
**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON THURSDAY, 3RD SEPTEMBER, 2026 AT 5.00 PM
IN THE COMMITTEE ROOM, AT THE TOWN HALL, STATION ROAD, CLACTON-
ON-SEA, CO15 1SE**

Present:	Councillors Fowler (Chairman), White (Vice-Chairman), Alexander (except item 20), Bray, Codling, Goldman, Land, Sudra and Wiggins
Also Present:	Councillors Griffiths (except items 21 & 22) and Keteca (items 20 (part) & 21 only)
In Attendance:	Gary Guiver (Corporate Director (Planning & Community)), John Pateman-Gee (Head of Planning & Building Control), Ian Ford (Democratic Services Manager), Joanne Fisher (Planning Solicitor & Acting Legal Services Manager), Michael Pingram (Principal Planning Officer) (except item 22), Alison Pope (Planning Officer) and Katie Koppenaar (Democratic Services Officer)

16. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

There were no apologies for absence submitted, nor substitutes appointed, on this occasion.

17. 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 7 July 2026, be approved as a correct record and be signed by the Chairman.

18. 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.

Councillor Goldman informed the Committee that he had not attended its meeting on 9 June 2026 when Planning Application **26/00112/FUL – 1 Wellesley Road, Clacton-on-Sea, CO15 3PP** had been first considered and subsequently deferred. He therefore informed Members that he would take no part in the further consideration and determination of that application.

19. 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.

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

Earlier on in the meeting, as reported under Minute 18 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 room whilst it was deliberated upon and determined.

In addition, Councillor Goldman had informed the Committee that he had not attended its meeting on 9 June 2026 when Planning Application **26/00112/FUL – 1 Wellesley Road, Clacton-on-Sea, CO15 3PP** had been first considered and subsequently deferred. He therefore took no part in the further consideration and determination of this application.

Further to minute 5 (9.6.26) when Members had resolved to defer determination of this application to enable a site visit to be undertaken and to obtain further information regarding the proposed use and its management, the Committee recalled that this application sought permission for the change of use of a three-storey building at 1 Wellesley Road, Clacton-on-Sea, to temporary emergency accommodation (Sui Generis).

The Committee was made aware that the Officers' report, at Section 7, provided the additional information requested by Members, including clarification on the proposed management measures, together with a detailed explanation of the distinction between housing definitions of HMOs and the relevant planning use classes. Changes to the national policy context were shown in bold in the relevant sections.

Members were informed that Officers remained satisfied that the proposal had been fully assessed against relevant planning policy and material planning considerations. Their recommendation was therefore unchanged and remained one of approval.

The Committee had before it the published Officer report (A.1) 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.

There was no public speaking on this application at this meeting as that had taken place at the meeting of the Committee held on 9 June 2025.

Matters raised by Members of the Committee:-	Officer(s) response thereto:-
<i>Could you please explain how it is not considered an HMO given it will have 19 units for</i>	<i>An HMO in planning terms has shared facilities, so they would be bedsits or rooms that share main facilities such as kitchens, bathrooms, toilets and living arrangements. This application is for self-contained</i>

<i>unrelated people in one building?</i>	<i>units. There are no shared facilities. They all have their own kitchenette with some facility for cooking and a separate shower.</i>
<i>The fire safety assessment has not been done yet. Is that correct?</i>	<i>I am not aware whether a fire safety assessment has been completed or not. It's not a consideration that we are looking at under planning today. It would come under a different regulatory regime such as building regulations or housing legislation.</i>
<i>There is a fire escape route that is going to be blocked up under this proposal that affects both the top floor and the middle floor. I'd like the Officers' views on the safety of the top floor and the middle floor please. The stairs don't seem to have any grab rail. If you were to slip at the top of the stairs you would end up at the bottom of the stairs as you would have nothing to grab hold of.</i>	<i>They're not planning considerations. They come under a different regulatory regime such as building regulations or housing legislation.</i>
<i>Could we make the necessary authorities aware that we have noticed these issues so that they could look at it?</i>	<i>Yes, we can, through the informatives. I appreciate the frustration that planning has a very specific remit and unfortunately one of our remits is not to duplicate other legislation or other authorities' roles, in this case, the Fire Authority and indeed health and safety and building regulations. So, there are effectively three regimes that would be looking to inspect this building. Ultimately, if the building fails any of those inspections, they may not be able to go ahead with the plans (if approved). They may have to revise them. If they must revise them, they will have to come back through planning. That is their risk.</i>
<i>If this proposal was for an HMO, would policy LP11 prevent it?</i>	<i>Yes, I believe it would prevent an HMO in this building. I have assessed the building and accommodation for 19 units against LP11. I've identified 125 residential units within a 100m radius of the application site. Of those, 14 units form part of two registered HMOs which are publicly listed on the Council's website in its HMO register. So, this approximates to 11.2% of residential units so it would fail that part of LP11. But this is not an HMO.</i>
<i>If we took the spirit of policy LP11 which looks to prevent too many buildings with multiple occupation in one area, then we are not in</i>	<i>This is not an HMO. In planning terms, HMO is defined as a small property of up to six units with shared facilities. This is for 19 units so obviously is far bigger than an HMO in that context and we defined this as sui generis use because this is essentially a group of self-contained flats and could have been put forward as</i>

<i>keeping with that – by calling this something other than an HMO we are circumventing the spirit of our own policy aren't we?</i>	<i>that. The only difference here is that, specifically, they are seeking to restrict this to emergency use only. That does not fit into any category therefore it is sui generis. In terms of our policy, if the Council was to seek to apply that policy in spirit or not in the determination of this application and if that determination was to refuse and it went to appeal, we could possibly face an award of costs for an inappropriate use of our development plan. But, ultimately, we could also be defeated by a judicial review on the basis of our decision making. So that is why I am warning you and making it very clear that this is not, in planning terms, an HMO.</i>
<i>This is for temporary emergency accommodation. Twelve months is a very specific time. Could you tell me where that is written down? And how would we enforce it?</i>	<i>It isn't written in any of the documents. The management plan condition does request that occupancy is managed in accordance with the management plan with a robust process for monitoring the inhabitants of the accommodation, the timescales, and licensing matters. So, we would conduct checks to ensure that they did not exceed the timescale of twelve months. It would be possible to add an extra line within that condition if you so wish to restrict the timing length that they could stay in the accommodation if you felt that appropriate</i>
<i>I would request an extra condition that sets out specifically that 12 months is our preferred time limit.</i>	<i>The 12 months came from the Council's housing team as it is part of their policy basis. But this is an external property that is not subject to such policies specifically in their own right. So therefore, if you are imposing a timeframe we need to be careful about what time frame is specifically imposed to be reasonable. We obviously have some evidence to say that 12 months is a reasonable point where we draw the line – but what rationale do we use? My concern with 12 months is that if emergency accommodation was required near Christmas then 12 months later we would be moving them out at Christmas which would be unfortunate. My suggestion would be to consider 14 months to resolve that. If you were to require a condition I have some wording here. [The Head of Planning & Building Control then read out the suggested wording of such a condition. That wording can be seen in the Committee's resolution below.]</i>
<i>Is there going to be a procurement process through the Council's housing team? Or, if we do not can the owners implement that temporary accommodation processes themselves?</i>	<i>Planning has to consider this as a process that is open to anybody rather than just the Council. So, therefore, the Council could use this property facility in its housing role but, ultimately, other individuals / organisations may use this facility. Your conditions attached to any approval would apply equally to any party. So the control in planning terms has been set out.</i>

After the debate, it was moved by Councillor Sudra, seconded by Councillor White and:-

RESOLVED that:-

- (a) 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.1), 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 including the following additional condition (and reason):-

“CONDITION: The accommodation hereby permitted shall be used solely as temporary emergency accommodation. No individual occupant shall reside within any unit for a continuous period exceeding 14 months nor return within a period of 3 months from there last occupation.

A register (including electronic copy) of occupation shall be maintained by the site operator recording the name of each occupant, the unit occupied and the dates of commencement and cessation of occupation. The register shall be made available for inspection by the Local Planning Authority on request.

The accommodation shall not be occupied as a person's sole or principal permanent residence at any time.

REASON: To ensure that the development operates only as temporary emergency accommodation and does not become unrestricted long-term residential accommodation that would not meet expected levels of amenity for occupiers and require access to facilities that are not available, and in the interests of the proper planning of the area and in accordance with Policies SP7 and HP2 of the Tendring District Local Plan 2013-2033 and Beyond and Policies HO7, HO9 and DM3 of the National Planning Policy Framework 2026.”

- (b) informative notes be sent to the applicant, as may be deemed necessary, by the Head of Planning and Building Control but including an informative to highlight the need for safe fire escape routes from the top and middle floors and internal staircase handrails all needed to ensure residents' safety.

21. REPORT OF THE CORPORATE DIRECTOR (PLANNING & COMMUNITY) - A.2 - PLANNING APPLICATION 25/01633/OUT - LAND TO THE NORTH OF WEELEY ROAD, GREAT BENTLEY CO7 8PE

It was reported that this outline application proposed up to 120 dwellings with only access to be considered at this stage. The site was located outside but abutted the Settlement Development Boundary for Great Bentley. The Council's lack of a five-year housing land supply had engaged the presumption in favour of sustainable development. The site had been included as a potential housing allocation in the emerging Local Plan. Technical matters including highways, archaeology, drainage, ecology, landscaping and amenity had been demonstrated as acceptable or could be mitigated through conditions and 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 refusal.

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

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

Henry Fairbanks (the Chairman of Great Bentley Cricket Club, the joint applicant) spoke in support of the application.

Parish Councillor Peter Harry, on behalf of Great Bentley Parish Council, spoke in support of the application.

Councillor Aimee Keteca, the Ward Member, spoke in support of the application.

Councillor White suggested that Highways Informative Note iv) within the Officer report (A.2) should be amended or removed to reflect the recent priority changes made by Essex County Council in relation to climate action and net zero carbon emissions. The Head of Planning and Building Control undertook to take that into consideration.

Matters raised by Members of the Committee:-	Officer response thereto:-
<i>Why has the Environment Agency (EA) withdrawn its objection?</i>	<i>The EA did initially raise an objection because the proposed access was slightly further west and fell within the tiny part of the site that falls within Flood Zones 2/3 so the access has been relocated to the now proposed location which will far outside Flood Zones 2/3 which is why the objection was withdrawn.</i>
<i>Why was it decided that there was not a need for an additional bus stop or for a contribution to bus services despite the recommendation of ECC Highways?</i>	<i>In terms of the bus stop the suggested location for it was located approximately 1,000m to the west within the main hub of Great Bentley and, from memory, within 150m of an existing bus stop. It was so far removed from the application site that we did not consider it was necessary and reasonable to this application. In terms of the financial contribution I've had discussions with the ECC to understand the justification for this figure but this was, unfortunately, not forthcoming so we did not feel that this was sufficiently justified why the passenger transport improvements were needed as a result of this development and so therefore it did not meet the CIL tests of being reasonable and necessary for us to be able to ask for that as part of the financial contributions within the Section 106 agreement.</i>
<i>Could there be another larger exit onto the adjacent site [Michael Wright Way] via the lower quality, narrower road that goes all the way around the cricket pitch, could that not be extended or</i>	<i>We have to determine what is before us and this is an indicative layout only and may not be what it ultimately ends up looking. So, all we are assessing is the proposed access in this location. ECC Highways have not raised an objection to this proposed entrance/exit.</i>

<i>widened to give an alternative to the exit onto Weeley Road?</i>	
<i>How far will the 30mph zone be extended? Could we be robust in pursuing that?</i>	<i>That is a condition that ECC Highways have proposed to be put forward. It's not part of the proposal and will have to be dealt with under a Section 278 process. We could use the informative route to try and encourage that process.</i>
<i>Could you clarify the enabling aspect?</i>	<i>I'm not too sure where that came from. Essentially an enabling scheme normally relates to the protection or preservation of a listed building for example. It's not what this scheme is about just to be clear. I suppose a different way of looking at this is this is a housing scheme and also it's got sports facilities – it's a mixed use scheme. One of the public speakers referred to it as the housing is enabling the delivery of the cricket club's facilities and that's probably where that word has come from but essentially this is not an enabling scheme.</i>

After the debate, it was moved by Councillor Bray, seconded by Councillor Alexander and unanimously:-

RESOLVED that:-

- (c) the Head of Planning and Building Control be authorised to grant outline planning permission subject to -
 - (1) 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 Officer report (A.2) and on any other appropriate terms as may be deemed necessary to the satisfaction of the Head of Planning and Building Control; and
 - (2) the conditions as stated at paragraph 9.3 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.
- (d) informative notes be sent to the applicant, as may be deemed necessary, by the Head of Planning and Building Control, including an informative note in relation to improving highways signage near the proposed access.
- (e) in the event of the planning obligations or requirements referred to in resolution (a)(1) above not being secured and/or not secured within 12 months from the date of this meeting then the Head of Planning and Building Control is authorised to review the application on any appropriate grounds and to determine the same under the national delegation arrangements then in force.

**22. REPORT OF THE CORPORATE DIRECTOR (PLANNING & COMMUNITY) - A.3 -
PLANNING APPLICATION 25/01781/FUL - CLIFF PARK, HIGH STREET, HARWICH
CO12 3AT**

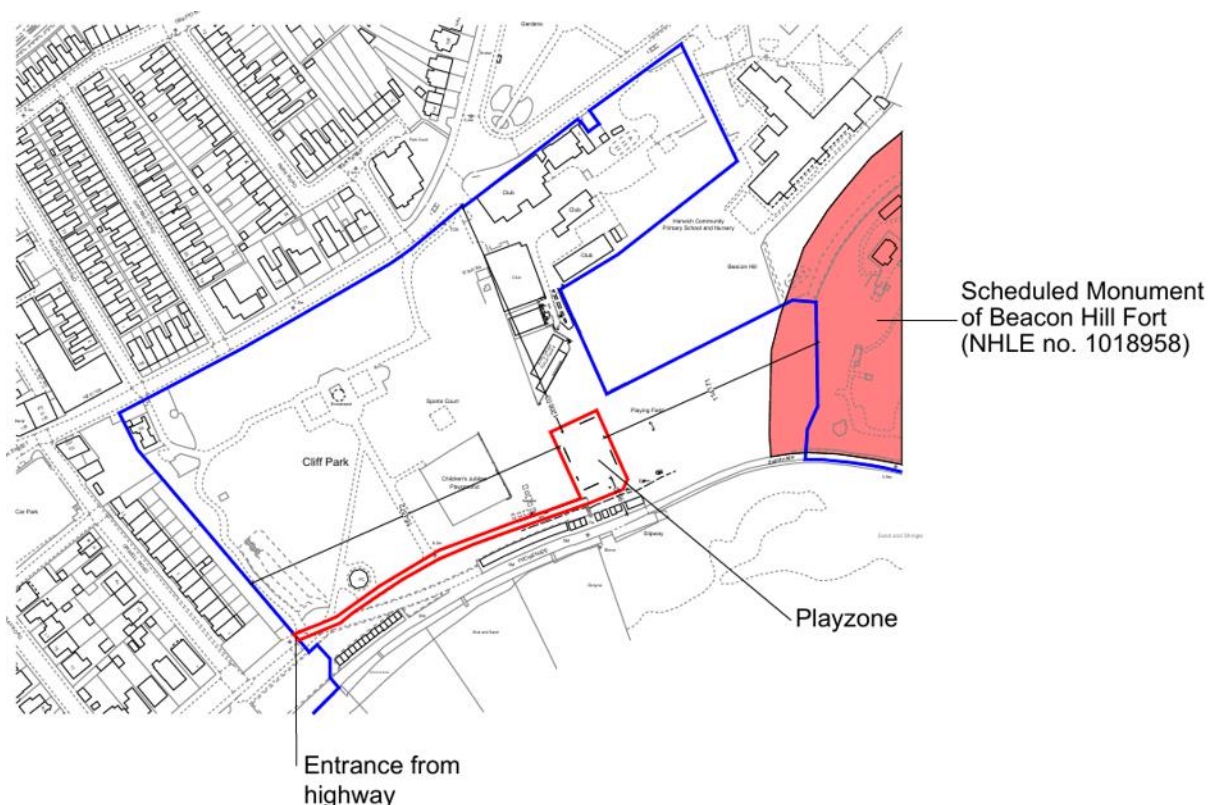
It was reported that this application sought planning permission for a Football Foundation PlayZone within Cliff Park, Dovercourt, comprising a floodlit multi-use games area, fencing, seating and associated infrastructure. The proposal would enhance existing recreational provision within an established area of public open space and increase opportunities for sport and physical activity.

Members were informed that, whilst the development would result in a low level of less than substantial harm to the significance of the Lower Dovercourt Conservation Area and nearby heritage assets, this harm was outweighed by the public benefits of the scheme. Subject to conditions, archaeological mitigation, and no objection being received from Natural England and Place Services Ecology, the proposal was considered by Officers to be acceptable and was recommended by them for approval.

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 (AP) in respect of the application.

Prior to the commencement of the meeting, an Officer update sheet had been circulated to Members in relation to this application. That update had detailed the correct site plan as shown below:-



The update sheet had also informed Members that a statutory consultee response had been received from Natural England who had confirmed that *“Based on the plans submitted...the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes”*.

No member of the public had registered to speak on this application.

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

RESOLVED that:-

- (f) the Head of Planning and Building Control be authorised to grant planning permission, subject to no objections from Place Services Ecology being received and subject to the conditions as stated at paragraph 9.2 of the Officer report (A.3) (and any subsequently put forward by Place Services Ecology), 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
- (g) informative notes be sent to the applicant, as may be deemed necessary, by the Head of Planning and Building Control.

The meeting was declared closed at 6.44 pm

Chairman