



## TENDRING DISTRICT COUNCIL

### Planning Services

Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex CO16 9AJ

**APPLICANT:** Miss Linda Barber  
72 Twyford Avenue  
Great Wakering  
Southend On Sea  
Essex  
SS3 0EX

**AGENT:**

#### TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO:** 18/01965/FUL

**DATE REGISTERED:** 23rd November 2018

Proposed Development and Location of Land:

**Change of use of land for siting of mobile home for holiday occupancy.  
5 Singer Avenue Jaywick Clacton On Sea Essex**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY REFUSE PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted for the following reason(s)

- 1 The development is considered contrary to the objectives of Policies QL6 and CL16 of the Tendring District Local Plan 2007 and Policy PP14 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017). Policy QL6 of the Tendring District Local Plan 2007 identifies the site as an Urban Regeneration Area and states that 'permission will be granted for development that reinforces and/or enhances the function, character and appearance of the area and contributes towards regeneration and renewal'. Policy PP14 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017) identifies the area as a Priority Area for Regeneration states that 'these areas will be a focus for investment in social, economic and physical infrastructure and initiatives to improve vitality, environmental quality, social inclusion, economic prospects, education, health, community safety, accessibility and green infrastructure'.

Saved Policy CL16 of the Tendring District Local Plan 2007 sets out specific planning controls for Jaywick. The policy states that:

Permission will not be granted in this area for the following types of development:-

- (i) the stationing of caravans except on an authorised caravan site;

The proposed mobile home is contrary to Policy CL16 (i) as the application seeks retrospective planning permission for the stationing of a mobile home within this residential area. As stated within the preamble of Policy CL16, it is the policy of the Council to resist certain types of development to which the Jaywick area has proved to be vulnerable in the past. These include the stationing of caravans on vacant plots. Such activities are clearly out of character and contrary to the managed regeneration of residential accommodation in Jaywick. The principle of development is therefore not considered acceptable and it will undermine the regeneration of Jaywick and set an undesirable precedent for similar inappropriate development to the detriment of the



Urban Regeneration Area.

DATED: 30th July 2019

SIGNED:

*Catherine Bicknell*

Catherine Bicknell  
Head of Planning

IMPORTANT INFORMATION :-

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL3 Minimising and Managing Flood Risk

QL6 Urban Regeneration Areas

QL9 Design of New Development

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

EN6A Protected Species

EN11A Protection of International Sites European Sites and RAMSAR Sites

CL16 Planning Controls in Jaywick

ER16 Tourism and Leisure Uses

ER20 Occupancy Timescales

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL3 Sustainable Design

PP8 Tourism

PPL1 Development and Flood Risk

PPL4 Biodiversity and Geodiversity

PP10 Camping and Touring Caravan Sites

PP14 Priority Areas for Regeneration



**Positive and Proactive Statement**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

**The attached notes explain the rights of appeal.**



## NOTES FOR GUIDANCE

### WHEN PLANNING PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

#### APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within the set time frame as outlined below:
  - a. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
  - b. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
  - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
- Appeals must be made using the relevant form (as detailed above) which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. **Please note, only the applicant possesses the right of appeal.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions imposed having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are on GOV.UK.

#### ENFORCEMENT

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.



- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.