

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	20/12/19
Planning Development Manager authorisation:	TF	20/01/2020
Admin checks / despatch completed	CC	10/02/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	10/2/2020

Application: 19/01712/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr Paul Spriggins

Address: Saddlebrook Chase Jaywick Lane Clacton On Sea

Development: Proposed 19 additional Static Holiday Caravans with parking spaces adjacent to Caravans (NOT occupied for human habitation between 15th January and 28th February), demolition of existing building and re-arrangement of existing car park to form 29 parking spaces

1. Town / Parish Council

Clacton – Non Parished.

2. Consultation Responses

Natural England Natural England has no comments to make on this application.

ECC Highways Dept The information that was submitted in association with the application has been fully considered by the Highway Authority. The proposal is on a private site and retains adequate room and provision for off street parking and turning, for the proposed changes therefore:

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

The re-arrangement of the existing car park shall not be open to the public until such time as the vehicle parking area indicated on drawing no. 0348-00-003-d and 0348-00-004-d including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and any associated turning area shall always be retained in this form. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining areas does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.

Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres. 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 ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy

DM8

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 in accordance with Policy DM8.

Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative 1: 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.

ECC SuDS Consultee

Thank you for your email received on 13/11/2019 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based on the following:

Despite not fulfilling our normal criteria, due to the size of the site and the fact that the proposed development will be improving surface water runoff and the surface water quality we do not object to the granting of planning permission.

We also have the following advisory comments:

- If changes are being made to a watercourse then a section 23 consent will be required. Please contact Glenn Shaw via the email address Floods@essex.gov.uk.

In the event that more information was supplied by the applicants then the County Council may be in a position to withdraw its objection to the proposal once it has considered the additional clarification/details that are required.

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref.

HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.

- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

Appendix 1 - Flood Risk responsibilities for your Council

The following paragraphs provide guidance to assist you in determining matters which are your responsibility to consider.

- Safety of People (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements)

You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals as we do not carry out these roles during a flood.

- Flood recovery measures (including flood proofing and other building level resistance and resilience measures)

We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. Both flood resilience and resistance measures can be used for flood proofing.

Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. The National Planning Policy Framework confirms that resilient construction is favoured as it can be achieved more consistently and is less likely to encourage occupants to remain in buildings that could be at risk of rapid inundation.

Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective.

Further information can be found in the Department for Communities and Local Government publications 'Preparing for Floods' and 'Improving the flood performance of new buildings'.

- Sustainability of the development

The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises the key role that the planning system plays in helping to mitigate and adapt to the impacts of climate change, taking full account of flood risk and coastal change; this includes minimising vulnerability and providing resilience to these impacts. In making your decision on this planning application we advise you consider the sustainability of the development over its lifetime.

3. Planning History

01/01604/FUL	Change part of layout from six residential mobile homes to seven (variation to scheme and condition 2 imposed upon planning permission TEN/2201/88)	Approved	08.11.2001
98/01520/FUL	Extension to existing car park	Approved	22.01.1999
04/01699/FUL	-Siting of 41 static holiday caravans on part of the existing touring area.	Approved	26.10.2004
04/02222/FUL	Variation of Condition No. 2 on planning consent ref. TEN/2200/88 dated 26th August 1989 to provide for an operating season namely 1st March in any one year to 15th January in the following year.	Approved	05.01.2005
07/00434/FUL	Block of 9 new pre-fabricated garages to car park. (Part retrospective)	Approved	29.05.2007
08/00572/FUL	Relocation of outside swimming pool.	Approved	18.06.2008
11/00254/FUL	Proposed upgrade and extension of existing caravan park to allow for the siting of 21 additional static holiday caravans, 40 relocated touring pitches and pitch and putt area together with the siting of 19 additional static holiday caravans within the existing park and overall environmental improvements including significant landscaping at Sacketts Grove Caravan Park.	Approved	07.06.2011
11/00256/OUT	Proposed indoor swimming pool as part of the upgrade and redevelopment at Sacketts Grove Caravan Park.	Approved	16.05.2011
14/00568/DISCON	Discharge of condition 02 (Landscaping details) of planning permission 11/00254/FUL.	Approved	27.05.2014

14/00577/DETAIL	Approval of reserved matters of outline approval 11/00256/OUT, in relation to the appearance of the proposed indoor swimming pool.	Approved	02.07.2014
14/01815/FUL	Proposed siting of 135 static holiday caravan on the western element of Sacketts Grove Holiday Park in lieu of an approved development of 40 static holiday caravans and 40 touring caravans, together with landscape planting.	Approved	04.11.2015
15/00391/FUL	Relocation of LPG compound from east side of residents car park to north end of car park to facilitate improvements to parking and to accommodate bulk tanker deliveries.	Approved	28.05.2015
15/01904/FUL	Removal of condition 12 of planning permission 14/01815/FUL, regarding the north bound bus stop improvements, as the condition is considered unreasonable and unnecessary.	Withdrawn	23.03.2016
16/00582/DISCON	Discharge of condition 7 (hard and soft landscaping), 8 (ground levels and hard landscaping), 9 (screen walls and fences) and 11 (car parking) of planning permission 14/01815/FUL.	Approved	07.12.2016
16/00675/FUL	Variation of conditions 13, 14 and 15 of planning application 14/01815/FUL to allow for an extension of time for the details to be submitted to discharge the subject conditions.	Approved	12.04.2017
16/00850/FUL	Proposed extension to existing office accommodation to caravan park.	Approved	26.07.2016
16/00980/DISCON	Discharge of condition 13 (surface water drainage scheme) and 15 (drainage management and maintenance plan) of planning permission 14/01815/FUL.	Approved	07.12.2016
16/01113/FUL	Proposed Calor tank compound (6 No. 4,000 litre tanks).	Approved	27.09.2016
17/02055/FUL	Variation of conditions 1,2,3,4,5,6,9 & 10 of planning application 16/00675/FUL to allow for the residential occupation of caravans permitted on the western part of	Refused	09.10.2018

the site.

18/01861/FUL	Proposed 21 additional Static Holiday Caravans with parking spaces adjacent to Caravans (NOT occupied for human habitation between 15th January and 28th February), demolition of existing building and re-arrangement of existing car park to form 29 parking spaces.	Approved	26.04.2019
19/01115/DISCON	Discharge of condition 4 (Landscaping) for approved application 18/01861/FUL.	Approved	28.08.2019

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

EN1 Landscape Character

ER16 Tourism and Leisure Uses

ER18 Caravan and Chalet Parks

ER19 Extensions to Static Caravans and Holiday Parks

ER20 Occupancy Timescales

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

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

PP10 Camping and Touring Caravan Sites

PP11 Holiday Parks

PPL1 Development and Flood Risk

PPL3 The Rural Landscape

SPL1 Managing Growth

SPL3 Sustainable Design

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

5. Officer Appraisal

Site Description

The application site is Saddlebrook Chase Caravan Park, which is located on the western side of Jaywick Lane within the parish of Clacton-on-Sea. The specific area of the site subject to this application is towards to the north-eastern section. The surrounding area is relatively urbanised, with the immediate character dominated by caravans and services associated with the site; to the east and south are large areas of residential development, while further to the north and west are large areas of grassed land.

The site falls adjacent, but outside of, the settlement development boundary of Clacton-on-Sea in the Adopted Local Plan 2007, however falls within in the Emerging 2013-2033 Tendring Local Plan Publication Draft.

Description of Proposal

This application seeks planning permission for 19 static holiday caravans with associated parking spaces, which shall be occupied all year round except for between 15 January and 28 February, which is in accordance with the existing static caravans on site.

The proposed works will also see the demolition of a single storey building (formally a concession building) to the north-eastern corner of the site, where Plots 10 and 11 are proposed to sit, and the re-arrangement of the existing car park to create 29 additional spaces, all measuring 5m x 2.5m.

Site History

Under planning reference 18/01861/FUL, planning permission was granted for 21 additional static holiday caravans. The proposal the subject of this application is largely the same, however discrepancies in the line of the northern boundary have arisen, and as such the number of caravans is to be reduced from nine to seven, resulting in the total number of additional static caravans reducing from the previously approved 21 to 19.

Upon undertaking a site visit, it is acknowledged that works have already begun and this permission has therefore been implemented.

Assessment

1. Principle of Development:

Policy ER19 of the Adopted Tendring Local Plan 2007 states that permission for extensions to existing static caravan and chalet sites will be granted providing:

- a) material improvements to the overall layout, amenity and appearance of the site will be secured;
- b) a landscaping scheme designed to minimise the impact of the extended site on the surrounding landscape to a satisfactory standard is provided;
- c) an effective natural boundary to the extended site such as a tree belt is provided; and
- d) the site is not in an area of high flood risk.

The proposed development will not see a detrimental impact to the existing layout, with the re-arranged car park providing additional parking spaces. The applicant has confirmed the caravans will all be of the same size and design as the existing caravans on site, each accompanied with a parking space. Further, there will be 6m separation distance between the caravans, ensuring the development does not appear cramped.

This applicant has submitted an Arboricultural Impact Assessment (AIA) as part of a detailed Tree Survey and Report. The report has been carried out accordance with BS5837: 2012 Trees in relation to design, demolition and construction. The report shows the extent of the constraint of the trees, on the land, on the development potential of the land and shows how retained trees will be physically protected for the duration of the construction phase of any planning permission that may be granted. The information provided within the report adequately demonstrates that the development proposal could be implemented without causing significant harm to existing trees and other vegetation on the land.

In terms of the impact of the development proposal on the appearance of the Caravan Park the applicant has provided details of new soft landscaping that will enhance both the character and appearance of the park. New planting has focussed on screening the new development and the areas close to the entrance to the park, which will provide the greatest benefits to both residents and visitors to the park.

The proposal is therefore considered acceptable against the above criterion.

2. Impact to Neighbouring Amenities

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

As stated previously, a good separation distance is to be maintained between each static caravan, and to all other existing caravans on site. While the caravans to the eastern boundary in particular are closely related to the residential properties to the east of the site, a minimum distance of 6 metres is maintained. Given this and the single storey nature of the development, there is not considered to be such significant harm to existing amenities to justify a reason for refusal.

3. Highway Safety

Essex Highways Authority, following consultation, have stated the proposal is acceptable subject to a condition relating to the parking spaces within the vehicle parking area being hard surfaced, sealed and marked out in parking bays. A further condition relating to cycle parking provision was requested; however given the nature of the development it would not be reasonable to include this as a condition.

The plans also show one parking space per additional static caravan, and 29 additional spaces adjacent to plots 17 and 18. These spaces measure 5m x 2.5m, which do not accord with the preferred bay size of the Adopted Parking Standards, but do reflect the minimum, exceptional bay size. However, there is sufficient space to meet these preferred requirements (5.5m x 2.9m) adjacent to each caravan. Given this, and that the other 29 spaces are a benefit to the wider site, it would not be reasonable to object on these grounds.

4. SUDs

The site is located outside of any recognised flood risk areas. ECC SUDs have stated that despite the proposal not fulfilling normal criteria, due to the size of the site, the fact that the proposed development will be improving surface water runoff, and the surface water quality, they raise no objections.

Other Considerations

Clacton is non-parished so no comments are required.

There have been no other letters of representation received.

6. Recommendation

Approval.

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing numbers 0348-00-010 Revision A, 0348-00-003 Revision D, 0348-00-004 Revision D, 0348-00-005, and the documents titled 'Landscape Plan' 'Flood Risk Assessment Final Report v1.1 April 2019', 'Arboricultural Impact Assessment at Saddlebrook Chase Caravan Park' and 'Design and Access Statement'.

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

- 3 The re-arrangement of the existing car park shall not be open to the public until such time as the vehicle parking area indicated on drawing no. 0348-00-003C, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and any associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining areas does not occur in the interests of highway safety.

- 4 No caravan shall be occupied between 14 January and 28 February inclusive in any year but during that period may be used for storage of household effects.

Reason - To ensure that the accommodation remains in holiday use in support of planning policies aiming to encourage tourism and does not become a permanent residential use.

- 5 The caravans shall be occupied for holiday purposes only.

Reason - To ensure that approved holiday accommodation is not used for unauthorised permanent residential occupation.

- 6 The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason - To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation.

8. Informatives

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.