore it required referral to the Planning Committee for determination in line with the resolution. The proposed layout reduced the number of new park homes from 8 to 6, retained the Hornbeam tree and improved the overall spacing of the new park homes.

The application also sought approval of the details pursuant to Condition 5 – Tree protection measures, Condition 6 – Hard and Soft Landscaping, and Condition 13 – Cycle parking.

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.

There were no updates circulated to Members on this occasion.

There were no speakers on this occasion.

There were no questions on this occasion.

It was moved by Councillor Everett, seconded by Councillor Smith and unanimously:-

RESOLVED that the Committee approve the details pursuant as follows:-

- Condition 3 – Detailed Layout;
- Condition 5 – Tree protection measures;
- Condition 6 – Hard and Soft Landscaping; and
- Condition 13 – Cycle parking.

31. REPORT OF THE CORPORATE DIRECTOR (PLANNING & COMMUNITY) - A.3 - 24/01922/VOC - LAND TO REAR OF 135 AND 137 FRONKS ROAD, DOVERCOURT, CO12 4EF

Earlier on in the meeting as reported under Minute 27 above, Councillor Fowler (Chairman) had declared for the public record that she was one of the Ward Members. Councillor Fowler had further stated that she was predetermined, and she therefore withdrew from the meeting at this juncture and took no part whilst the Committee deliberated and made its decision on this application. The Chair was thereupon occupied by the Vice-Chairman (Councillor White).

Members were told that the application sought planning permission for the variation of the approved plans within 24/00254/FUL, in order to facilitate alterations to the ground levels across the site in comparison to what was previously approved. The level changes ranged across the site between -0.6 metres (towards the northern section of the site by Plot A) and 1.5 metres (to the southern section of the site by Plot E). The design, scale and layout of the development otherwise remained unaltered.

The Committee was reminded that the application was initially before the Planning Committee in June 2025; however, it was deferred by Members in order to allow for the submission of surface water drainage details as well as exploring for the boundary treatment and whether it would be feasible to amend the design.

Members heard that the agent for the application had provided a Drainage Technical Note as well as a Drainage Layout, which confirmed surface water was attenuated in tanks before it was discharged into the existing sewer at greenfield run off rates. The roads and driveways were all permeable and lead to a large attenuation tank underneath the block paved road, which led to an even larger tank under the road of the adjacent development before discharging into an Anglian Water manhole.

The Committee were made aware that with regard to the boundary treatment, the details provided remained as before. However, the agent for the application had provided details to show the extent of the height and materials on each of the site boundaries, as well as confirming the retaining walls were on the applicant's land and the design was a combination of steel king posts and concrete sleepers. Furthermore, they had clarified that no overlooking concerns were generated, and whilst the fencing height could be reduced to 2 metres, that in turn would have reduced the privacy to neighbouring properties to the rear.

Finally, Officers continued to consider that the changes would not result in a significant detrimental impact to the street scene or character/appearance of the surrounding area,

and on balance the harm to neighbouring amenities was not considered so significant that a refusal reason was justified.

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 (MP) in respect of the application.

An Officer Update Sheet had been circulated to Members prior to the meeting which informed the Committee as follows:-

"One letter of objection has been received from a local resident, with the following concerns outlined:

1. *It is unacceptable to allow the re-levelling of the land, which is not safe given the current constructions on the plots;*

2. *Concerns that drainage issues to 133 Fronks Road will occur;*

3. *Future boundary maintenance that will be required by neighbouring plot owners to avoid risk of land slip; and*

4. *Loss of property values.*

In response to these comments, points 1, 2 and 3 are addressed within the Committee report. Point 4 is not a material planning consideration so cannot be given any weight in the overall planning balance."

There were no questions to Officers on this occasion.

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

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.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 to the applicant of the informative notes as may be deemed necessary.

The meeting was declared closed at 6.38 pm

Chairman