

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON TUESDAY 31 OCTOBER 2017 AT 6.00 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY**

Present:	Councillors White (Chairman), McWilliams (acting Vice-Chairman), Alexander, J A Brown (except minute 63), Cawthron, Everett, Fowler, V E Guglielmi (except minute 64) and Hones
Also Present:	Councillors Baker (except minutes 64 - 67), Bucke (except minutes 63 - 67), Calver (except minutes 63 - 67), Coley, G V Guglielmi, Nicholls and Talbot
In Attendance:	Ewan Green (Corporate Director - Planning and Regeneration), Cath Bicknell (Head of Planning), Charlotte Parker (Solicitor - Property, Planning and Governance), Nigel Brown (Communications and Public Relations Manager), Susanne Ennos (Planning Team Leader) and Katie Sullivan (Committee Services Officer)

59. CHAIRMAN'S OPENING COMMENTS

The Chairman welcomed everyone to the meeting and confirmed that Councillor McWilliams would be acting as Vice-Chairman in the absence of Councillor Heaney.

The Chairman announced that he had decided to defer agenda item A.3 (Planning Application 16/00500/OUT) until a future meeting of the Committee as further evidence had been received that needed to be assessed by Officers.

60. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Fairley (with Councillor V E Guglielmi substituting), Councillor Baker (with no substitute) and Councillor Heaney (with no substitute).

61. MINUTES OF THE LAST MEETING

The minutes of the last meeting of the Committee, held on 3 October 2017, were approved as a correct record and signed by the Chairman.

62. DECLARATIONS OF INTEREST

Councillor White declared an interest in relation to Planning Application 16/01770/OUT by virtue of the fact that he was a local Ward Member.

Councillor V E Guglielmi declared an interest in relation to Planning Application 17/01183/FUL by virtue of the fact that she was pre-determined.

Councillor J A Brown declared an interest in relation to Planning Application 17/01338/FUL by virtue of the fact that he had already determined the application at a Harwich Town Council meeting.

63. **A.1 - PLANNING APPLICATION - 17/01338/FUL - CLIFF HOTEL, 22 MARINE PARADE, DOVERCOURT, HARWICH, CO12 3RE**

Councillor J A Brown had earlier declared an interest in relation to Planning Application 17/01338/FUL by virtue of the fact that he had already determined the application at a Harwich Town Council meeting. Councillor Brown thereupon withdrew from the meeting, whilst the Committee considered the application and reached its decision.

It was reported that this application had been referred to the Planning Committee at the request of Councillor Calver, a local Ward Member and also due to the public interest that had been shown in this application.

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 Head of Planning (CB) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of:

- (1) Photographs which had been submitted by Councillor Calver;
- (2) Title deeds that had been submitted by the agent; and
- (3) A response from ECC Flood and Water Management Team confirming that they had no objections.

Trevor Williams, a local resident, spoke against the application.

Councillor Calver, a local Ward Member, spoke on the application.

Marcus Clarke, the agent on behalf of the applicant, spoke in support of the application.

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

- a) Within six months of the date of the Committee's resolution to approve, the completion of a legal agreement under the provisions of section 106 of the Town and Country Planning Act 1990 dealing with the following matters (where relevant):
 - Off-site open space/play equipment.
 - Financial contribution to the Park Pavilion.
- b) Planning conditions in accordance with those set out in (i) below (but with such amendments and additions, if any, to the detailed wording thereof as the Head of Planning in her discretion considers appropriate).
 - (i) Conditions:
 1. Standard 3 year time limit;
 2. Highways conditions (as recommended by the Highway Authority);

3. SUDS and drainage (surface water and foul drainage) conditions;
4. Hard and soft landscaping plan/implementation;
5. Ecological mitigation - wildlife/tree protection measures;
6. Construction methods plan;
7. Details of lighting, materials and refuse storage/collection points; and
8. Archaeological investigation and report works, including historic building recording;
9. Site lighting strategy;
10. Broadband;
11. Accordance with approved plans;
12. Contaminated land;
13. Condition details of Brooklyn Road access, and limit to Refuse and Emergency Vehicles; and
14. Construction Management Plan to prevent/severely limit access from Brooklyn Road.

64. A.2 - PLANNING APPLICATION - 17/01183/FUL - LAND AT MORSCHACH, 52 NEW ROAD, MISTLEY, CO11 1BU

Councillor V E Guglielmi had earlier declared an interest in relation to Planning Application 17/01183/FUL by virtue of the fact that she was pre-determined. Councillor Guglielmi thereupon withdrew from the meeting, whilst the Committee considered the application and reached its decision.

It was reported that this application had been referred to the Planning Committee at the request of Councillor G V Guglielmi, a local Ward Member.

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 (SE) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of:

- (1) Amended comments received from the Highway Authority; and
- (2) One additional letter of objection received.

Councillor Andy Baker, attending the meeting in a private capacity on behalf of the Trustees of the Manningtree & Mistley Welcome Home Memorial Fund, spoke against the application.

Parish Councillor Frances Fairhall, representing Mistley Parish Council, spoke against the application.

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

Councillor G V Guglielmi, a local Ward Member, spoke against the application.

Tony Collins, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor McWilliams, seconded by Councillor Fowler and unanimously **RESOLVED** that, contrary to the Officer's recommendation of approval, the Head of Planning (or equivalent authorised officer) be authorised to refuse planning permission for the development due to the following reasons:-

- Impact on character of the area; and
- Harmful to Conservation Area.

65. A.3 - PLANNING APPLICATION - 16/00500/OUT - TAMARISK, 19 THE STREET, KIRBY-LE-SOKEN, FRINTON-ON-SEA, CO13 0EE

This item was deferred for the reasons stated within minute 59 above.

66. A.4 - PLANNING APPLICATION - 17/01070/FUL - HIELAND HOUSE, CROW LANE, TENDRING, CO16 9AW

It was reported that this application had been referred to the Planning Committee at the request of Councillor G V Guglielmi, a local Ward Member, on the basis of previous planning refusals and in view of the level of objections that had been received from local residents. Councillor Guglielmi had confirmed he neither supported or objected to the proposal.

Members were informed that the application was for the change of use of Hieland House from a domestic dwelling to a venue for functions and beauty spa treatments and that there were no alterations or extensions proposed to the property.

Members recalled that the site had been the subject of two recent planning refusals concerning the use of the property for functions including weddings. Both applications had proposed 14 events per year (predominantly weddings) extending on beyond 7pm and to cease at midnight. The applications had both been refused due to the adverse impact upon local residents.

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 (SE) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of:

- (1) Amended plans received; and
- (2) One additional letter of objection received.

Jane Paxton, a local resident, spoke against the application.

Parish Councillor Trevor Edwards, representing Tendring Parish Council, spoke against the application.

Alison Messenger, on behalf of the applicant, spoke in support of the application.

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

- Time Limit;
- Operating hours of 8am-7pm (Monday-Saturday) and 10am-4pm (Sundays);
- Visibility splays to access (2.4 metres by 48 metres to the north and 2.4 metres x 55 metres to the south);
- Vehicular turning/parking facilities provided prior to first use and retained thereafter;
- No unbound materials within first 6m of access;
- Access to be constructed at right angles to road at a width of no less than 6m;
- No gates to be installed to access;
- Details of RPA's of trees to northern boundary and use of 'no dig' technology in areas where parking extends into those areas;
- All parking spaces being 2.9m x 5.5m in size;
- No amplified music throughout the site;
- Details of external lighting scheme;
- Details of an overspill parking area for 20 vehicles;
- Foul drainage strategy; and
- Accordance with approved plans.

67. A.5 - PLANNING APPLICATION - 16/01770/OUT - CAR BREAKERS YARD, COCKETT WICK LANE, ST OSYTH, CO16 8SE

Councillor White had earlier declared an interest in relation to Planning Application 16/01770/OUT by virtue of the fact that he was a local Ward Member.

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 (SE) in respect of the application.

Paige Harris, from Planning Consultants 'Boyer', spoke against the application on behalf of their client Mr Alan Hutley who was a local resident.

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

Mike McGarr, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee and advice provided by Officers, it was moved by Councillor Hones, seconded by Councillor V E Guglielmi and unanimously **RESOLVED** that, contrary to the Officer's recommendation of approval, the Head of Planning (or equivalent authorised officer) be authorised to refuse planning permission for the development due to the following reasons:-

- Against Policy PP11 – holiday park not of the standard expected providing no indoor and outdoor leisure facilities in association with the proposed use and being isolated from amenities on other sites; and
- Against Policy ER22 due to flood risk.

The meeting was declared closed at 8.40 pm

Chairman