



TENDRING DISTRICT COUNCIL

Planning Services

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

AGENT: Mr Peter Le Grys - Stanfords
The Livestock Market
Wyncolls Road
Colchester
CO4 9HU

APPLICANT: Endeavour
C/o Agent

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 20/00667/DETAIL **DATE REGISTERED:** 3rd June 2020

Proposed Development and Location of Land:

**Approval of reserved matters for outline approval 20/00277/OUT for the erection of 7 dwellings.
Land off Connaught Road Little Clacton**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **GRANT APPROVAL OF RESERVED MATTERS** pursuant to Outline Planning Permission No. 20/00277/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 plans and accompanying materials details:

DWG. NO. P01 Plot 1 Floor Plan and Elevations
 DWG. NO. P02 Plot 2 Floor Plan and Elevations
 DWG. NO. P03 Plot 3 Floor Plan and Elevations
 DWG. NO. P04 Plots 4 and 6 Floor Plan and Elevations
 DWG. NO. P05 Plots 5 and 7 Floor Plan and Elevations
 DWG. NO. P07b Amended Landscaping Scheme
 DWG. NO. P08 Garage Floor Plans and Elevations
 DWG. NO. P09 Street Scene

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

- 2 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping scheme DWG. NO. P07b shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - To ensure the implementation and adequate maintenance of the approved landscaping scheme for a period of five years in the interests of the character and quality of the development and semi-rural setting.

- 3 Notwithstanding the details shown on approved DWG. NO. P07b in the event that application 20/00668/FUL is refused (and any related appeal dismissed) the hedgerow planting shown on the rear boundary of the approved landscaping scheme shall be extended along the south-western boundary of the site (side boundary of plot 1). The continuation of the hedgerow planting shall be carried out in the first planting and seeding season (October - March inclusive) following the refusal of application 20/00668/FUL (and any subsequent related appeal) or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - In order to soften and mitigate the visual impact of the development on the remaining open fields beyond having regard to the semi-rural setting.

- 4 The removal of any vegetation shall only be carried out outside of the bird nesting season (March to August inclusive).

Reason - To ensure the protection of birds potentially nesting on site.

- 5 The development shall not be occupied until such time as the road, turning, driveways and garages have been provided in accordance with the approved plans and shall be retained in this approved form thereafter.

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

DATED: 21st August 2020

SIGNED:



Graham Nourse
Acting Assistant Director
Planning Service

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 |
| QL9 | Design of New Development |
| QL10 | Designing New Development to Meet Functional Needs |
| QL11 | Environmental Impacts and Compatibility of Uses |
| HG1 | Housing Provision |

HG6	Dwelling Size and Type
HG14	Side Isolation
EN1	Landscape Character
EN6	Biodiversity
HG9	Private Amenity Space
HG14	Side Isolation
EN11A	Protection of International Sites European Sites and RAMSAR Sites
TR1A	Development Affecting Highways
TR7	Vehicle Parking at New Development

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

SP1	Presumption in Favour of Sustainable Development
SPL1	Managing Growth
SPL3	Sustainable Design
LP1	Housing Supply
LP4	Housing Layout
PPL3	The Rural Landscape
PPL4	Biodiversity and Geodiversity
CP2	Improving the Transport Network

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

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 Agent, 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.

Planning Obligations

The applicant is reminded that this detailed planning consent is subject to a legal agreement securing financial contributions toward Recreational Disturbance. Please refer to the outline planning permission to ensure full compliance with all planning obligations.

Conditions Precedent

The applicant is reminded that this detailed planning consent is subject to conditions attached to the outline permission for this development reference 20/00277/OUT (amendment to 19/00785/OUT). Please refer to the outline planning permission to ensure full compliance with all conditions.

Highway Informatives

Informative 1: It is noted from the Planning Statement that under Planning Application 20/00277/OUT the design of access road has been amended as submitted and contained in revised block plan drawing no. 100 Rev. A.

Informative 2: 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

Informative 3: 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.

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.