

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,  
HELD ON TUESDAY 12 FEBRUARY 2019 AT 6.00 PM,  
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY**

<b>Present:</b>	Councillors White (Chairman), Heaney (Vice-Chairman) (except minute 105), Alexander, Baker, Bennison, M Brown, Cawthron, Everett, Fowler (except minute 106), Hones and McWilliams
<b>Also Present:</b>	Councillors I Henderson (except minute 107), J Henderson (except minute 107) and Nicholls
<b>In Attendance:</b>	Cath Bicknell (Head of Planning), Graham Nourse (Planning Manager), Charlotte Parker (Solicitor (Property, Planning and Governance)), Susanne Chapman-Ennos (Planning Team Leader) (except minutes 106 - 107) and Katie Sullivan (Committee Services Officer)

**101. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

There were none.

**102. MINUTES OF THE LAST MEETING**

The minutes of the last meeting of the Committee, held on 15 January 2019, were approved as a correct record and signed by the Chairman.

**103. DECLARATIONS OF INTEREST**

Councillor Heaney, in relation to Planning Application 18/01307/DETAIL, declared that she was pre-determined, and that therefore she would withdraw from the meeting at the appropriate time whilst the Committee deliberated on the application and reached its decision.

Councillor Fowler, in relation to Planning Application 18/02001/FUL, declared a Personal Interest insofar as the Applicants were known to her, and that therefore she would withdraw from the meeting at the appropriate time whilst the Committee deliberated on the Application and reached its decision.

Councillor Nicholls, present in the public gallery, declared an interest in relation to Planning Application 18/01307/DETAIL by virtue of the fact that he was a local Ward Member.

**104. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 37**

There were none.

**105. A.1 - PLANNING APPLICATION - 18/01307/DETAIL - LAND TO THE EAST OF TYE ROAD, ELMSTEAD, CO7 7BB**

Councillor Heaney, in relation to Planning Application 18/01307/DETAIL, had earlier declared that she was pre-determined, therefore she withdrew from the meeting whilst the Committee deliberated on the application and reached its decision.

Councillor Nicholls, present in the public gallery, had earlier declared an interest in relation to Planning Application 18/01307/DETAIL by virtue of the fact that he was a local Ward Member.

It was reported that this Application had been referred to the Committee as at the time the related Outline Application had been determined a request had been made by Members for all reserved matters applications to be submitted to the Committee for its determination.

Members recalled that Planning Application 16/00219/OUT had sought consent for the erection of up to 32 dwellings, land for a community facility and associated parking and infrastructure. That Application had been granted at Appeal in April 2017, with all matters of detail reserved. Planning Application 17/00927/DETAIL had been granted consent for the reserved matters in relation to access only by the Committee in March 2018.

The Planning Application that was now before Members sought consent for the remaining reserved matters: appearance, landscaping, layout and scale.

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 Team Leader (SC-E) in respect of the application.

An update sheet had been circulated to the Committee prior to the meeting with details of amendments to the Officer Report.

Parish Councillor Nick Bell, representing Elmstead Parish Council, spoke against the application.

Councillor Nicholls, a local Ward Member, spoke against the application.

Following discussion by the Committee and advice provided by Officers, it was moved by Councillor Baker, seconded by Councillor Bennison and **RESOLVED** that consideration of this application be deferred in order for written legal advice to be sought in respect of (1) the need for a Habitats Regulation Assessment and (2) the impact that would have on the Recreational Disturbance Avoidance and Mitigation Strategy contribution requested by Natural England, if any.

Members requested that this Application be brought back to the Committee for its consideration of those two issues only following the aforementioned legal advice being made available to them.

**106. A.2 - PLANNING APPLICATION - 18/02001/FUL - 34 LOW ROAD, DOVERCOURT, HARWICH, CO12 3TS**

Councillor Fowler, in relation to Planning Application 18/02001/FUL, had earlier declared a Personal Interest insofar as the Applicants were known to her, therefore she withdrew from the meeting whilst the Committee deliberated on the Application and reached its decision.

It was reported that this Application had been referred to the Planning Committee as the Applicants were Ivan Henderson who was a County and District Councillor and Jo Henderson who was a District Councillor.

Members were aware that this Planning Application was a resubmission of a previous scheme that had been refused by the Committee on 21 November 2018 under Planning Application 18/01693/FUL due to it being contrary to Saved Policy HG14.

It was reported that planning permission would not normally be required for an extension of the proposed size, however, permitted development rights for enlargements had been removed on the original planning permission for the house under condition 12 of planning permission 07/01455/FUL and therefore an Application was required.

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 Manager (GN) in respect of the application.

Sharon Wotton, a local resident, spoke against the application.

Following discussion by the Committee, it was moved by Councillor McWilliams, seconded by Councillor Hones and **RESOLVED** that the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to the following conditions:

1. Time Limit.
2. Approved Plans.

**107. A.3 - PLANNING APPLICATION - 18/01869/FUL - OAKLEY COTTAGE, PESTHOUSE LANE, GREAT OAKLEY, HARWICH, CO12 5BB**

It was reported that this application had been referred to the Planning Committee as the applicant was a Tendring District Council employee.

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 Manager (GN) in respect of the application.

Following discussion by the Committee, it was moved by Councillor Alexander, seconded by Councillor Baker and **RESOLVED**

(a) that the Head of Planning (or equivalent authorised officer) be authorised to grant planning permission for the development, subject to the following conditions:-

1. Time Limit.

2. Approved Plans.

3. Ancillary Use to Oakley Cottage, Pesthouse Lane, Great Oakley.

(b) that an informative be sent to the applicant requesting that all mains services are supplied from main dwelling.

The meeting was declared closed at 7.38 pm

**Chairman**