



**MINUTES of  
DISTRICT PLANNING COMMITTEE  
19 JANUARY 2022**

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**PRESENT**

Chairman	Councillor M S Heard
Vice-Chairman	Councillor C Mayes
Councillors	M G Bassenger, Miss A M Beale, V J Bell, R G Boyce MBE, Mrs J L Fleming, CC, A S Fluker, K M H Lagan, C P Morley, S P Nunn, N J Skeens, E L Stephens, C Swain, Mrs M E Thompson and Miss S White
In attendance	Councillor C Morris

**457. CHAIRMAN'S NOTICES**

The Chairman welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

**458. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Mrs P A Channer, R P F Dewick, M F L Durham, M R Edwards, M W Helm, B B Heubner, N G F Shaughnessy, R H Siddall, W Stamp and Mrs J C Stilts.

**459. DISCLOSURE OF INTEREST**

Councillor Mrs J L Fleming disclosed a non-pecuniary interest as a Member of Essex County Council who were statutory consultees.

**460. MINUTES OF THE LAST MEETING**

**RESOLVED** that the Minutes of the meeting of the District Planning Committee held on 2 December 2021 be approved and confirmed.

**461. EXCLUSION OF THE PUBLIC AND PRESS**

**RESOLVED** that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

## 462. APPEAL UPDATE

The Council considered the report of the Director of Service Delivery providing advice to Members on the progress of an appeal on land at Burnham-on-Crouch. The report provided Members with advice regarding the reason for refusal and its sustainability.

It was noted that this matter had been brought forward in light of the impending deadline for the submission of the proofs of evidence for the appeal.

The report provided detail background information regarding the related planning application and its determination by the Council in 2021. The original Officer's report and Members' Update considered by the Council were attached as Appendices 1 and 2 to the report.

Following the Officers' presentation of the report a lengthy debate ensued. Officers responded to questions raised by Members providing further information regarding the application and the current appeal, the Council's Five-Year Housing Land Supply and related policy.

Councillor R G Boyce declared a non-pecuniary interest referring to the discussion about the application rather than the legal opinion.

During the debate and following some disruption the Chairman asked that the Minutes show for the second occasion Councillor C Morris had failed to follow his ruling.

Following further debate, Councillor A S Fluker proposed that the Officers' recommendations as set out in the report be agreed, on the understanding that when the application was reconsidered a barrister was made available to provide legal advice to Members. This proposal was duly seconded and upon a vote being taken was agreed. Councillor K M H Lagan requested that it be noted he had not voted.

**RESOLVED** that in relation to the Planning Application detailed within the report:

- (i) the Council accepts the appellants without prejudice offer to re-submit the planning application, on the same terms as before, to allow for the Council to reconsider the application on the basis that they would then withdraw the appeal and not seek an award of costs against the Council if the resubmitted application were to be approved;
- (ii) when the re-submitted planning application is brought forward for reconsideration, a barrister is made available to provide legal advice to Members.

There being no other items of business the Chairman closed the meeting at 8.51 pm.

M S HEARD  
CHAIRMAN