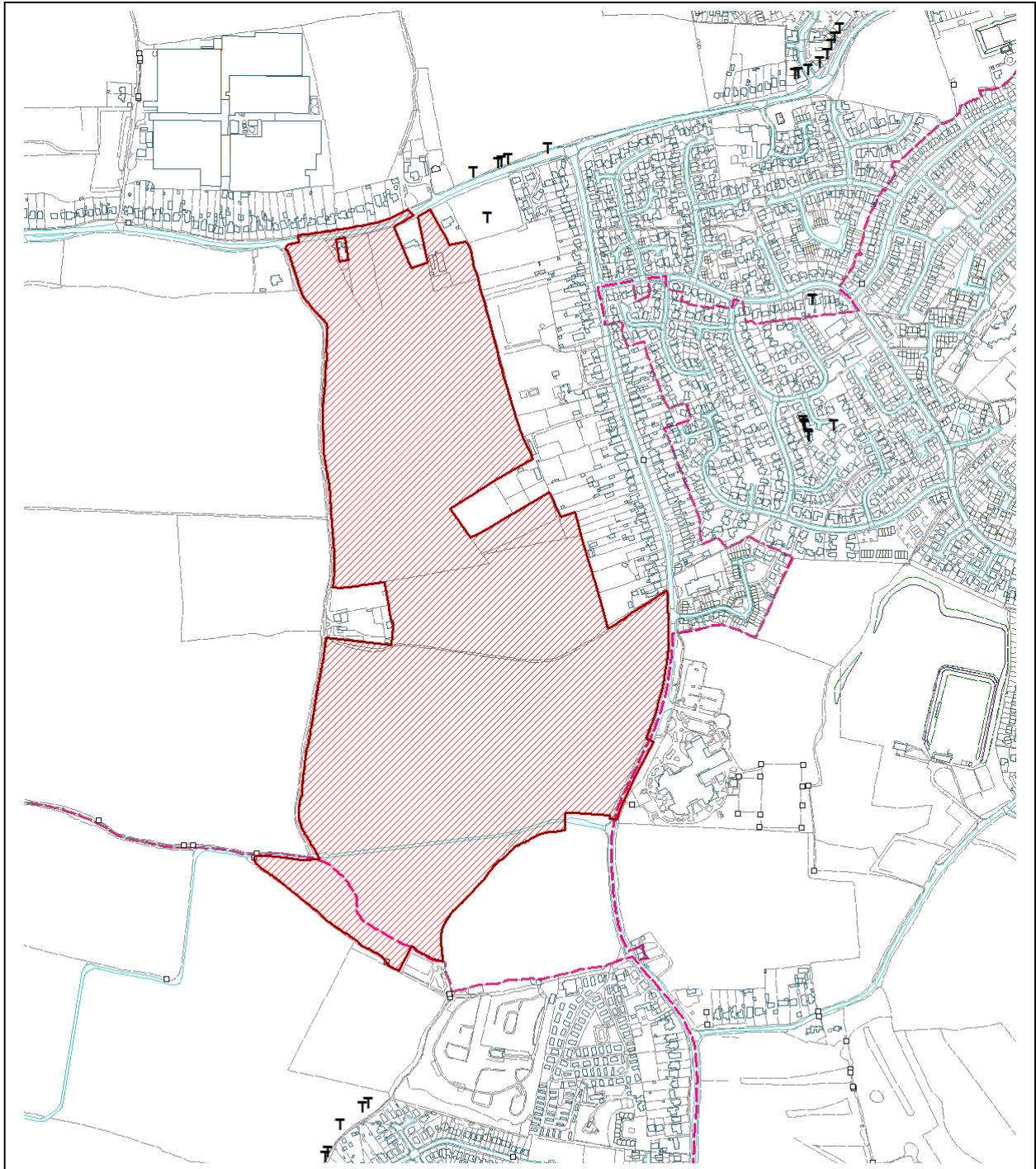


PLANNING COMMITTEE

17th January 2023

SUMMARY REPORT FROM THE DIRECTOR FOR PLANNING – TO SEEK A FURTHER 7 WEEK EXTENSION FROM COMMITTEE TO ALLOW THE NOW COMPLETED S106 TO BE ENGROSSED AND THE OUTLINE PLANNING PERMISSION TO BE ISSUED

A.4 PLANNING APPLICATION – 17/01229/OUT – LAND ADJACENT AND TO THE REAR OF 755 AND 757 ST JOHNS ROAD CLACTON ON SEA CO16 8BJ



DO NOT SCALE

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

Application: 17/01229/OUT

Town / Parish: Clacton Non Parished

Applicant: Persimmon Homes Essex and Messers M & I Low, K Francis and

Address: Land adjacent and to The rear of 755 and 757 St Johns Road Clacton On Sea CO16 8BJ

Development: Outline application (all matters reserved except means of access) for the redevelopment (including demolition) of the site for up to 950 residential units (including affordable housing) with a new Neighbourhood Centre comprising a local healthcare facility of up to 1500sqm NIA and up to 700sqm GFA for use classes A1 (shops), A3 (food and drink) and/or D1 (community centre); a 2.1ha site for a new primary school; and associated roads, open space, drainage, landscaping and other associated infrastructure.

1. Summary Report

- 1.1 The above planning application was reported to Members of the Planning Committee on the 7th June 2022 where the Committee resolved to grant outline planning permission subject to the conditions and a section 106 legal agreement to cover the heads of terms as outlined in the planning committee report for this item, dated 7th June 2022.
- 1.2 This Committee resolution was subject to a stipulation that the Assistant Director for Planning be authorised to refuse planning permission in the event that such legal agreement has not been completed within a period of 6 months from the date of the resolution (i.e. 7th June 2022). The 6 month period expired on 6th December 2022. The requirement does not mean that the application must be refused only provides authorisation to do so if needed, but at the same time no longer maintained the right of approval as a matter of delegation beyond the 6th December in this case given the wording of the resolution.
- 1.3 Unfortunate circumstances beyond the control of the LPA and applicant resulted in a delay in the resolution of one matter in respect of the section 106. This matter, relating to a travel plan monitoring plan and fee, has now been resolved.
- 1.4 This resulted in the 6 month timeframe for completion of s106 being exceeded by a short time and having to account for the Christmas period. The section 106 has now been completed, signed and engrossed and the outline planning permission is ready to be issued.

REQUEST

The Director for Planning is hereby formally seeking the authority from Members of the Planning Committee to agree to a further 7 week extension (to take us up to and including the 24th January 2023) to allow officers to issue the outlined planning permission previously resolved to be approved subject to conditions and the section 106 legal agreement has been completed and signed by all parties as updated.

For the avoidance of doubt, the following heads of terms have now been agreed in the completed section 106 legal agreement:

- 20% On-site Affordable Housing

- Provision of land on-site for a new healthcare facility together with a 554,900 financial contribution towards its provision. [In the event that the land is not required, the financial contribution will be spent on health facilities elsewhere (to be determined by the NHS);
- Transfer of new open space, including proposed equipped play areas to the Council or a management company;
- Land for a new primary school and early years and childcare facility on site with financial contributions towards the provision of those facilities;
- Financial contributions to create additional secondary school places;
- New neighbourhood centre;
- Financial contributions towards RAMS and off-site ecological mitigation.
- A £500,000 financial contribution towards public transport provision; and
- Travel plan and travel plan monitoring fee.

The report agreed by members on 7th June 2022 and extract of minutes to follow via email.