

**MINUTES OF THE MEETING OF THE PLANNING COMMITTEE,
HELD ON WEDNESDAY, 6TH JUNE, 2018 AT 6.00 PM
IN THE COUNCIL CHAMBER, COUNCIL OFFICES, THORPE ROAD, WEELEY,
CO16 9AJ**

Present:	Councillors White (Chairman), Alexander, Baker (except items 17 and 18), Bennison, M Brown, Cawthron, Everett, Fowler, Hones and McWilliams
Also Present:	Councillor Nicholls, Councillor C Guglielmi (item 15 only) and Councillor Coley (item 15 only)
In Attendance:	Cath Bicknell (Head of Planning), Graham Nourse (Planning Manager), Jeff Sadler (Agency Planning Officer), Charlotte Parker (Solicitor (Property, Planning and Governance)) and Debbie Bunce (Legal and Governance Administration Officer)

15. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillor Heaney.

16. DECLARATIONS OF INTEREST

Councillor Baker declared that he was pre-determined on applications A.1 and A.2 and stated that he would therefore withdraw from the Chamber and would not take part in the determining of those application.

17. A.1 - PLANNING APPLICATION - 17/01537/OUT - LAND TO THE SOUTH OF LONG ROAD AND TO THE WEST OF CLACTON ROAD, MISTLEY, CO11 2HN

Councillor Baker, in accordance with his earlier declaration of interest (Minute 16 refers), withdrew from the Chamber whilst this application was considered and determined.

The Committee was aware that the site benefited from an extant outline planning consent for 300 homes and 2 hectares of employment land. That planning permission had been granted subject to a number of planning conditions including that any detailed plans for the site needed to be in general conformity with the submitted parameter plans. Those broadly identified, the location of housing, commercial development and open space as well as the height of the development.

The Committee was informed that this planning application sought to vary those parameter plans in order to allow certain amendments to the scheme layout. It followed on from a similar application for variation of the parameter plans that had been refused by the Committee at its meeting held on 10 August 2017. The current application now sought to address the reasons for the Committee's refusal by complying more closely with the original outline consent. Accordingly there would be:

- Nominal reduction in the overall amount of approved open space;
- Nominal enlargement in approved developed area;

- Re-distribution of approved height limits across the site to include buildings between 1 – 2.5 storeys;
- Re-location within the site of the approved employment land;
- The approved access point onto Clacton Road to be moved further north.

It was reported that there would be no changes to the total number of homes or the amount, or use class of employment land, as that could only be achieved through a whole new planning application for the site.

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 Agency Planning Officer (JS) in respect of the application.

An update sheet was circulated to the Committee prior to the meeting with details of a correction to paragraph 6.21 with reference to a 2.5 storey adjacent to the commercial area being deleted.

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

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

Samuel Bampton the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, it was moved by Councillor Fowler seconded by Councillor Cawthron and **RESOLVED** that the Head of Planning (or equivalent authorised Officer) be authorised to grant outline planning permission for the proposed development (up to 300 dwellings, up to 2 hectares of employment land (A2/A3/B1/D1 uses), with associated public open space and infrastructure) but with a variation to condition 4 of the decision notice to require the development to be in general conformity with the revised parameters plans.

All other planning conditions are to remain unchanged from the outline planning permission 15/00761/OUT as well as the completed Section 106 legal agreement to secure education contributions, affordable housing, open space and open space maintenance contribution, healthcare contributions and contributions towards highway improvements to the crossing at Manningtree Station.

Conditions:

- 1 Submission of Reserved Matters;
- 2 Submission of Reserved Matters;
- 3 Commencement of development;
- 4 Reserved Matters in general conformity with approved indicative drawings;
- 5 Maximum no of dwellings and employment land;
- 6 Phasing Plan and Programme;
- 7 Details of materials;
- 8 Landscaping implementation;
- 9 Replacement planting within 5 years;

- 10 Accordance with Tree Constraints Plan;
- 11 Public Open Space Management Plan;
- 12 Boundary details;
- 13 Foul water strategy;
- 14 Surface Water drainage scheme;
- 15 Scheme to minimise off site flooding;
- 16 Drainage maintenance scheme;
- 17 Highway Improvements;
- 18 Sustainable Transport information;
- 19 Ecological Mitigation Scheme;
- 20 Archaeological Investigation;
- 21 Construction Method Statement;
- 22 Refuse/Recycling Details;
- 23 Cycle Storage;
- 24 Broadband Connection;
- 25 Recruitment Strategy.

18. A.2 - PLANNING APPLICATION - 17/00535/DETAIL - LAND TO THE SOUTH OF LONG ROAD AND TO THE WEST OF CLACTON ROAD, MISTLEY

Councillor Baker, in accordance with his earlier declaration of interest (Minute 16 refers), withdrew from the Chamber whilst this application was considered and determined.

The Committee was aware that the site benefited from extant outline planning consent for 300 homes and 2 hectares of employment land. Planning permission had been granted subject to a number of planning conditions including that any detailed plans for the site needed to be in general conformity with the submitted parameter plans. Those broadly identified, the location of housing, commercial development and open space as well as the height of development.

Members were also aware that, earlier in the meeting, they had considered and approved Application 17/01537/OUT for amendment of those parameter plans by the variation of Condition 4 of planning permission 15/00761/OUT. This had been necessary in order that this application for Reserved Matters could be considered and be approved as this Reserved Matters application had been amended in order to relate to the amended parameter plans.

The Committee was informed that this Reserved Matters application for Phase 1 related to the development of 96 residential units on the northern part of the site, which equated to approximately one third of the housing quota for the entire site and included extensive landscaped areas adjoining Long Road and Clacton Road. An access off Clacton Road was also a reserved matter, details of the site access off Long Road having been approved at the outline stage. The approved commercial development would form part of a future phase of site development on land to the south. Although it had initially been proposed to incorporate a small amount of retail development into the Phase 1 scheme, this had now been deleted from the proposal.

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 Agency Planning Officer (JS) in respect of the application.

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

- 1 Position of maximum speed limit on Clacton Road – to be agreed with the Highway Authority.
- 2 Programme for works to Long Road. This is covered by Condition 17 of Application 17/01537/OUT. Clause 2.0 of the S106 also requires that 'The Owner hereby covenants with the County Council (in respect of the Highway Improvements Contribution) not to occupy (or allow, cause or permit the Occupation of) more than (50) dwellings unless and until: 2.2 the Highway Improvements Contribution has been paid to the County Council'.
- 3 Programme for provision of affordable housing and location – Schedule 2 'Affordable Housing' Part One of the S106 Agreement requires that: 'The owner hereby covenants with the Council as follows: 1. Not to commence development unless and until the Affordable Housing Plan and Specification (for the eighteen affordable units) has been submitted to the Council and the Council has approved the Affordable Housing Plan in writing'.

The affordable housing units (18) do not need to be provided until 150 market Dwellings have been occupied – i.e. during a later Phase of development.

- 4 Provision in respect of Bus Services – The central estate road is to be suitable (in respect of specification) for use as a bus route upon completion of development (i.e. subsequent Phases).

Samuel Bampton, the agent on behalf of the applicant, spoke in support of the application.

Following discussion by the Committee, about the request for further information on whether a retail element could be included in the site and whether single storey dwellings could form part of the first phase of development, it was moved by Councillor Everett, seconded by Councillor Bennison and **RESOLVED** that consideration of this application be deferred in order to enable the Officers to hold further discussions with the applicant with a view to the lack of retail space on the site and the lack of one storey dwellings.

19. A.3 - PLANNING APPLICATION - 17/02204/FUL - CROWN BUSINESS CENTRE, OLD IPSWICH ROAD, ARDLEIGH, CO7 7QR

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 Agency Planning Officer (JS) in respect of the application.

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

1. Clarification was received from the tree officer in order to address concerns raised by Members during the course of the Members' site visit on Wednesday 30th May.

The tree identified as T1 on the tree report is a mature healthy specimen that does not appear to have any significant structural defects. From a visual inspection from the ground it shows no signs of pest or disease infestation or attack. It is a good quality tree with considerable future life expectancy

In terms of the amenity value of T1 its position is such that views are limited to a few locations on the Old Ipswich Road and from a short section of Crown Lane. Of course it can be seen from the old driving range – but this is not a place where the public are freely able to visit. The tree is some way from the nearest public places from which it can be seen. This means that although the tree is a very good specimen its amenity value is only moderate.

The remainder of the line of trees will be retained and will make a positive contribution to the appearance of the area. At the time of my first site visit I was of the opinion that the retention of the remainder of the trees covered by the TPO meant that the removal of a single tree would not have a significant detrimental impact on the amenities of the locality – especially taking into account the position of T1 and the degree to which it can currently be seen and enjoyed by the public

Although it would be desirable to retain the tree the new planting associated with the development of the land will greatly increase the local tree population.

On balance, and only in terms of issues relating to trees, it is considered that the scheme will significantly increase the number of trees planted in the vicinity and that this would be adequate compensation for the loss of the tree in question.

The development proposal also necessitates the removal of two smaller Oak trees; these are T9 of the tree report and another Oak on the boundary with the highway. The removal of these trees will also not have a significant adverse impact on the character or appearance of the area.

As previous comments – soft landscaping required

2. In respect of public footway provision – a new 2m wide footway would be required on the eastern side of Old Ipswich Road from the site entrance to the pedestrian access into the Crown Inn. A pedestrian crossing would be provided to connect to an existing footway on the western side of Old Ipswich Road, utilising a central reservation. This is dealt with under Condition 9 of this Report and will in turn require a S278 Highways Agreement to be entered into.

Following discussion by the Committee regarding the protected trees that would be removed for construction of the development, it was moved by Councillor Everett, seconded by Councillor McWilliams and **RESOLVED** that consideration of this application be deferred in order to enable the Officers to hold further discussions with the applicant with a view to the redesigning one section of the small business units in order to retain the oak tree, which was the subject of a Tree Preservation Order.

The meeting was declared closed at 8.11 pm

Chairman