



TENDRING DISTRICT COUNCIL

Planning Services

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

AGENT:	Mr Stephen Archer - Archer Architects Ground Floor West Coate House 1-3 Coate Street London E2 9AG	APPLICANT:	Mr Jason Drane - MOEGM LTD 11 Springfield Road Kingston Upon Thames KT1 2SA
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TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 19/00406/DETAIL **DATE REGISTERED:** 1st April 2019

Proposed Development and Location of Land:

**Construction of thirty houses with associated parking, access and landscaping.
Land rear of Una Road Parkeston Essex**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **GRANT**
APPROVAL OF RESERVED MATTERS pursuant to Outline Planning Permission No. 15/01792/OUT in accordance with the application form, supporting documents and plans submitted subject to the following conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved Drawing Nos:

5195/c-1/1/106	Amended proposed material palette - housing Drawing
5195/c-1/0/100	Amended site plan,
5195/c-1/1/111	Amended proposed street sections 2
5195/c-1/1/254	Amended house type f - proposed left elevation,
5195/c-1/1/256	Amended house type f - proposed right elevation
5195/c-1/1/105	Amended proposed material palette - roads
5195/c-1/1/205	Amended house type a - proposed side elevation
5195/c-1/1/206	Amended house type a - proposed section a-a
5195/c-1/1/214	Amended house type b - proposed rear elevation
5195/c-1/1/232	Amended house type d - proposed roof plan
5195/c-1/1/252	Amended house type f - proposed roof plan
5195/c-1/0/102	Amended site plan with topography
5195/c-1/1/204	Amended house type a - proposed rear elevation
5195/c-1/1/213	Amended house type b - proposed front elevation
5195/c-1/1/216	Amended house type b - proposed section a-a
5195/c-1/1/217	Amended house type b - proposed section b-b
5195/c-1/1/223	Amended house type c - proposed front elevation
5195/c-1/1/251	Amended house type f - proposed first floor plan
5195/c-1/1/101	Amended proposed block plan - materialized
5195/c-1/1/222	Amended house type c - proposed roof plan
5195/c-1/1/236	Amended house type d - proposed section a-a
5195/c-1/0/101	Amended block plan
5195/c-1/1/211	Amended house type b - proposed first floor plan
5195/c-1/1/215	Amended house type b - proposed side elevation

5195/c-1/1/221	Amended house type c - proposed first floor plan
5195/c-1/1/230	Amended house type d - proposed ground floor plan
5195/c-1/1/231	Amended house type d - proposed first floor plan
5195/c-1/1/243	Amended house type e - proposed front elevation
5195/c-1/1/253	Amended house type f - proposed front elevation
5195/c-1/1/225	Amended house type c - proposed right elevation
5195/c-1/1/228	Amended house type c - proposed section b-b
5195/c-1/1/235	Amended house type d - proposed side elevation
5195/c-1/1/237	Amended house type d - proposed section b-b
5195/c-1/1/241	Amended house type e - proposed first floor plan
5195/c-1/1/100	Amended proposed block plan
5195/c-1/1/110	Amended proposed street sections 1
5195/c-1/1/200	Amended house type a - proposed ground floor plan
5195/c-1/1/201	Amended house type a - proposed first floor plan
5195/c-1/1/202	Amended house type a - proposed roof plan
5195/c-1/1/203	Amended house type a - proposed front elevation
5195/c-1/1/207	Amended house type a - proposed section b-b
5195/c-1/1/210	Amended house type b - proposed ground floor plan
5195/c-1/1/212	Amended house type b - proposed roof plan
5195/c-1/1/220	Amended house type c - proposed ground floor plan
5195/c-1/1/224	Amended house type c - proposed rear elevation
5195/c-1/1/226	Amended house type c - proposed left elevation
5195/c-1/1/227	Amended house type c - proposed section a-a
5195/c-1/1/233	Amended house type d - proposed front elevation
5195/c-1/1/234	Amended house type d - proposed rear elevation
5195/c-1/1/240	Amended house type e - proposed ground floor plan
5195/c-1/1/242	Amended house type e - proposed roof plan
5195/c-1/1/244	Amended house type e - proposed right elevation
5195/c-1/1/245	Amended house type e - proposed rear elevation
5195/c-1/1/246	Amended house type e - proposed section a-a
5195/c-1/1/250	Amended house type f - proposed ground floor plan
5195/c-1/1/255	Amended house type f - proposed rear elevation
5195/c-1/1/257	Amended house type f - proposed section a-a
5195/c-1/1/258	Amended house type f - proposed section b-b
Wwa_1911_lp_301 p01	Amended planting plan

Reason - For the avoidance of doubt and in the interests of proper planning.

- 2 Prior to the occupation of any of the proposed development the internal road and footway layout shall be provided in principal and based on the revised drawing number: 5195/c-1/1/100 Amended block plan

Reason - To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety.

- 3 Prior to occupation of the development a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular accesses. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

Reason - To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety.

- 4 The development shall not be occupied until such time as a car parking and turning area has been provided in accord with amended block plan 5195/c-1/1/100. These facilities shall be retained in this form at all times and shall not be used for any purpose other than the parking and turning of vehicles related to the use of the

development thereafter.

Reason - To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety.

- 5 Each tandem vehicular parking space shall have minimum dimensions of 2.9 metres x 11 metres to accommodate two vehicles. A shorter third space depending on the plot no. would have the potential for the parked vehicle to overhang onto the footway; these spaces would need to be amended to the correct length to avoid this potential parking practice.

Reason - To ensure adequate space for parking off the highway is provided in the interest of highway safety.

- 6 Each vehicular parking space which is bounded by walls or other construction shall have minimum dimensions of 3.4 metres x 5.5 metres.

Reason - To encourage the use of off-street parking and to ensure adequate space for parking off the highway is provided in the interest of highway safety.

- 7 The proposed/any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason - To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety.

- 8 The Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to first occupation and retained at all times.

Reason - To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

- 9 Prior to occupation of the proposed dwelling, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator free of charge.

Reason - In the interests of reducing the need to travel by car and promoting sustainable development and transport.

- 10 No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i the parking of vehicles of site operatives and visitors
 - ii loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and underbody washing facilities

Reason - To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

DATED: 28th August 2019

SIGNED:

Cath Burrell

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
- QL1 Spatial Strategy
- QL2 Promoting Transport Choice
- QL3 Minimising and Managing Flood Risk
- QL9 Design of New Development
- QL10 Designing New Development to Meet Functional Needs
- QL11 Environmental Impacts and Compatibility of Uses
- HG1 Housing Provision
- HG3 Residential Development Within Defined Settlements
- HG3A Mixed Communities
- HG4 Affordable Housing in New Developments
- HG6 Dwelling Size and Type
- HG7 Residential Densities
- HG9 Private Amenity Space
- HG14 Side Isolation
- COM6 Provision of Recreational Open Space for New Residential Development
- COM19 Contaminated Land
- COM26 Contributions to Education Provision
- EN1 Landscape Character
- EN6 Biodiversity
- EN11A Protection of International Sites European Sites and RAMSAR Sites
- EN13 Sustainable Drainage Systems

EN29 Archaeology

TR1A Development Affecting Highways

TR2 Travel Plans

TR3A Provision for Walking

TR4 Safeguarding and Improving Public Rights of Way

TR5 Provision for Cycling

TR6 Provision for Public Transport Use

TR7 Vehicle Parking at New Development

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

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

HP3 Green Infrastructure

HP5 Open Space, Sports & Recreation Facilities

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

LP5 Affordable and Council Housing

PPL1 Development and Flood Risk

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

PPL7 Archaeology

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Essex Design Guide

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to the Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway by the ECC.

There should be a 'no build zone' of 0.5 metres from the back of the proposed/ future high boundary.

On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 - Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Legal Agreement Informative - Recreational Impact Mitigation

This application is the subject of a legal agreement and this decision should only be read in conjunction with this agreement. The agreement addresses the following issues: mitigation against any recreational impact from residential developments in accordance with Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

Standard Informative 1: The Provisions of the Essex Act 1987, Section 13 (Access for the Fire Brigade) may apply to this Development and will be determined at Building Regulation Stage.

Standard Informative 2: You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control

section at Tendring District Council.

Standard Informative 3: If the development includes the construction of a new building on or at the boundary of 2 properties, work to an existing party wall or party structure or involve excavation near to and below the foundation level of neighbouring buildings, you are advised that the provisions of the Party Wall Act 1996 may apply to this development. An explanatory booklet concerning the implications of this Act is available online or from the District Council.

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) 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.