

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON TUESDAY, 1ST APRIL, 2025 AT 5.00 PM
IN THE COMMITTEE ROOM - TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

Present:	Councillors Fowler (Chairman), White (Vice-Chairman), Bray, Everett, Goldman, Sudra and Wiggins
In Attendance:	Gary Guiver (Corporate Director (Planning & Community)), John Pateman-Gee (Head of Planning & Building Control), Joanne Fisher (Planning Solicitor), Michael Pingram (Senior Planning Officer), Bethany Jones (Committee Services Officer) and Katie Koppenaal (Committee Services Officer)
Also in Attendance:	Lee Heley (Corporate Director (Place and Wellbeing) & Deputy Chief Executive) and James Dwan (Communication Officer)

72. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were received from Councillor Alexander (with no substitution) and Councillor Smith (with Councillor Sudra substituting).

73. DECLARATIONS OF INTEREST

Though he was not present at the meeting, Councillor Alexander had, prior to the commencement of the meeting, informed Officers that he wished to declare an Interest in Planning Application 24/01911/FUL – Land Adjacent Victoria Street, Dovercourt, CO12 3AR. Though Councillor Alexander had not considered himself pre-determined on this application, he was a current member of the Levelling Up Fund and Capital Regeneration Projects Portfolio Holder Working Party which he believed could bring him into direct conflict with the planning procedure.

74. QUESTIONS ON NOTICE PURSUANT TO COUNCIL PROCEDURE RULE 38

There were no such Questions on Notice submitted by Councillors on this occasion.

75. REPORT OF THE DIRECTOR (PLANNING & COMMUNITIES) - A.1 - 24/01911/FUL - LAND ADJACENT VICTORIA STREET, DOVERCOURT, CO12 3AR

Members were told that the application was before the Planning Committee as Tendring District Council was the applicant and owner of the sites in question. The proposal sought permission for the erection of a four storey residential block to provide for eight apartments, following the demolition of Number 20 Victoria Street, as well as conversion of a site into an ancillary car park to provide for eight spaces. Given that the sites fell within the Settlement Development Boundary for Dovercourt and an area prioritised for regeneration, the principle of development was accepted.

The Committee was informed that Officers considered that the design, scale and layout was of an acceptable nature in-keeping with the area's existing character, and whilst it was noted that ECC Heritage had raised a low level of less than substantial harm, the public benefits of the proposal far outweighed that harm. There was not considered to be significant harm to the amenities of neighbouring residents, and all of the apartments would meet the National Space Standards. Essex Highways Authority had raised no

objections, and whilst the parking provisions fell just below the Essex Parking Standards, Officers noted that it was just a minor shortfall and the site was within a highly sustainable location in good walking distance to a range of services and facilities.

Officers told Members that the site fell within a high-risk flood zone, however the Environment Agency had raised no objections. Further, the applicant had undertaken a Sequential Test to identify whether there were alternative sites available within a lower flooding risk, however it had concluded that there were none.

Members heard that taking all of the above into consideration, Officers had concluded that whilst there were some minor harms from the proposal, namely the low level of less than substantial harm to the Dovercourt Conservation Area and slight shortfall of parking provision, they were significantly outweighed by the benefits of the scheme.

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 Senior Planning Officer (MP) in respect of the application.

An Officer Update Sheet had been circulated to Members prior to the meeting which covered the following matters:-

"Paragraph 8.19 states that the suggested alterations would result in the loss of two units, but for full clarity it would mean that two of the units would fail to meet the nationally described space standards.

Paragraph 8.28 incorrectly states that all units are either one or two bedrooms; two of the units are to be served by three bedrooms. However, the Officers assessment within this paragraph remains unchanged.

The wording of Condition 12 is proposed to be to include reference to details of the railings, and to read as follows:

CONDITION: No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of external facing, roofing and railing materials to be used in construction have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first use/occupation.

REASON: To secure an orderly and well-designed finish sympathetic to the character of the existing building(s) and in the interests of visual amenity and the character and appearance of the area."

Lee Heley, on behalf of the applicant, spoke in support of the application.

Matters raised by Members of the Committee:-	Officer's response thereto:-
<i>Do you feel that with the property being at the bottom of the hill that the height of the building is mitigated?</i>	<i>It is taller, the design has had to factor in flood levels and everything else in that regard and also to try and maintain and mirror what was there before.</i>

	<i>There will also be a separation distance here and that had been considered in terms of the design by reducing the height and pitching of the roof. There is not going to be significant harm to neighbours.</i>
<i>Will any windows be overlooking into the gardens?</i>	<i>At the moment there is an existing building that is attached to that so Officers would be surprised if there is a window but until it is fully demolished Officers cannot say for certain. It has been designed to make sure that the windows are not overlooking.</i>
<i>What sort of protection is put on the car park?</i>	<i>There is an entrance and exit to the north part of the site. The boundary is not fenced and is going to be bounded by soft landscaping with raingarden planting, hedges and trees. In terms of other people using the spaces rather than residents this is beyond the scope of planning and Officers could not guarantee that no one other than residents will use the car park which Officers believe the applicant would look into.</i>
<i>Does 'residents only' mean only the occupants of the building?</i>	<i>This is something that Officers cannot guarantee would be stopped in regard to other people using the car park. Officers do not know if there are going to be any signs put up around the car park saying that it is for residents only.</i>
<i>The blue part of the building seems slightly forward, is that normal?</i>	<i>It is set forward, yes. It was following the existing line that was already there from the previous building. This is similar to the other side of the terrace and the same approach was taken.</i>
<i>Is there a measure that is going to be put in such as a gate to stop people other than residents accessing the car park?</i>	<i>The Council currently does not have a planning condition to safeguard these spaces for the residents only. Officers have on occasion imposed a planning condition along the lines of that the parking area should only be for the residents in order to safeguard traffic and parking issues of the locality. If Members feel that is appropriate to impose on this development that this parking should only be for the residents of the building, then Members can impose a condition.</i>
<i>If Members were to impose a condition around parking is only for residents only, would that be too heavy handed?</i>	<i>Even from a parking point of view, Officers would not be getting into how the issuing of fines would be organised. It would be that the occupiers only would have parking provisions. It would make it difficult for other guests.</i>
<i>Does the building have to be red brick?</i>	<i>That is what is before Members, that is what is being proposed by the applicant. Officers are happy with the red brick.</i>

It was moved by Councillor White, seconded by Councillor Bray and:-

RESOLVED that the Head of Planning and Building Control be authorised to issue the grant of planning permission subject to:

- 1) notice first being given to Historic England of this resolution and either:-
 - (a) no comment being received from Historic England within 21 days from the date of notice; or
 - (b) comments being received from Historic England at any time within the 21-day period raising no objection (if a negative response is received the application will be referred back to the Planning Committee for consideration)
- 2) the conditions as stated at paragraph 10.2 of the Officer report (A.1), subject to the amendment to Condition 12 as set out on the Update Sheet, 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
- 3) the sending of the informative notes to the applicant as may be deemed necessary.

The meeting was declared closed at 5.40 pm

Chairman