

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON TUESDAY, 14TH APRIL, 2026 AT 5.00 PM
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

Present:	Councillors Fowler (Chairman), White (Vice-Chairman), Alexander (except item 80), Goldman and Sudra
Also Present:	Councillors Griffiths (except item 81) and Scott (except items 79 – 81)
In Attendance:	Gary Guiver (Corporate Director (Planning & Community)), John Pateman-Gee (Head of Planning & Building Control), Joanne Fisher (Planning Solicitor & Acting Legal Services Manager), Alison Newland (Planning Team Leader) (except items 77 - 81), Charlotte Cooper (Planning Officer), Bethany Jones (Democratic Services Officer) and Katie Koppenaal (Democratic Services Officer)
Also in Attendance:	Lee Heley (Corporate Director (Place and Wellbeing) & Deputy Chief Executive) (except item 81), Emma Twine (Project Manager (Levelling Up)) (except item 81) and Nina Warren (Trainee Legal Executive) (except items 80 & 81)

73. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Bray (with no substitution), Codling (with no substitution) and Wiggins (with no substitution).

74. MINUTES OF THE LAST MEETING

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

RESOLVED that the minutes of the last meeting of the Committee, held on Tuesday 17 March 2026, be approved as a correct record and be signed by the Chairman.

75. DECLARATIONS OF INTEREST

Councillor Alexander declared a personal interest, in relation to Planning Application **26/00025/FUL – Former Public Convenience/Beach Patrol Unit, Existing Shelter and Small Hut Building, Kings Promenade, Clacton-on-Sea, CO15 5AF**, in that he was one of the Ward Members and he was pre-determined. He would therefore not sit as a member of the Committee for this item but would retire from the room whilst this application was determined. However, he would also exercise his right, as one of the Ward Members, to speak on the application.

Councillor Scott, who was present in the public gallery, declared for the public record, in relation to the Planning Application **25/01795/FUL – Oak Lodge, Hall Road, Great Bromley, CO7 7TY**, that he was one of the Ward Members for the application and that he would speak on the application in that capacity as well as in the capacity of the caller-in.

For the benefit of the public record, the Chairman (Councillor Fowler) mentioned that the Committee members had previously received a lobbying email from a member of the public for the Planning Application **25/01066/out – Land to the South of Weeley Road,**

Great Bentley but that the email would have no part of the consideration and decision-making on this application.

Councillor Griffiths, who was present in the public gallery, declared for the public record, in relation to the Planning Application **26/00025/FUL – Former Public Convenience/Beach Patrol Unit, Existing Shelter and Small Hut Building, Kings Promenade, Clacton-on-Sea, CO15 5AF**, that he was one of the Ward Members and that he would speak on the application in that capacity.

76. REPORT OF THE CORPORATE DIRECTOR (PLANNING & COMMUNITY) - A.1 - 25-01066-OUT – LAND TO THE SOUTH OF WEELEY ROAD, GREAT BENTLEY

Members were told that this outline application proposed up to 80 dwellings with only the site access to be considered at this stage. The site was located outside (but abutted) the Settlement Development Boundary. The Council's lack of a five-year housing land supply had engaged the tilted balance in favour of sustainable development.

The Committee heard that the site had been included as a potential housing allocation in the emerging Local Plan. Technical matters which included highways, archaeology, drainage, ecology, landscaping and amenity had been demonstrated as acceptable or could be mitigated through conditions and/or a Section 106 agreement.

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 (and a Section 106 agreement).

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

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

"Great Bentley Parish Council further comments:

The council wanted it noted that this proposal now includes a draft Section 106 agreement providing financial contributions towards the village hall, and the operation of a new bus service for a period of two years. These measures would offer infrastructure benefits to the village and support sustainable transport options.

As per our previous comments this is a site recommended by the Parish Council for inclusion within the local plan, by moving the proposed site access away from the dangerous bend on Weeley Road, the applicant has taken into consideration the comments made previously.

However, the site does remain located beyond the recommended catchment distance to the railway station, this could be improved if a pedestrian access was linked through their phase 1 into the pedestrian access through the Birch Estate to shorten this down which would also support pedestrian access to the school.

Clarification regarding Paragraph 7.52 of the officer report:

Conditions 19 and 23 of 22/01818/FUL for Phase 1 and the associated legal agreement secure the footpath connection across the Phase 2 site to join the Public Right of Way. This should have been completed prior to occupation and retained in perpetuity. However, it remains outstanding due to the conflict with the construction compound and no public access to this part of the site.

If this Phase 2 application is approved, the footpath route is altered through the approval of reserved matters, and the development commences, the existing Phase 1 permission and legal agreement will need to be varied by a S73 application and deed of variation to secure the altered alignment of the footpath and triggers for its delivery, maintenance and retention in perpetuity. It would also be secured under any future Phase 2 reserved matters for Layout. This would ensure the previous obligations for Phase 1 are retained and the residents of both phases will benefit from a safe and direct connection to join the Public Right of Way. This matter is clarified by an additional informative within the recommendation as detailed below.

The surface water attenuation basin and drainage feature for Phase 1 are also secured by legal agreement. These have been completed and are unaffected by the Phase 2 development which has its own drainage basin and features. This will therefore not require alteration if this Phase 2 application is approved.

Paragraph 9.3 Alteration to condition wording:

6 FURTHER APPROVAL: BIODIVERSITY NET GAIN PLAN MANAGEMENT & MONITORING PLAN

CONDITION: Unless all biodiversity net gain for the development is achieved via the purchase of off-site biodiversity units or statutory biodiversity 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 under Condition 5 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) 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 at 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 **scheme shall be** 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;

Furthermore, there shall be a completion report submitted to the local planning authority in writing for its approval, evidencing the completed habitat enhancements and/or creation works as set out in the HMMP prior to first use and/or occupation of the development 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 with the completion of the habitat works for the creation and/or enhancement of the on-site habitat no later than the first use/occupation of the development, and the management and monitoring of those habitat works as required and in accordance with the approved HMMP thereafter for the period of 30 years or more.

~~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 off-site units or statutory credits only, this condition does not require discharge. For all development that include a BNG plan for a combination of on-site and off-site/statutory credit, this condition is imposed and needs to be discharged as set out to secure the on-site element. Additionally, should the on-site BNG requirement be considered to be "significant" an associated legal agreement will be required to secure monitoring fees.

22 FURTHER APPROVAL: RAILWAY FENCING

CONDITION: Prior to first occupation of the development, a strategy to ensure that there is a boundary fence between the proposed development and the railway line which conforms to Network Rail design standards, shall be submitted to and approved in writing by the Local Planning Authority. The strategy will include full details of the location, construction and condition of the current boundary fence on the railway boundary and in the event that **the** part or all the existing fence does not conform to current Network Rail standards, details of how an appropriate boundary fence will be

provided. Any works specified in the approved strategy shall be carried out in accordance with the approved strategy prior to the first occupation of the development and shall be retained and maintained as approved thereafter.

REASON: To ensure that the increase in public activity resulting from the development does not result in an increase in trespass or anti-social behaviour on the railway line that would be detrimental to the safety of members of the public and railway users.

Paragraph 9.3 – Addition to informatives:

Should this proposal subsequently gain reserved matters approval; the connecting footpath as secured for Phase 1 (22/01818/FUL) is altered through the approval of reserved matters; and the development proceeds to construction, a S73 variation of condition application for 22/01818/FUL and a deed of variation to the associated legal agreement will be required to secure the altered alignment of the permissive footpath across the application site and triggers for its delivery, maintenance and retention in perpetuity.”

Stuart Blakley, the applicant's representative, spoke in support of the application.

Chris Morris, a member of the public, spoke against the application.

Matters raised by Members of the Committee:-	Officer's response thereto:-
<i>Is it correct that the drainage for Stage 1 is actually on Stage 2, but Stage 2 is also going to have its own drainage at the bottom of the scheme?</i>	<i>Yes, that is correct. Stage 1 has two drainage features and is completely separate and all the drainage from the proposed development will go to a completely new basin that has nothing to do with the Stage 1 drainage.</i>
<i>The play area for Stage 2 is actually on Stage 1, is that correct?</i>	<i>When the application was originally submitted, there was a proposed play area in the North, but the Parish Council requested that because there is a play area in Stage 1 that it was not required in Stage 2, so Officers have favoured the village hall contribution instead.</i>
<i>Can the Committee give suggestions on how to improve the Stage 2 play area?</i>	<i>The Phase 1 development is not within the same application site currently so the Committee and Officers cannot impose conditions at this stage for the play area under this application.</i>
<i>For clarity, is the access road only a part of Stage 1 but when Stage 2 came to Planning, the Highway Authority rejected it straight away?</i>	<i>They are completely separate. The application site before Members has not been considered before, but when it was submitted there was a point of access onto Weeley Road originally which Officers had concerns with and Highways objected to it so Officers asked to move the access road within Stage 1 and that would mean that there would not need a break in the hedgerow along the site and once the construction compound is finished with that will be able to be closed.</i>
<i>Will the bus service come into the development or bypass on the main road?</i>	<i>It will not come into the development. This is a new bus service that they introduced in February that goes from Brightlingsea to Great Bentley by the</i>

	<i>train station and out to Clacton-on-Sea, so it is additional funding for that, as it is only currently funded for 2 years. It does not directly come to the site, no, but residents can pick it up at the train station.</i>
<i>Are there no future plan for bus stops within the planning?</i>	<i>No, it has not been requested from the Highways Authority for any bus stops within the development.</i>
<i>Is there going to be any provision made to make the road safer to stop kids running across?</i>	<i>The play area is within the fenced area but the open space around it is completely open and that is how Stage 1 has been approved, so there is not any requirement to hedge that off at the moment. It is not within the application site before Members today so the Committee and Officers cannot impose any conditions covering that part of the site.</i>
<i>Can there be extra hedging put there?</i>	<i>It is not part of this application so it cannot be conditioned. The applicant has not said whether they own or control that land. It was possibly indicated on-site that they may potentially be happy to plant a hedge but that would need to be in a formal arrangement that could not be secured under this application.</i>
<i>Can it be made a formal arrangement with the contractors?</i>	<i>Officers have made an approval decision; it is being built. It is past the point that Officers could retrospectively alter that design or any of the arrangements that have been approved by this authority. The road is a 20mph road, but Officers and the Committee cannot formerly require any changes to this open space or impose security of those changes onto this development. This development is nothing, apart from the route of access, to do with the current application before Members and must be treated separately. Members are looking at this application on its merits only in that respect. If it is good or bad in terms of the existing arrangements regarding this open space, then that is a past argument that the Council cannot go back to.</i>
<i>Would Officers agree that there is a parking problem?</i>	<i>Yes, there is an existing problem in the centre of the village, with the railway crossing as well. The development meets its requirements for on-site parking, and it has got the pedestrian link through to the village. The Stage 1 development was allowed on appeal, and the inspector considered those points and in approving the Birch Avenue residential link, the inspector considered that it made the facilities in the village accessible enough on foot or cycle so that it was sustainable and would not be grounds for refusal. The applicant has met their on-site requirements for parking. Officers do have a transport statement that the Highway Authority is satisfied with the capacity that the local road can take the development and that includes</i>

	<i>the proposal opposite the site which is pending at the moment.</i>
<i>With the money contributions, how will that affect the local people, and will it be used in the village? Such as doctors' surgery being expanded.</i>	<i>In paragraph 9.2 of the Officer report (A.1), it shows the Heads of Terms for what Officers have secured in the legal agreement which is being finalised at the moment, and it is £46,800 for Great Bentley surgery or other solutions that address the increased capacity. The NHS talk about different investments, but that is what is secured in the legal agreement that relates to Great Bentley.</i>
<i>Can the Council do something to improve the safety of the road by the play area in Stage 2?</i>	<i>In the order of things, the application before Members is not just for access only, it is for the principle of development in this location and it includes one of the reserved matters which is access which means that what is not included is the layout, appearance, landscaping and so on, but just access but the primary issue here being an outline application is to decide the principle of development. The principle, there are certain bits to that principle that Members need to consider which is 'what are the burdens of the development?' in the context of highways, and to understand what the highway implications are, and other principal considerations as well. In normal situations, Officers would say a development of this size would generate x amount of children and those children would need to find a place to enjoy as a public open space. As a general public open space, this exceeds the current requirement. The other requirement is 'do we need play equipment for those children?', normally Officers do expect something but in this case, the local Parish Council says that there are already local play spaces already available and the burden on those is not seen as needing another play area and their request is to redirect the funding to the village hall instead. If the debate from Members is that the funding should not go towards the village hall and that it should go towards an existing play space instead, legally Officers would have to look at how that would be done, but effectively Members could say to reduce the money to the village hall and redirect it to an existing play area instead. There is no evidence to tell Officers and Members that the area is unsafe.</i>
<i>Can the reserved matters application come back to this Committee?</i>	<i>It would not usually but if Members request it then it can.</i>

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

RESOLVED that, subject to:-

- 1) on appropriate terms as set out in the Officer report (A.1) and those as may be deemed necessary to the satisfaction of the Head of Planning and Building Control to secure the completion of a legal agreement under the provisions of Section 106 of the Town and Country Planning Act 1990 dealing with the matters as summarised at paragraph 9.2 of the aforementioned Officer report;
- 2) the Head of Planning and Building Control be authorised to grant outline planning permission subject to the agreed Section 106 agreement and conditions as stated at paragraph 9.3 of the Officer report (A.1), the Update Sheet, and the reserved matters application(s) coming to the Committee, 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;
- 3) the sending of any informative notes to the applicant as may be deemed necessary; and
- 4) in the event of the Planning obligations or requirements referred to in Resolution (1) above not being secured and/or not secured within 12 months that the Head of Planning and Building Control be authorised to refuse the application on appropriate grounds at their discretion.

77. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

No questions on notice pursuant to Council Procedure Rule 38 had been submitted for this meeting.

78. REPORT OF THE CORPORATE DIRECTOR (PLANNING & COMMUNITY) - A.2 - 25-01795-FUL – OAK LODGE, HALL ROAD, GREAT BROMLEY, CO7 7TY

Earlier on in the meeting, as reported under Minute 75 above, Councillor Scott had declared that he was one of the local Ward Members and the caller-in and that he had exercised his right in those capacities to speak on the application.

The Committee was informed that the proposal sought the change of use of an existing dwelling to a small Class C2 children's home for up to three children, involving only minor external alterations. The development was considered by Officers to be policy-compliant, with no significant adverse impacts identified in relation to residential amenity, heritage, highways, trees, drainage, or biodiversity, and was therefore acceptable.

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 (CC) in respect of the application.

No updates had been circulated to Members in relation to this application.

Samuel Connor, the applicant, spoke in support of the application.

Scott Tucker, member of the public, spoke against the application.

Councillor Andrew Fairley, Vice-Chairman of the Great Bromley Parish Council, spoke against the application.

Councillor Gary Scott, one of the Ward Members and the caller-in, spoke against the application.

Matters raised by Members of the Committee:-	Officer response thereto:-
<i>Are Members correct in saying that 'covenants' is not a material planning consideration?</i>	<i>Yes, that is correct.</i>
<i>If the applicant has the correct application and licence then planning permission is not required, is that correct and why is this application before Members if planning permission is not needed?</i>	<i>Essentially it was down to the applicant's discretion, and they would rather go in for full planning permission rather than a lawful development certificate and that is why the application is before Members today.</i>
<i>Could you expand on that a bit?</i>	<i>In these circumstances, Members' debate has been on a case law basis. The debate is 'what is the material change?'. Members are looking at a change of use from a C3 to a C2 which is a change from a standard residential property to a children's home, but it is a degree of how institutionalised or how significant a change to that children's home is considered to be material. Case law holds up that in small cases of very minor change, it could be held to be lawful and that there is no significant material change, whereas if the children's home was a significant home with a lot of children and resources, it is considered to be a material change. In this case, the fallback is argued or potentially to be argued that because it is similar to a five-bedroom property in the nature of size and scale being proposed, that it could be regarded as non-material. It is a matter of judgement. The applicant could come back in if this was refused, with a certificate of lawful use application that Officers would have to consider that degree of material change. The applicant has decided not to do that and instead, decided to come in with an application for change of use and the degree of change of use is to be determined on its own merits. There is also another difference between the two, a certificate of lawful use is 'yes' or 'no' 'is this needing planning?' whereas a full application, which is before Members today, is also determining its merits but also gives the opportunity to impose restrictions on that proposal. In the Officer report (A.2), Officers are asking for two restrictions which is the car park spaces and the number of residents in the property</i>

	<i>as well.</i>
<i>If Members were to go against this application hypothetically, would it be possible to revert back for applying for a lawful licence on this land?</i>	<i>If Members were to refuse this application, the applicant can appeal and a planning inspector will look at the merits of the case again and that would include any material consideration and any permitted development rights etc. Another choice the applicant may have or to do both which is to appeal and come back with a fresh application to the Council. The applicant would have many options.</i>
<i>Would the Highways Authority have taken the amount of activity with cars into consideration to not object?</i>	<i>Highways Authority have not objected to the application, but they have said that the proposal would not result in a material change in the character of traffic in the vicinity of the site and therefore would have no objections. They have suggested some conditions on parking area and the parking spaces which have been included.</i>
<i>Has the road got any yellow or white lines at the front of the property?</i>	<i>Looking at Google maps, there are yellow lines and it is a 30mph road. Everything East of the access is double yellow lines. Parking would be restrictive because of the nature of the road.</i>
<i>The lawful certificate does not come with conditions, is that correct?</i>	<i>Yes, that is correct. There is an exercise that whether or not something requires planning permission or not and the Council cannot condition that. Members are debating the merits of this planning application, but Members are considering what are the material considerations and considering what weight Members are giving to those.</i>
<i>Could Members put a restriction on how many vehicles at one time are at the property?</i>	<i>Members could but how could that be enforced? Members have to consider what is reasonable and enforceable. Given all other consideration, Officers and Members would be unreasonable and unenforceable to condition the restriction of vehicles at the property.</i>

It was moved by Councillor Sudra, seconded by Councillor Fowler 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 9.2 of the Officer report (A.2), 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 any informative notes to the applicant as may be deemed necessary.

79. REPORT OF THE CORPORATE DIRECTOR (PLANNING & COMMUNITY) - A.3 - 26-00075-FUL – CLACTON LEISURE CENTRE, VISTA ROAD, CLACTON-ON-SEA, CO15 6DB

Members were made aware that this application had been brought to the Planning Committee as the applicant was Tendring District Council.

The Committee was informed that the proposal sought permission for a new floodlit Football Foundation Playzone on part of the redundant courts at Clacton Leisure Centre. The development was considered by Officers to be acceptable in principle and detail, representing a visual and functional improvement to existing facilities with no significant harmful impacts identified.

Members had before them 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 (CC) in respect of the application.

No updates had been circulated to Members in relation to this application.

No one had registered to speak on this application.

Matters raised by Members of the Committee:-	Officer response thereto:-
<i>Could Members have assurance that the modern lights will not be LED lights?</i>	<i>LED floodlight is proposed in each corner of the playzone. Officers do not believe there are any changes to the current floodlighting. Officers have not received any objections to this but a condition has been included in the Officer report (A.3) which restricts the hours in which the lights can be on which is only 8am to 10pm.</i>
<i>It seems like a bit of a devious route to get to the site, are Officers saying that the public cannot use the sports centre to change and will have to use the tiny square room?</i>	<i>There is not a changing room proposed in this application; however, there are facilities within the main sports centre that the public can change in.</i>
<i>Are the lights aimed down onto the pitch and not elevated?</i>	<i>Yes, that is correct.</i>
<i>Is it still the case that there have been no objections from the neighbours?</i>	<i>Yes, that is correct.</i>

It was moved by Councillor White, seconded by Councillor Goldman 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 9.2 of the Officer report (A.3), with an added condition requiring a lighting scheme to be approved and thereafter maintained, 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.

80. REPORT OF THE CORPORATE DIRECTOR (PLANNING & COMMUNITY) - A.4 - 26-00025-FUL – FORMER PUBLIC CONVENIENCE/BEACH PATROL UNIT EXISTING SHELTER AND SMALL HUT BUILDING, KINGS PROMENADE, CLACTON-ON-SEA, CO15 5AF

Earlier on in the meeting, as reported under Minute 75 above, Councillor Alexander had declared that he was one of the Ward Members and that he was pre-determined. He did not sit therefore as a member of the Committee for this item, and he retired from the meeting whilst it was determined but exercised his right as a Ward Member to speak on the application.

Also, as reported under Minute 75 above, Councillor Griffiths, who was present in the public gallery, had declared that he was also one of the Ward Members and that he would speak on the application in that capacity.

Members were informed that the application was before the Committee because the land was owned by Tendring District Council.

The Committee also heard that the application proposed various improvements works to bring the existing structures back into beneficial use for a variety of commercial, community and public uses. Subject to conditions the proposal was considered by Officers to be acceptable in relation to impact upon heritage assets, drainage, flood risk, highway safety, and visual and residential 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 Planning Officer (CC) in respect of the application.

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

"Consultee comments received"

ECC Ecology

Raise no objection subject to conditions securing implementation of the mitigation measures in the Ecological Appraisal and Preliminary Roost Assessment, and the submission and approval of a Biodiversity Enhancement Strategy. They also confirm support for the submitted lighting specification.

Natural England

No objection and consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Update to Paragraph 9 Recommendation

As no objections have been received from ECC Ecology and Natural England the recommendation is amended to:

Recommendation: Approval

1. That the Head of Planning and Building Control be authorised to grant planning permission subject to the conditions as stated at paragraph 9.2 **as included/amended on the update sheet**, 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 provided no objections are received from Essex County Council Ecology and Natural England.** And,
2. The informative notes as may be deemed necessary.

Or;

3. **That in the event of an objection being received from Essex County Council Ecology and / or Natural England that the grant of planning permission will be withheld pending the return to the Planning Committee of a revised report and, if necessary, revised recommendations for either the imposition of planning conditions or for the overall decision to be taken again by Members of the Planning Committee.**

Paragraph 9.2 Update to Conditions

Condition 3 Heritage Repair Schedule amended

Following submission of the Schedule of Works, ECC Heritage have confirmed no objection and are now content for this matter to be secured by way of a compliance condition. Condition 3 has therefore been amended and the Schedule of Works added to the Approved Plans Condition as set out below to ensure full compliance.

HERITAGE REPAIR SCHEDULE

3. CONDITION; A repair schedule for the hut and covered shelter, including a method statement, shall be submitted to and approved in writing by the Local Planning Authority prior to the repair works on site. The works shall be implemented in accordance with the approved schedule and shall be permanently maintained as such.

3. CONDITION: The hereby approved works to the Hut and Covered Shelter shall be implemented in full accordance with the Schedule of Works received 16.03.2026 and shall be permanently maintained as such thereafter.

REASON; In the interests of preserving the heritage significance and historic fabric of the buildings and the wider Conservation Area.

Condition 2 – Amended to include Schedule of Works

APPROVED PLANS & 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

- *Drawing No. 0000 - Site Plan - Received 12.01.2026*
- *Drawing No. 0002 - Proposed Block Plan - Received 12.01.2026*
- *Drawing No. 2000 - Beach Patrol - Proposed Ground Floor Plan – Received 12.01.2026*
- *Drawing No. 2001 - Beach Patrol - Proposed First Floor Plan - Received 12.01.2026*
- *Drawing No. 2002 - Covered Shelter - Proposed Ground Floor Plan - Received 12.01.2026*
- *Drawing No. 2003 - The Hut - Proposed Ground Floor Plan - Received 12.01.2026*
- *Drawing No. 2010 - Beach Patrol - Proposed South East and South West Elevations Received 12.01.2026*
- *Drawing No. 2011 - Beach Patrol - Proposed North East and North West Elevations Received 12.01.2026*
- *Drawing No. 2012 - Covered Shelter - Proposed South Esat Elevation – Received 12.01.2026*
- *Drawing No. 2013 - The Hut - Proposed South East Elevation - Received 12.01.2026*
- *Iguzzini Down Lighter - Received 06.01.2026*
- *Iguzzini Receipt - Received 06.01.2026*
- *Electrical Installation Condition Report - Received 06.01.2026*
- *Flood Risk Assessment - Received 06.01.2026*
- *Planning, Design, Access and Heritage Statement - Received 06.01.2026*
- *Preliminary Ecological Appraisal - Received 06.01.2026*
- *Tier 1 Desk Study Report (1)- Received 06.01.2026*
- *Tier 1 Desk Study Report (2) - Received 06.01.2026*
- *Visual Structural Inspection Report - Received 06.01.2026*
- *Preliminary Roost Assessment - Received 09.01.2026*
- *Schedule of Works – Received 16.03.2026*

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.

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.

Additional Conditions

14 ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

CONDITION: All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Appraisal and Preliminary Roost Assessment as submitted with the planning application.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details and maintained as approved thereafter.

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

15 PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

CONDITION: Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs or product descriptions to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);*
- d) persons responsible for implementing the enhancement measures; and*
- e) details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

REASON: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended)."

Lee Heley, on behalf of the applicant, spoke in support of the application.

Councillor Griffiths, one of the local Ward Members, spoke in support of the application.

Councillor Alexander, the other local Ward Member, spoke in support of the application.

Matters raised by Members of the Committee:-	Officer response thereto:-
<i>Could there be a provision for a public convenience?</i>	<i>It is considered acceptable to get rid of them in that there are some next to Martello Lounge further along. It was deemed enough in this case.</i>
<i>Are there any public conveniences on the pier?</i>	<i>There are some just next to the Martello Lounge.</i>
<i>Do you find the public conveniences adequate?</i>	<i>Yes, the Officer has.</i>
<i>Do you find the lack of lighting to be a cause of any Anti-Social Behaviour?</i>	<i>Adding lighting does not mean it solves a problem, but it anticipates the problem more on the basis that Members are encouraging gatherings to take place under that lighting. There were discussions with the prime Officer in respect of not encouraging further lighting. There is some lighting in respect of this proposal in terms of down lighters in the building itself but there is not a proposal before Members to consider in respect of lighting. If Members want to add that, it means Members are adding to the proposal something that is not already there.</i>
<i>Would it be worth having a lighting survey done at some point on the slopes?</i>	<i>That is not part of the application before Members. That is on the area outside the red line plan. It is currently a public right of way and something that has been there for a long time.</i>
<i>Is there any enhancement that could be proposed to make it a better journey for wheelchair users?</i>	<i>There are changes proposed to the steps and handrails as well as the hard surfacing but not to the slopes themselves as that is not part of this application site.</i>
<i>Can Officers look at that again to make it a better journey for wheelchair users?</i>	<i>This is a Council development, and Members could wish to encourage the informative that will be added. Any building works here would also need to comply with building regulations in respect of access as well.</i>

It was moved by Councillor Fowler, seconded by Councillor Goldman 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 9.2 of the Officers' report (A.4), the Officer Update Sheet, the added informative for the applicant to consider any further lighting and disability access requirements for the development and immediate area to promote security and safety, 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 any informative notes to the applicant as may be deemed necessary.

81. REPORT OF THE CORPORATE DIRECTOR (PLANNING & COMMUNITY) - A.5 - 25-01832-OUT – 59 HARWICH ROAD, LAWFORD, MANNINGTREE, CO11 2LP

Members were informed that this application was an outline planning application with all matters reserved for the erection of one dwelling. The site lay outside the Settlement Development Boundary but was considered by Officers to be acceptable subject to conditions and the completed RAMS Unilateral Undertaking.

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 (CC) in respect of the application.

No updates had been circulated to Members in relation to this application.

Beth Deacon-Bates, the applicant's agent, spoke in support of the application.

Matters raised by Members of the Committee:-	Officer response thereto:-
<i>Can a condition be put on the trees?</i>	<i>Members can but at the reserved matters stage. Visibility splays that are part of a scheme does not necessarily mean it is only restricting the ground height to a certain height; there are conditions that can be worded that can consider over-hang as well.</i>
<i>Would this application come back to the Committee for the reserved matters?</i>	<i>Not automatically, no. That is something that Members would need to debate.</i>

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

RESOLVED that:-

- 1) the Head of Planning and Building Control be authorised to grant planning permission subject to conditions as stated at paragraph 9.2 of the Officer report (A.5), the reserved matters application(s) coming to the Committee, 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 any informative notes to the applicant as may be deemed necessary.

The meeting was declared closed at 7.25 pm

Chairman