



TENDRING DISTRICT COUNCIL

Planning Services

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

AGENT:	Nigel Tedder - Go Planning Ltd. Unit 4 Bolding Hatch Business Centre Bishops Stortford Road Roxwell Chelmsford CM1 4LF	APPLICANT:	Mr Oliver Hookway - Go Homes Ltd. Unit 4 Bolding Hatch Business Centre Chelmsford Essex CM1 4LF
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TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 20/00945/OUT **DATE REGISTERED:** 15th July 2020

Proposed Development and Location of Land:

**Removal of condition 18 (residential travel plan) of 14/01728/OUT allowed on appeal APP/P1560/W/16/3153567.
Former Charity Field School Road Elmstead Essex**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **DO HEREBY GRANT OUTLINE PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted, subject to the following conditions:

- 1 The maximum number of dwellings to be contained within the development hereby approved shall be 50.

Reason - For the avoidance of doubt.
- 2 The sole vehicular access shall be taken from School Road and there shall be no vehicular connection between the site and Alfells Road, Pauls Crescent or Laurence Close.

Reason - In the interests of highway safety and residential amenity.
- 3 The development shall be constructed in full accordance with the tree protection measures outlined on the Tree Protection Plan (Drawing no. 2017-948-T01) approved under planning reference 19/00572/DISCON.

Reason - To safeguard mature trees in the interests of visual amenity.
- 4 The approved surface water drainage scheme shall be fully implemented and subsequently maintained in accordance with the details contained within the approved document titled 'Drainage Strategy Report' as prepared by Walker Associates Consulting dated July 2019 (Project Ref: C7208), as approved under planning reference 19/00771/DISCON.

Reason - To avoid the risks associated with surface water flooding.

- 5 The adopting body responsible for maintenance of the surface water drainage system shall record yearly logs of maintenance carried out in accordance with the approved Maintenance Plan and these must be available for inspection upon request by the local planning authority.

Reason - To ensure the approved SUDs scheme is suitably maintained.

- 6 The development shall be carried out in accordance with the recommendations contained within the submitted Ecological Mitigation Scheme and Management Plan (as prepared by AAe Environmental Consultants - dated April 2019), as approved under 19/00572/DISCON.

Reason - In the interests of biodiversity.

- 7 The development shall be constructed in full accordance with the details contained within the submitted 'Construction Method Statement & Logistics Plan Incorporating Traffic Management Plan', as approved under planning reference 19/00572/DISCON.

Reason - In the interests of highway safety and residential amenity.

- 8 The development shall be carried out in full accordance with the findings and recommendations contained within submitted 'Archaeological Evaluation' (Report No: 2019095) and 'Written Scheme of Investigation' (Project no: 180872), as approved under planning reference 19/00572/DISCON.

Reason - To safeguard any important archeological remains present on the site.

- 9 The development hereby permitted shall not be occupied until a broadband connection has been installed in accordance with details shown on drawing no. X596-FOCD-01 Revision C, as approved under planning reference 20/00944/DISCON.

Reason - In the interests of residential amenity.

- 10 The development hereby permitted shall not be occupied until the scheme for the enhancement of the two bus stops on Clacton Road opposite the old Kings Arms Public House has been carried out in accordance with the details shown on drawing no. C7208 - CE24B, as approved under planning reference 20/00944/DISCON.

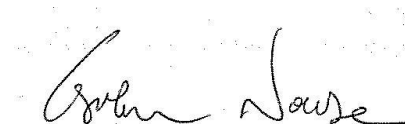
Reason - To promote a sustainable transport option.

- 11 Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, 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.

DATED: 19th October 2020

SIGNED:



Graham Nourse
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

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

QL12 Planning Obligations

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

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

COM23 General Pollution

COM26 Contributions to Education Provision

COM27 Telecommunications Equipment

COM29 Utilities

EN1 Landscape Character

EN6 Biodiversity

EN6A Protected Species

- EN11A Protection of International Sites European Sites and RAMSAR Sites
- EN23 Development Within the Proximity of a Listed Building
- EN29 Archaeology
- TR1A Development Affecting Highways
- TR3A Provision for Walking
- 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
- SP3 Meeting Housing Needs
- SPL1 Managing Growth
- SPL3 Sustainable Design
- HP1 Improving Health and Wellbeing
- HP2 Community Facilities
- 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
- PPL3 The Rural Landscape
- PPL4 Biodiversity and Geodiversity
- PPL5 Water Conservation, Drainage and Sewerage
- PPL7 Archaeology
- PPL9 Listed Buildings
- CP1 Sustainable Transport and Accessibility
- CP2 Improving the Transport Network

CP3 Improving the Telecommunications Network

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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.