



TENDRING DISTRICT COUNCIL

Planning Services

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

APPLICANT: Nigel Tedder - Heckfords Road
Great Bentley Ltd
Unit 5 - Bolding Hatch Business
Centre
Bishops Stortford Road
Roxwell
Chelmsford
CM1 4LF

AGENT:

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 19/00256/OUT

DATE REGISTERED: 14th February 2019

Proposed Development and Location of Land:

**Variation of Condition 7 (Highways Details) to application 15/01820/OUT (allowed on Appeal - APP/P1560/W/16/3151169).
Land West of Heckfords Road Great Bentley 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 following highway works shall be completed;
 - a) A priority junction off Heckfords Road to provide access to the proposal site, as shown on Walker Associates drawing number C6696-CE7 Rev H, with 10m kerbed radii shall be provided prior to the occupation of the 15th dwelling.
 - b) Heckfords Road at its junction with the A133 shall be provided with 2no. traffic islands with bollards and high level beacons at the right turn lane, as shown on Walker Associates drawing number C6696-CE8 Rev E, these works shall be provided prior to the occupation of the 20th dwelling.
 - c) Improvements to the Public Right of Way which runs along the southern boundary of the proposal site (details shall be agreed with the Local Planning Authority prior to commencement of the development), shall be provided prior the occupation of the 15th dwelling.

Reason - In the interests of highway safety.

- a) A priority junction off Heckford's Road to provide access to the proposal site as shown in

principle on planning application drawing number 5153.001 Rev H with the exception of the kerbed radii which shall be 6 metres.

b) Widening of Heckford's Road at its junction with the A133 and 2no. traffic islands with bollards and high level beacons at the right turn lane as shown in principle on planning application drawing number 5153.002 Rev D.

c) A footway along Heckford's Road between the proposal site access and the Village Green as shown in principle on planning application drawing number 5153.001 Rev H with the exception of the section of footway south of the priority junction which shall be immediately adjacent the Heckford's Road carriageway.

d) Improvements to the Public Right of Way which runs along the southern boundary of the proposal site (details shall be agreed with the Local Planning Authority prior to commencement of the development).

- 2 The surface water drainage scheme, offsite flooding mitigation and drainage maintenance shall be carried out in full accordance with the details contained within the submitted Walker Associates Consulting Limited - Drainage Strategy Report (and appendicies 1-7) Project Ref: C6996, as approved under planning reference 18/00394/DISCON.

Reason - In prevent surface water flooding associated with the new development.

- 3 All tree protection measures during the construction phase shall be carried out in full accordance with the details contained on the submitted drawing no. 2017-908-007 and associated Landscape Management and Maintenance Plan (Dated March 2018) as approved under planning reference 18/00394/DISCON.

Reason - To protect existing trees/vegetation on site during construction in the interests of visual amenity.

- 4 The development shall be carried out in full accordance with the submitted Ecological Mitigation and Enhancement plan (AA Environmental Limited Report Reference 183082 - Dated March 2018) as approved under planning reference 18/00394/DISCON.

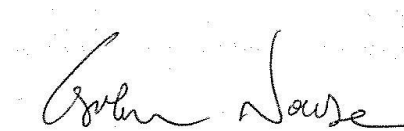
Reason - In the interests of biodiversity.

- 5 The development shall be constructed in full accordance with the submitted Construction Method Statement (Amended Construction Method Statement and Logistics Plan incorporating Traffic Management Plan - received 18th April 2018) as approved under planning reference 18/00394/DISCON.

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

DATED: 9th March 2021

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:

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

HG3A Mixed Communities

HG4 Affordable Housing in New Developments

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

COM2 Community Safety

COM6 Provision of Recreational Open Space for New Residential Development

COM21 Light Pollution

COM23 General Pollution

COM26 Contributions to Education Provision

COM29 Utilities

EN1 Landscape Character

EN4 Protection of the Best and Most Versatile Agricultural Land

NPPF National Planning Policy Framework February 2019

EN6A Protected Species

EN11A Protection of International Sites European Sites and RAMSAR Sites

EN12 Design and Access Statements

EN13 Sustainable Drainage Systems

EN17 Conservation Areas

TR1A Development Affecting Highways

TR3A Provision for Walking

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

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

PPL8 Conservation Areas

Local Planning Guidance

Essex Design Guide

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 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.