MINUTES OF THE MEETING OF THE PLANNING COMMITTEE, HELD ON WEDNESDAY, 14TH OCTOBER, 2026 AT 5.00 PM IN THE COMMITTEE ROOM, TOWN HALL, STATION ROAD, CLACTON-ON-SEA, CO15 1SE

Present:	Councillors Fowler (Chairman), White (Vice-Chairman), Alexander, Codling, Goldman, Keteca (except items 32 - 35 (part)), Land (except item 35), Sudra and Wiggins
In Attendance:	Gary Guiver (Corporate Director (Planning & Community)), John Pateman-Gee (Head of Planning & Building Control), Amy Lang (Principal Planning Officer), Michael Pingram (Principal Planning Officer), Katie Moss (Democratic Services Officer) and Christopher Bailey (Elections and Leadership Support Officer)

32. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

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

The Chairman, Councillor Fowler, noted that Councillor Keteca would be joining the meeting, but was running late.

33. DECLARATIONS OF INTEREST

Councillor Land declared an interest, in relation to Planning Application 26/00954/FUL – West Lodge, Sparrows Corner, Great Oakley, CO12 5AB, in that he was the Parish Clerk of Great Oakley Parish Council 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 Alexander declared for the public record, in relation to Planning Application 26/00729/FUL – Lower Promenade, Marine Parade West, Clacton-on-Sea, CO15 1LS, that he was one of the Ward Members for the application and confirmed that he was not pre-determined on this application.

34. 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.

35. REPORT OF CORPORATE DIRECTOR (PLANNING AND COMMUNITY) - A.1 - PLANNING APPLICATION 26/00954/FUL - WEST LODGE, SPARROWS CORNER, GREAT OAKLEY CO12 5AB

Earlier on in the meeting, as reported under minute 33 above, Councillor Land had declared that he was the Parish Clerk of Great Oakley Parish Council and that he was pre-determined on this application. 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.

The Committee was informed that this application sought full planning permission for the demolition of the existing dwelling known as West Lodge and the erection of eight detached bungalows with associated access, parking, landscaping and infrastructure works (a net increase of seven dwellings).

Having regard to the Council's current 3.22-year housing land supply position, the relationship of the site to the existing settlement, and all other material planning considerations, the proposal was considered by Officers to represent a sustainable form of development, with the benefits of the scheme outweighing the limited conflict arising from its location outside the Settlement Development Boundary.

It was reported that this application had been called-in by the local Ward Member, Councillor Bush, who had stated the following concerns:-

1. *Back land development wedged between two domestic dwellings in a rural environment, uncharacteristic of the Soils Street scene. Policy LP8, Objective 1 of the Local Plan.*
2. *Demolition of an existing quality dwelling that contributes positively to the character of the Soils Street scene.*
3. *Outside the settlement development boundary of Great Oakley. Policy SPL2.*
4. *Site entrance restricted and obscured for entry and egress from the highway onto the narrow rural bend of Soils Road.*
5. *Development served by a narrow access which could restrict access by emergency service vehicles to the proposed development.*
6. *Inadequate infrastructure and services, including GP surgery capacity, limited local employment opportunities and limited public transport provision.*
7. *Loss of a quality existing dwelling to provide access to the proposed development.*

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.

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

During the presentation, Councillor Keteca entered the meeting.

The Chairman, Councillor Fowler, confirmed that Councillor Keteca would take no part in the deliberation or determination of the application but would remain in the meeting room during consideration thereof.

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

Jack Baron (Baron Architects Ltd.), the agent on behalf of the applicant, spoke in support of the application.

Peter Avery, a member of the public, spoke against the application.

Councillor Bush, the local Ward Member and caller-in, spoke against the application.

Matters raised by Members of the Committee:-	**Officer's response thereto:-**

Could you explain in relation to BNG bio net gain and why that cannot be achieved?	*(Amy Lang) The development will secure the biodiversity net gain requirements in accordance with the mandatory requirements of the legislation that is covered by the conditions within the report.*
I was concerned to read in the report that there was no evidence of significant wildlife living on the land. From my local knowledge, however, the wider area is well known for its populations of adders, slow worms and lizards and has previously been recognised for the density of those populations. Given that reputation, why does the report indicate that this particular site is devoid of wildlife?	*(Amy Lang) That is a difficult question to answer as we do not have reports for any of the adjoining land or nearby land. The report deals with the application site and that does not identify anything of concern in terms of ecology and biodiversity. The land is mostly garden land, so would be used for amenity purposes for the property. So, based on the information that we have accompanying the application, we have the reports and consultation with Essex County Council Place Services (Ecology) who raised no objection.*
The report states that "biodiversity net gain cannot be achieved entirely." *Could this be clarified? If the requirement is to achieve a 10% biodiversity net gain, what percentage is currently being achieved and what is meant by the statement that it cannot be achieved "entirely"?*	*(Amy Lang) I would need to refer to the baseline reports submitted with the application to confirm the current position. In terms of achieving the required 10% biodiversity net gain, a combination of on-site and off-site measures would be necessary. I am happy to refer to the reports, although the matter would be considered fully at the discharge of condition stage, which would secure the required Biodiversity Gain Plan and monitoring arrangements for both the on-site and off-site provision.*
The report also refers to a 30-year period and states that "any off-site biodiversity gain must be maintained for at least 30 years." Could you explain this further and clarify how that 30-year period relates to achieving and maintaining the required biodiversity net gain?	*(John Pateman-Gee) The baseline position is established by assessing the existing site using the Government's biodiversity metric, which assigns a value to the existing habitat. The development is then required to deliver a 10% biodiversity net gain above that baseline.* *The applicant may determine how that requirement is met, whether wholly through on-site provision, through a combination of on-site and off-site measures, or by securing appropriate biodiversity units elsewhere. The*

	precise means of delivering the required gain would be identified through the Biodiversity Gain Plan submitted at a later stage. *Irrespective of the method chosen, the relevant consideration is that the required 10% net gain must be secured for a minimum period of 30 years. Where off-site provision is required, biodiversity units may be secured through habitat banks, including those operating within and outside the District.*
In respect of the land contamination, what measures will be put in place for any extreme contamination found?	*(Amy Lang) Those details would not be known at this stage, which is why the condition requires further investigation to be undertaken. The results of those investigations would establish whether mitigation or remediation was necessary and, if so, the nature and extent of the measures required. The condition therefore provides the necessary flexibility to ensure that appropriate remediation works are undertaken in accordance with the findings.*
If the contamination were subsequently found to be particularly significant, is there any benefit in bringing the application before the Committee at this stage, rather than waiting until the extent of the contamination is known and any necessary remedial works have been identified?	*(John Pateman-Gee) With any development, there is a possibility that previously unidentified contamination may be discovered once works and further investigations commence. That represents a risk to the developer, particularly where significant contamination is subsequently identified.* *Should that occur, it would be necessary to establish whether appropriate remediation could be undertaken to ensure that the site was safe for future occupiers. The extent and cost of those works could have implications for the viability of the development, but that would be a matter for the developer.* *The Council's role is to ensure that any necessary remediation is satisfactorily undertaken so that the site is suitable for its intended use. That control would*

	be retained through the proposed condition, with Environmental Health consulted as part of that process.
To confirm, it is an unknown quantity in terms of contamination and what may be found, and it could even bring the whole thing to a halt depending on costs?	*(John Pateman-Gee) This is a possibility that can arise with many development proposals. It is not always possible to establish every detail at the application stage and, in such circumstances, planning conditions can provide the necessary mechanism to retain control over matters requiring further investigation or action.* *The position is that, where appropriate, development should be permitted subject to conditions that provide the necessary safeguards and enable relevant matters to be addressed at a later stage.*
Could you confirm whether there is any information or evidence available to the Council to substantiate the suggestion made by one of the public speakers that the site had previously been used as a gravel pit and as a military dump during the Second World War?	*(John Pateman-Gee) There is nothing within the Council's records currently available to us that indicates the site was previously used in that manner. That does not preclude the possibility of relevant information existing elsewhere, but there is no initial indication before us that gives rise to a specific concern in that respect.* *The local knowledge expressed is valid and relevant, although it is not substantiated by the information presently before us. As a precaution, however, a robust planning condition has been proposed to ensure that appropriate investigation is undertaken and that any issues subsequently identified can be properly addressed.*
So, to confirm, without the necessary investigations, we do not currently know what may be present on the site, and it could potentially range from discarded cans through to military-related material?	*(John Pateman-Gee) Potential contamination is taken very seriously, particularly where toxic or other harmful materials may be present. Similar considerations have arisen on other development sites, including former allotment land, and it is therefore necessary to ensure that appropriate safeguards are in place.* *Accordingly, the recommendation*

	before Members is for approval subject to a robust planning condition requiring the necessary investigation and, where appropriate, remediation of any contamination identified.

After debate, it was moved by Councillor Goldman, 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 9.2 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

(b) informative notes be sent to the applicant, as may be deemed necessary, by the Head of Planning and Building Control.

36. REPORT OF CORPORATE DIRECTOR (PLANNING AND COMMUNITY) - A.2 - PLANNING APPLICATION 26/00898/FUL - 26 LAWFORD PLACE, LAWFORD CO11 2PT

The Committee was informed that this application sought permission for four EV charging units within the existing parking area at Lawford Place.

It was reported that the proposal had been amended from six to four EV charging units, reducing its visual spread and addressing concerns regarding the siting of equipment in front of neighbouring dwellings. Consultees had raised no objection in relation to highways, heritage or National Landscape impacts, and the development was not considered by Officers to result in harm to residential amenity, biodiversity interests, highway safety, the setting of the Grade II Listed Building or the Suffolk & Essex Coast & Heaths National Landscape. The application had therefore been recommended by Officers for approval subject to conditions.

Members were aware that this application had been called in by Councillor Guglielmi, one of the local Ward Members, over his stated concerns that the proposed charging facilities and accommodating posts would result in a significant impact to the setting and appearance of the Grade II Listed Building.

The Committee had before it the published Officer report (A.2) 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 Principal Planning Officer (MP) in respect of the application.

Prior to the commencement of the meeting, an Officer update sheet had been circulated to members of the Committee in relation to this application and published to the Council's website. That update sheet had reported that written confirmation had been

received from the applicant that the spaces to the front of the flats were allocated for each unit.

David Barkham, the applicant, spoke in favour of this application.

Rachel Duffett, a member of the public, spoke against the application.

Councillor Barrett, a Ward Member, spoke against the application.

Councillor Barrett also read out a written statement on behalf of Councillor Guglielmi, the caller-in and his fellow Ward Member. Councillor Guglielmi had been unable to attend the meeting due to prior family commitments.

Matters raised by Members of the Committee:-	**Officer's response thereto:-**
Based on the proposed positioning of the posts, it appears that moving them approximately six inches further back would place them within the residents' gardens. Could you clarify whether planning permission would still be required if the posts were positioned within the residential curtilages?	*(Michael Pingram) Planning permission is required because it is within the curtilage of the listed building and that would still be the case in that instance, so yes, planning permission would still be required.*

After debate, it was moved by Councillor Fowler, seconded by Councillor Goldman and:-

RESOLVED that:-

(c) the Head of Planning and Building Control be authorised to grant planning permission, subject to the conditions as stated at paragraph 9.1 of the Officer report (A.2), 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

(d) informative notes be sent to the applicant, as may be deemed necessary, by the Head of Planning and Building Control.

37. REPORT OF CORPORATE DIRECTOR (PLANNING AND COMMUNITY) - A.3 - PLANNING APPLICATION 26/00729/FUL - LOWER PROMENADE, MARINE PARADE WEST, CLACTON-ON-SEA CO15 1LS

Earlier on in the meeting, as detailed under minute 33 above, Councillor Alexander had declared for the public record, in relation to this application that he was one of the Ward Members, and he had confirmed that he was not pre-determined on this application.

The Committee was made aware that the proposed works were in support of wider works fundamentally designed to improve coastal defences and stabilise the coast and were supported in principle. The application had been submitted to the Committee on the basis that Tendring District Council was both the applicant and the landowner.

It was reported that Essex County Council (ECC) Heritage had raised no objections, and Officers considered that the works would not result in significant visual harm or any harm to neighbouring amenities. Officers felt that there would be no significant harm to existing trees or vegetation, and ECC Archaeology had also raised no objections subject to the inclusion of conditions.

The Committee had before it the published Officer report (A.3) 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 Principal Planning Officer (MP) in respect of the application.

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

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

Matters raised by Members of the Committee:-	**Officer's response thereto:-**
Can you describe how the drainage will be improved as it is currently not good within that area?	The Principal Planning Officer (MP) read out the below response which had been received from the applicant prior to the meeting: *"There is no functional drainage associated with the water flowing through the cliff face; the works being intended to control, manage this flow. Without managing this flow there will be continued water flowing across the promenade, which can become a health and safety issue over the winter months if it freezes and is undesirable / inconvenient at all other times Also, uncontrolled flow of water from within the cliff face can result in destabilisation of the cliff face and result in cliff collapse. the factor of safety against cliff collapse is already low at this location. (A low factor of safety means there is an increase in risk) The proposed works are intended to deal with both these issues.* *The current flow of water over the promenade, and stopping it doing so, (which is as a consequence of water flowing from the cliff face, itself as a result of the geological sequencing), is one of the principal reasons for the works being carried out. The current*

	situation will be improved, i.e. The flow of water across the promenade will be stopped following the implementation of the works."
Can you confirm what closures to the promenade will be in place during the works?	The Principal Planning Officer (MP) read out the below response which had been received from the applicant prior to the meeting: *"Yes, the promenade will be shut for part of the duration of the works for reasons of Health and Safety and during which time the sheet piling and similar works are carried out. Diversion routes using the surrounding cliff paths will be in place. Access will still be available to the cafes to the east and west of the work area, both by public and by their owners at all times.* *The works are also intended to be carried out over the winter months to minimise the impact of any restrictions on use of the promenade.* *The time scale for the closure of the promenade is to be confirmed following appointment of the contractor, and in discussion with the contractor, based on working methods, but it is envisaged this will be in the order of five weeks, with a restricted promenade width possibly available at other times. Then closure of the path leading from the cliff top to the promenade, and which passes through the work area will be for the duration of the works, estimated to be in the order of 10 weeks."*
To confirm, the top part of the promenade will remain open, but the ramp will be closed down to the bottom for approximately five weeks, and lorries will use the lower promenade to gain access for deliveries?	*(Michael Pingram) Yes, on the drawing it states "promenade closed available to contractor to use to store materials and for welfare etc."*

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

RESOLVED that:-

(a) the Head of Planning and Building Control be authorised to grant planning permission, subject to the conditions as stated at paragraph 9.2 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; and

(b) 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 6.51 pm

Chairman