

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON TUESDAY, 9TH JUNE, 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 5), Bray, Codling, Land, Sudra and Wiggins
Also Present:	Councillors Baker, Bush, P Honeywood (except items 6 & 7), S Honeywood (except items 6 & 7) and Oxley
In Attendance:	Lisa Hastings (Corporate Director (Law & Governance) & Monitoring Officer), Gary Guiver (Corporate Director (Planning & Community)), John Pateman-Gee (Head of Planning & Building Control), Alison Pope (Planning Officer), Katrina Morrow (Planning Officer - Agency), Bethany Jones (Democratic Services Officer) and Katie Koppenaal (Democratic Services Officer)

1. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

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

2. MINUTES OF THE LAST MEETING

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

RESOLVED that the minutes of the last meeting of the Committee, held on Tuesday 12 May 2026, be approved as a correct record and be signed by the Chairman.

3. DECLARATIONS OF INTEREST

Councillor Alexander declared an interest, in relation to Planning Application **26/00112/FUL – 1 Wellesley Road, Clacton-on-Sea, CO15 3PP**, in that he was one of the Ward Members and he was pre-determined. He therefore would 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 Bush, who was present in the public gallery, declared for the public record, in relation to the Planning Application **26/00515/FUL – Lacies View, Colchester Road, Stones Green, Harwich, CO12 5DA**, that he was the Ward Member for the application and that he would speak on the application in that capacity as well as in the capacity of the caller-in.

Councillor Oxley, who was present in the public gallery, declared for the public record, in relation to the Planning Application **26/00515/FUL – Lacies View, Colchester Road, Stones Green, Harwich, CO12 5DA**, that she was speaking on the application as a member of the public in favour of the application.

Councillor P Honeywood, who was also present in the public gallery, declared for the public record, in relation to the Planning Application **26/00112/FUL – 1 Wellesley Road, Clacton-on-Sea, CO15 3PP**, that he was one of the adjacent 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.

4. 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.

5. REPORT OF THE CORPORATE DIRECTOR (PLANNING & COMMUNITY) - A.1 - 26-00112-FUL - 1 WELLESLEY ROAD, CLACTON-ON-SEA, CO15 3PP

Earlier on in the meeting, as reported under Minute 3 above, Councillor Alexander had declared that he was one of the local 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 deliberated but exercised his right as a Ward Member to speak on the application.

Also, as reported under Minute 3 above, Councillor P Honeywood, who was present in the public gallery, had declared that he was one of the adjacent 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.

It was reported that the application sought permission for a change of use of a three-story building at 1 Wellesley Road, Clacton-on-Sea, to temporary emergency accommodation (Sui Generis).

Members were informed that the site was located within a highly sustainable town centre location and had been vacant since 2020, with no reasonable prospect of being brought back into beneficial use and could make a meaningful contribution towards addressing a clearly identified need for emergency accommodation within the District.

The Committee heard that whilst concerns had been raised in relation to residential amenity and the nature of the use, those impacts could be effectively mitigated through a robust Management Plan and planning conditions. The proposal would not result in harm to the character of the area, highway safety, or ecology, and would provide an acceptable standard of accommodation for future occupiers.

Officers told Members that the Council could not currently demonstrate a five-year housing land supply and, as such, the titled balance was engaged. Whilst it was acknowledged that the proposal for temporary emergency accommodation did not constitute conventional housing in the strictest sense, it nonetheless resulted in an overall increase in residential accommodation. On this basis, it was considered appropriate that the titled balance applied in this instance. Having regard to this, the significant social benefits arising from the provision of such accommodation were not considered to be outweighed by any adverse impacts identified.

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.

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

Fawaad Shaikh, the agent for the application, spoke in support of the application.

Councillor P Honeywood, one of the adjacent Ward Members and the caller-in, spoke against the application.

Councillor Alexander, one of the Ward Members, spoke in relation to the application.

Matters raised by Members of the Committee:-	Officer response thereto:-
<i>Could Officers explain in simple terms why this application is not a House in Multiple Occupation (HMO)?</i>	<i>An HMO is a house occupied by three or more unrelated individuals as their only or main residence where they have individual lockable bedrooms but where basic amenities such as kitchen or a bathroom are shared. In this case, each unit is self-contained and has a kitchenette and their own bathroom/shower room facilities. In terms of the Use Class Order, the definition of a HMO for Class C4 is small, shared houses occupied between three to six unrelated individuals so therefore, in terms of understanding the configuration of the property is one aspect, but the other aspect is that the Council is dealing with 19 units. That is also the definition that is outlined with the Local Plan (policy LP11) and as the Council is dealing with 19 units, Officers are dealing this as a Sui Generis proposal.</i>
<i>With the smaller room sizes, is it fair to say they actually have a kitchen?</i>	<i>They do have kitchenettes which includes a sink unit and minimal cupboards which would be shown on all of the floorplans</i>
<i>What form does the bathroom/shower room take and do Officers have the room sizes?</i>	<i>The bathroom/shower rooms are also in the floorplans. The smallest units are nearly 13 square metres, and the largest units are nearly 35 square metres. The rest of the units range from those sizes.</i>
<i>Do Officers feel that the impact of 19 small units would be lesser of that of an HMO?</i>	<i>A Management Plan would be in place to manage the residents that would be staying at the property, to control the use of it, the times, potentially the length of stay and a diary of those who are staying and the length of period that they are staying so it can be monitored should it need to be by the Planning Enforcement Team</i>
<i>Why would the Council expect the impact of this application to be any less than an HMO?</i>	<i>Officers have not compared the use of this property to a HMO as Officers are not considering it as that, but Officers have looked at the use of the building and its previous use as well as the intensity of its use and that is why Officers feel that it is acceptable here.</i>
<i>Is this property, in comparison to Spendells, similar or does it differ?</i>	<i>Spendells house is Council owned, whereas this property is privately owned. Spendells also provides 31 flats and specifically for families. It is set up with larger</i>

	<i>flats, communal washing machines. It is a very different facility. This property will be for single people or couples.</i>
<i>Is there anything like this property already in Clacton town?</i>	<i>Officers believe there will be, yes.</i>
<i>Are there any restrictions on who can use this facility?</i>	<i>At this stage, the Committee is looking at this building and its use rather than who will use it, but it would be used for temporary accommodation and it usual for a Local Authority to place homeless people with temporary emergency accommodation because they have a statutory duty under the housing legislation to do so.</i>
<i>What is the maximum stay at this facility?</i>	<i>Because of the type of accommodation it is, it is only suitable for temporary accommodation. It maybe weeks, it could go to months, but there is no time limit as far as Officers are aware, but it is something that could be managed within the Management Plan which is conditioned as part of the Planning Conditions proposed.</i>
<i>What if Tendring District Council (TDC) stopped using the building as temporary accommodation, could someone else continue to do so and then would it be a permanent long-term building?</i>	<i>The Committee is currently looking at what is before them in planning terms which is temporary emergency accommodation. If that was to change, then a new full planning application would be required, and the use itself will be within the Management Plan that Officers will sign off. If it was to continue to be used as temporary emergency accommodation by another user, they would need to submit a new Management Plan to show the Council how it would be used. If it was not used as temporary emergency accommodation, then it would need planning permission for any future use. There is nothing within the provision of this application made to the Council that specifically restricts that the only client of this use shall be TDC. An Authority would be one of the main users of this sort of facility. Whilst this facility is not being specifically being used by TDC, Cabinet in January 2026 made a decision that a procurement exercise was going to commence for the provision of temporary accommodation and that would an open and transparent process and it will be available to other properties across the District. Whilst the applicant may desire for TDC to use the property for temporary emergency accommodation, if they are not successful through the procurement exercise it will not be used by TDC. The Council is in an interim position, and this matter was discussed at Resources and Services Overview and Scrutiny Committee and the Council's Management Team have also highlighted that there needs to be additional resource provided to housing team to be able to 'speed up' the procurement process. Whatever happens within this Planning Committee meeting will be a separate decision to</i>

	<i>whether TDC will use this property for temporary emergency accommodation.</i>
<i>Could a maximum time limit be conditioned within the Management Plan?</i>	<i>As Officers, when it is recommended to the Committee, Officers take into consideration a range of material considerations, including the planning uses of the site and to a degree, how unrestricted they may have been. When it comes to temporary emergency accommodation the individual circumstances of the individual of why they need that accommodation is not known. As long as it is a monitored position and part of the programme of management. There is no reason why it should not be dealt with in the Management Plan. There is a specific time limit for how long temporary emergency accommodation can be used if it is being used by a Local Authority for homelessness purposes. If the accommodation is being used by a Local Authority for temporary accommodation there is a fixed period in homelessness legislation.</i>
<i>Have the fire services been to do any checks of the property?</i>	<i>The size of the rooms will be for singles or couples, not for families. If the Local Authority places homeless people within there it will be under housing legislation that the private housing team at the Council would inspect the property to ensure it is safe, it is their duty.</i>
<i>For a 35 square metre room, is there a maximum limit of people that can go in there?</i>	<i>It will be big enough for single people or couples. It will be down to the Local Authority that is placing the people in there to accommodate the rooms appropriately.</i>
<i>Was there a reason the Committee did not go inside the building (reference to the site visit)?</i>	<i>The plans can give a feel for what is within the building, there was no reason to go inside the building.</i>

It was moved by Councillor Sudra, seconded by Councillor Fowler to approve the application; however, when being put to the vote, the motion was declared **LOST**.

It was moved by Councillor White, seconded by Councillor Bray that the application be deferred on the reasons as follows:-

- To view inside the property at a site visit to assess the extent of potential impact;
- Further information required on use set up, more Management Plan detail; and
- The difference between housing HMOs and Planning HMOs provided to ensure the committee is taking account of relevant considerations.

6. REPORT OF THE CORPORATE DIRECTOR (PLANNING & COMMUNITY) - A.2 - 26-00515-FUL - LACIES VIEW, COLCHESTER ROAD, STONES GREEN, HARWICH, CO12 5DA

Earlier on in the meeting, as reported under Minute 3 above, Councillor Bush had declared that he was one of the local Ward Members and had called-in the application and exercised his right in those capacities to speak on the application.

Also, as reported under Minute 3, Councillor Oxley had declared that she was speaking on the application as a member of the public in favour of the application.

The Committee was informed that the application sought planning permission for a revised self-build dwelling in a location outside of any defined Settlement Development Boundary, where development was strictly controlled.

Members were made aware that it was not thought that the previous reason for refusal under application reference 25/01713/FUL had been overcome.

The Committee heard that the proposal continued to present a visually extensive form of development, with a notable linear spread and footprint across the site. That resulted in a scheme that would still read as substantial and prominent within the rural landscape, failing to reflect the sporadic and modest pattern of development that characterised the surrounding area.

Officers reported that the Council could not currently demonstrate a five-year housing land supply and, as such, the tilted balance was engaged. The need to provide housing that met the needs of groups with specific housing requirements was acknowledged. The proposal would result in an overall increase in residential accommodation and so, on that basis, it was considered appropriate that the tilted balance applied in this instance.

However, whilst the proposal would deliver the modest benefit of one self-build dwelling and the proposed dwelling had been designed to meet the needs of an occupier with protected characteristics under the Equality Act 2010; that benefit would not significantly and demonstrably outweigh the identified harms arising from the unsustainable location, the associated car dependency, and the erosion of the rural character of the area. Nor would the proposal meet the self-build criteria under TDLP Policy LP7 and the personal circumstances of this case did not outweigh the identified harm arising from the proposal's conflict with the unsustainable location of the site and harm to the rural character of the area.

Members also heard that, as such, having regard to Paragraph 11(d)(ii) of the NPPF, the adverse impact of the development would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF (2024) taken as a whole. The proposal did not therefore constitute sustainable development, and the previous reason for refusal was considered to remain unresolved.

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 Planning Officer – agency (KM) in respect of the application.

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

“An addendum has been submitted (06.05.26) in response to the Officer Committee Report. No additional information has been provided that hasn't already been included

within the suite of associated documents with the submission and addressed within the Committee Report.

Additional Planning History included to Section 4:

21/00868/FUL - Proposed barn and vehicular access – Approved 03.08.21

Additional Comments included to Section 5 –

Environmental Health

29.05.26

Contaminated Land - Given the proposal sites proximity to historic and current agricultural land, the EP Team are requesting a Watching Brief to be applied to any approval:

We are requesting that the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

(Also provide detail on minimum requirements for dealing with unexpected ground conditions being encountered during construction).

REASON: to protect the health of site workers and end users.

Construction Activities:

Have reviewed the submitted CMS and have no adverse comments to make.

Asbestos:

Should any asbestos containing materials be present on the development site, or used within the original construction of the building in question, it must be safely removed by a qualified contractor, with relevant transfer notes being obtained to confirm safe and responsible removal and disposal.

***INFORMATIVE** Foul Drainage: The application indicates a Sewerage Treatment Plant will be utilised as a way of disposing of foul waste; should the application be approved the Applicant / Agent should ensure the installation is fully compliant with the Environment Agency's Binding Rules and any other relevant Government guidance and British standards, in respect of these systems. Information on this can be found at: Septic tanks and treatment plants: permits and general binding rules: The general binding rules - GOV.UK (www.gov.uk). It is strongly recommended these rules are complied with, as they will minimise any potential nuisance to nearby residential dwellings, assist in preventing a potential Public Health nuisance, and minimise the potential for adverse incidents, of which may result in formal enforcement action.

Update to wording at Section 6 – Representations to include:

Paragraph 6.2 to read: 'None from 3rd parties for or against'

Inclusion of paragraph 7.23 at Section 7 – Assessment which reads:

7.22 In conclusion, the development fails to comply with Policy LP7:

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- Outside defined proximity to settlements:
The site is not within the required walking distance of any settlement development boundary (exceeds 600m/400m thresholds).
 - Fails location criteria (a) and (b):
It is not safely accessible on foot within:
 - o 600m of a strategic or smaller urban settlement; or
 - o 400m of a rural service centre.
 - Does not meet criterion (c):
The proposal does not involve previously developed land, nor land demonstrated to be unviable for employment use.
 - Located beyond the planned settlement hierarchy:
The development lies outside all recognised SDBs and therefore conflicts with the spatial strategy directing growth to settlements.
 - Settlement context is weak:
Nearest settlements (Wix, Beaumont cum Moze, Great Oakley) are 'Smaller Rural Settlements', the lowest tier, further undermining compliance.

These points collectively mean the proposal does not satisfy the core locational requirements of Policy LP7 and is therefore not supported in principle under that policy.

Update to paragraph numbering Section 7 – Assessment

Section comprises paragraphs numbers 7 – 7.95 not 7- 7.96

Update to paragraphs 7.27 & 7.28 at Section 7 – Assessment to include:

Social objective

7.27 The application site is located approximately 1,613 metres to the south of Wix settlement development boundary, which significantly limits convenient access to day-to-day services and facilities. There are no footpaths or safe pedestrian routes connecting the site to the settlement. The nearest bus stop is situated to the north of the application site, approximately 2km away, which is not considered a walkable distance given the lack of a footpath. As a result, future occupants of the proposed dwelling would be heavily reliant on private transport for all daily needs. The proposal would provide a significant social benefit for the individual with protected characteristics and her family given the bespoke nature of the design proposal. However, when considering the social objective as a whole the unsustainable location of the site is considered to result in overriding harm failing to meet the social strand of sustainability.

7.28 The provision of one additional dwelling at a time when the Council is unable to demonstrate a five-year housing land supply would contribute to the district's overall housing stock, improve housing choice particularly given the self-build nature of the proposal, while also providing incremental population support for local services. This results in a modest social benefit however it is not considered that this modest benefit would outweigh the disbenefits of the location of the site and the future occupant's likely reliance on private transport for their day-to-day needs or the fact that no public benefits are identified. The proposal therefore fails the social aims of sustainability.

Update to paragraph 7.47 at Section 7 – Assessment to include:

7.47 Officers acknowledge that planning permission runs with the land and not with the applicant. The needs of the applicant's daughter have been taken into account, and Officers are sympathetic to the circumstances. The proposal has been assessed in the context of the Equality Act and national policy on inclusive design. However, these personal circumstances do not outweigh the identified harm arising from the proposal's conflict with the unsustainable location of the site and harm to the rural character of the area that would be if approved permanent and establish residential use in perpetually.

Update to paragraph 7.69 at Section 7 – Assessment to include:

7.69 Owing to the isolated and rural nature of the site and significant separation distance from any neighbouring properties, the proposal does not raise any concerns in relation to the impact on residential amenities.

Update to paragraph 7.80 at Section 7 – Assessment to include:

7.80 Adopted Local Plan Section 2 Policy PPL5 requires all new development to make adequate provision for drainage and sewerage, with a preference for connection to the mains in accordance with the drainage hierarchy and building regulations. Paragraphs 181, 187 and 198 of the NPPF (2024) require planning decisions to ensure that development is appropriate for its location and does not increase flood risk elsewhere or result in unacceptable pollution.

Update to paragraph 7.81 at Section 7 – Assessment to include:

7.81 Whilst detailed foul and surface water drainage proposals have not been submitted as part of this application, the submitted Planning Statement acknowledges that detailed surface water drainage and foul sewage disposal arrangements can be achieved and secured through appropriately worded pre-commencement planning conditions should planning permission be granted.

Update to paragraph 7.82 at Section 7 – Assessment to include:

7.82 At this stage, Officers are satisfied that there is no substantive evidence before the Local Planning Authority to demonstrate that the site could not be adequately drained or serviced. The proposal presents clear opportunities to improve localised drainage conditions within the site, particularly through the management, maintenance and potential enhancement of the existing on-site ditch network which currently forms part of the site's drainage infrastructure. The principle of development would not be prejudiced by the absence of detailed drainage design at this stage.

Update to paragraph 7.84 at Section 7 – Assessment to include:

7.84 Subject to such conditions, Officers are satisfied that the proposal would not likely result in an unacceptable risk of flooding, surface water run-off, or inadequate foul drainage provision, in accordance with the objectives of Section 14 of the NPPF (2024) and relevant local plan policies relating to flood risk and drainage.

Update to Section 8 – Conclusion to Omission of:

Whilst the proposal has been deemed acceptable in terms of highway safety, residential amenity, and ecology (including the potential for BNG and a wildlife-sensitive lighting design), these do not overcome the fundamental harm identified.

Update to Section 8 – Conclusion to include:

Whilst the proposal could be made acceptable in ecological, highway and amenity terms through conditions, these matters do not overcome the fundamental policy conflict relating to the site's unsustainable location and harm to rural character.

Update to Section 8 – Conclusion to include:

Officers are also not persuaded that the revised design reaches the exceptionally high threshold required under Paragraph 84(e) of the NPPF. Whilst bespoke and thoughtful, the proposal is not considered to be truly outstanding or sufficiently innovative such that it would significantly enhance its immediate setting or raise standards of rural design more generally for others.

Update to paragraph 9.2 Section 9 – Recommendation to read:

In addition, introducing a dwelling in this remote location would erode the rural character without outweighing benefit, and would set an unwanted precedent for further proposals in the area exacerbating this harm. The proposal therefore conflicts with Policy SP7 of Section 1 and Policies SPL3 and PPL3 of Section 2 of the Local Plan, which require high-quality design that responds positively to local character and protects the rural landscape from harm.

Whilst the proposal would deliver the modest benefit of one self-build dwelling this would not meet the self-build criteria under TDLP Policy LP7. This benefit is significantly and demonstrably outweighed by the identified harms arising from the unsustainable location, the associated car dependency for use and services, and the erosion of the rural character of the area. As such and having regard to NPPF Paragraph 11(d)(ii), the adverse impacts of the development would significantly and demonstrably outweigh the benefits when assessed against the policies of the National Planning Policy Framework 2024 taken as a whole. The proposal does not therefore constitute sustainable development.

Update to Plans and Supporting Documents at Section 9 – Recommendation to include:

9.4 'Proposed Site Layout Plan' drawing No. 281LV_104_B (rec'd 08.06.26), received to clarify that the existing barn on site will remain ancillary to the host dwelling.

Update to paragraph 10.6 at Section 10 – Additional Considerations to read:

10.6 It is not considered that the recommendation to grant refuse permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence or freedom from discrimination except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation to grant permission is considered to be a

proportionate response to the submitted application based on the considerations set out in this report.

Update to paragraph at Section 10 – Additional Considerations omission of:

10.8 The New Homes Bonus (NHB) is one local finance consideration capable of being a material consideration to which the weight given shall be determined by the decision maker. The NHB is a payment to local authorities to match the Council Tax of net new dwellings built, paid by Central Government over six consecutive years. In this instance, it is not considered to have any significant weight attached to it that would outweigh the other considerations.”

Beth Deacon-Bates, on behalf of the applicant, spoke in favour of the application.

Councillor Ann Oxley, speaking as a member of the public, spoke in favour of the application.

Councillor Mike Bush, the Ward Member and Caller-in, spoke in favour of the application.

Matters raised by Members of the Committee:-	Officer's response thereto:-
<i>Why would this not be a 'self-build'?</i>	<i>It does not meet the self-build policy which is within the Officer report (A.2), at the top of page 44.</i>
<i>Is the location that makes this property not comply with the self-build policy?</i>	<i>Yes, that is correct.</i>
<i>Would Officers describe this property as unique and bespoke?</i>	<i>The Officer opinion is detailed within the Officer report.</i>
<i>Could a Committee member weighting be different to an Officers?</i>	<i>With the Public Sector Equality Duty, in all decisions that Local Authorities make, it has to give due regard to that duty. The Officer report highlights that one of the protected characteristics (disability) is impacted by this decision one way or the other. The protected characteristics, it is very rare that they are impacted in planning decisions, especially to the degree that this application is making reference to the disability. In this case, Members are under a duty to give due regard to that protected characteristic and the information that Members have. A refusal of planning permission which would affect efforts to remove or alleviate barriers connected to a protected characteristic by a planning decision in respect of equalities, the Public Sector Equality Duty is often scrutinised in planning decisions. Members are correct in that this is something that Members would not normally use in weighing up a decision for Planning Committee. Where it is applicable, Members have to take it into their consideration.</i>
<i>Why do Officers take the view of not conforming to the rural landscape?</i>	<i>The primary starting point for Officers is the development plan, which seeks to protect rural character, countryside and taking the need to account for agriculture openness and so on. Filling it up with</i>

	houses would be counterproductive of that aim of the Council's development plan. The Council does have some exceptions to allow development within the countryside, some of those come under the permitted development of barn conversions that are already there and the Government have prior approval for Class Q. the Council has a specific understanding for rural need to serve the interest of the rural environment. As a Council, Officers have gone through this with due regard in terms of serving a population, ensuring infrastructure is in the right location. In the Council's development plan, it says not go beyond the settlement boundaries except for affordable housing adjacent to or self-build in a specific measurement and access requirement in that respect. The NPPF supports the position, but it does say it shall not be an isolated property. The permission that the Committee is dealing with lies with the land, not the individual. This property would have a lifetime beyond the individual and Members are looking at the planning harm of that in a wider sense.
Is the land concerned agricultural?	Officers do not have a definite answer. By default, it would be agricultural, but Officers cannot be certain.
Is the barn for small animals?	Yes, that is correct.
Was the barn subject to the same process or was it under a different scheme?	It was under a separate scheme, under a full application in 2021.
Do we know the grade if this was agricultural land?	Looking back at the planning history for the application for the barn, it was proposed as a barn on that basis Officers would of the opinion that Members are dealing with an agricultural use site at this moment in time.
Has this application ever been to an inspector before?	The most recent example was in Dovercourt in 2020, it was dismissed by the appeal inspector whilst they considered the disabled access to be a benefit they overruled that on the basis that the harm to the countryside was not in line with the Council's development plan. That is the only record that has been found within the last 15 years.
Does the one in Dovercourt fall under the same scope as the one the Committee have before them?	No, because Members would have to determine the individual merits at the time. The Local Plan was in a different position back then. The application in Dovercourt was only to give Members an example of an exceptional house. This application is rare to come to the Council.
Should Members be minded approving this application, would Members be setting a precedent, what other damage could occur by doing so?	Normally, personal circumstances and considerations would not be a material consideration, but it is the case that in relation to protected characteristics that if it is significant then those personal circumstances can be considered as material consideration. Members are looking at the land, but there are various, albeit rare, situations where a protected characteristic is relevant. Members would not be setting a precedent because

	<i>Members are saying that this situation was exceptional for the reason Members would give. If Members were minded approving the application, err on the side of caution as there is also case law that states when granting permission against Officer recommendation, Members have to give reasons why they are granting permission and subject to conditions.</i>
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After a short adjournment and following the debate, it was moved by Councillor Bray, seconded by Councillor White and:-

RESOLVED that:-

- 1) the Corporate Director (Planning & Community) be authorised to grant full planning permission subject to the conditions to be resolved as follows:-
 - Time limit;
 - Approved plans;
 - Self-build development;
 - Occupation of disabled/neurodiverse and succession relative;
 - RAMs;
 - Construction management scheme;
 - Ecology conditions;
 - Landscaping;
 - Facing materials;
 - Removal of Permitted Development rights – all;
 - Barn to be ancillary to dwelling on occupation;
 - Retention of parking;
 - Energy efficiency measures; and
 - Foul drainage conditions
- 2) the Corporate Director (Planning & Community) to indicate the reasons for approval, as put forward in the debate, such as, the needs of the protected characteristics considered as significant to outweigh the planning harm as the exceptional circumstances of the need.

7. REPORT OF THE CORPORATE DIRECTOR (PLANNING & COMMUNITY) - PLANNING AND ENFORCEMENT PLANNING REPORT

The Committee had before it the latest planning enforcement report based on live information taken on 27 April 2026.

Members were aware that the enforcement policy sought to report on the following areas:-

- number of enforcement enquires received/registered;
- number of enforcement enquiries closed to date that year;
- number of live cases presented by category, electoral Ward and time period since receipt; and
- enforcement-related appeal decisions.

Members noted that some areas continued not to be available given the resources to export information from the available system were not possible with the current database software, or as addressed directly in the Officer report.

RESOLVED that the contents of this report (A.3) be noted.

The meeting was declared closed at 7.13 pm

Chairman