

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NW	06/04/2021
Planning Development Manager authorisation:	TF	06/04/2021
Admin checks / despatch completed	DB	06.04.2021
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Application: 20/01700/FUL **Town / Parish:** Clacton Non Parished

Applicant: Park Holidays UK Ltd

Address: Martello Beach Holiday Park Belsize Avenue Jaywick

Development: Proposed construction of new clubhouse, incorporating reception, caravan sales office, entertainments room, amusements arcade, swimming pool, shop, stores, external patios and associated facilities, access road and associated car parking.

1. Town / Parish Council

Non Parished

2. Consultation Responses

Essex County Council Archaeology
08.02.2021

The above planning application has been identified as having the potential to harm non-designated heritage assets with archaeological interest.

The proposed development lies within an area of reclaimed land adjacent to a historic sea wall. To the east lies a scheduled monument of a decoy pond, a historic surviving feature of the former marshes. The preservation of historic features upon the marshes to the east is good and there is potential for below ground remains relating to the former land use within the development area. In addition there are recorded prehistoric remains from along the coastline, including significant Palaeolithic archaeological remains from around Lion Point. The proposed development may disturb or destroy below ground archaeological remains.

The following recommendations are made in line with the National Planning Policy Framework:

RECOMMENDATION: A Programme of Archaeological evaluation

1. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written

scheme of investigation which has been submitted by the applicant, and approved in writing by the local planning authority.

2. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above.

3. The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Further Recommendations:

A professional team of archaeologists should undertake the archaeological work. In the first instance a programme of trial trenching investigation will be required. A brief outlining the level of archaeological investigation will be issued from this office on request. Tendring District Council should inform the applicant of the recommendation and its financial implications.

If you have any questions about this advice, please do not hesitate to contact me.

ECC SuDS Consultee
19.03.2021

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:

Condition 1

No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Rainwater harvesting needs to be considered as part of detailed design.
- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- o Unrestricted discharge into tidal estuary for all storm events up to and including the 1 in 100 year rate plus 40% allowance

for climate change.

- Final modelling and calculations for all areas of the drainage system.
- Finalised details of the proprietary treatment device used prior to the outfall.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

Reason

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

Condition 2

No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reason

The National Planning Policy Framework paragraph 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to

leave the site. Methods for preventing or mitigating this should be proposed.

Condition 3

Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 4

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

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.

TDC Tree
Landscape Officer
19.01.2021

& No trees or other significant vegetation will be affected by the development proposal

In order to quantify the potential impact of the development on the local landscape character the applicant has provided a Landscape and Visual Impact Assessment (LVIA). The document accurately describes the baseline qualities and current condition of the local landscape character. It identifies several locations (visual receptor viewpoints) from which the application site can potentially be viewed.

The LVIA also identifies steps that would be taken to mitigate the harm that would result from the implementation of the development.

The summary and conclusion section LVIA quantifies the impact of the development on the local environs and identifies

mitigation measures, primarily soft landscaping, to address potential harm.

In terms of the impact of the development on the immediate area and the local landscape character it is considered that the proposed structures would be relatively well assimilated with existing structures associated with the current use of the land. The soft landscaping proposed will further help to 'break-up' the views of the new buildings.

On balance, and in terms of landscape character, it is considered that the development proposal would not result in a significant change to either the character or visual appearance of the local landscape.

Environment Agency
15.02.2021

Thank you for your consultation we have reviewed the plans as proposed and we have no objection to this planning application, providing that you have taken into account the flood risk considerations which are your responsibility. We have highlighted these in the flood risk section below.

Flood Risk

Our maps show the site lies within tidal Flood Zone 3a defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. The proposal is for Proposed construction of new clubhouse, incorporating reception, caravan sales office, entertainments room, amusements arcade, swimming pool, shop, stores, external patios and associated facilities, access road and associated car parking, which is classified as a 'more vulnerable' development, as defined in Table 2: Flood Risk Vulnerability Classification of the Planning Practice Guidance.

Therefore, to comply with national policy the application is required to pass the Sequential Test and Exception Test and be supported by a site specific Flood Risk Assessment (FRA).

Sites used for holiday or short-let caravans and camping, fall into the 'more vulnerable' classification and are considered appropriate in Flood Zone 3, subject to a specific warning and evacuation plan.

The proposed clubhouse development seeks to provide updated and modernised facilities on an existing, established Holiday park, therefore we have no objection. Fundamentally, the flood hazard that may affect the existing development has not increased, but there is the opportunity to seek betterment for the safety of the occupants of the site, including a review of when to begin evacuation and closure of the site.

Whilst ideally the site should be evacuated prior to flooding, if a breach of the defences were to occur, the site would be rapidly inundated within minutes. Flood depths on site could reach 4.42m if the defences were to overtop in the future 0.5% (1 in

200) annual probability flood event and up to 2m if the defences were to breach prior to overtopping. Therefore the proposal for a new clubhouse provides an opportunity to provide an area of refuge for 'invacuation' above the 0.1% (1 in 1000) annual probability flood event. This is currently not proposed, but it is advised that the building plans are reconsidered to incorporate this.

With the lowest ground levels at only 1.01mAOD on site flood depths could reach 4.8m in a 0.1% (1 in 1000) annual probability flood event with allowance for climate change.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise you to formally consider the emergency planning and rescue implications when making your decisions. We note that the existing wider site already has a Flood evacuation Plan. However the Flood Evacuation and Management Plan submitted with this application was produced in October 2018. This is a live document, therefore there is the opportunity for an updated Flood Evacuation and Management Plan given that flood events and therefore onsite flood depths will increase with climate change.

Climate Change

In November 2018 Defra released a new set of UK Climate Projections (UKCP18). This briefing provides a summary of the UKCP18 sea level rise projections. The UKCP18 projections show that sea levels around the UK are expected to continue to rise compared to the historical baseline (1981-2000), up to and beyond the end of the 21st century.

Our 2018 Coastal Modelling:

The upper end allowance for 2120 is 0.31m higher than our current 2018 coastal modelling climate change flood levels, therefore increased flood depths.

The flood levels used within the FRA are Coastal 2018 modelled levels. For the purposes of advice given in this response we have added 0.31m to any tidal flood level used in the FRA.

Flood Risk Assessment

To assist you in making an informed decision about the flood risk affecting this site, the key points to note from the submitted FRA, undertaken by Enzygo, referenced SHF.201.065.HY.R.001A and dated Oct 2020, AND the Flood Evacuation and Management Plan undertaken by Enzygo, referenced SHF.201.065.HY.R.001.A and dated October 2018 are:

Actual Risk

- The site lies within the flood extent for a 0.5% (1 in 200) annual probability event, including an allowance for climate change.

- The site does benefit from the presence of defences. However, the defences are below the 0.5% (1 in 200) annual probability flood level including climate change and therefore the site is at actual risk of flooding from overtopping of the defences in this event.

- The area for proposed development is not at fluvial risk from Jaywick Ditch or St Osyth Ditch in the 1% (1 in 100) annual probability with allowance for climate change. This part of the development has been sequentially sited away from any fluvial risk.

- Finished ground floor levels have not been stated. However the lowest site ground level is 1.01mAOD. The Elevations drawing 3072.08.01 dated Aug 2020 shows the entrance of the building to be at 0.00m above ground, therefore we have used the lowest ground level of 1.01mAOD.

This is below the 0.5% (1 in 200) annual probability modelled defended flood level including climate change of 5.43 m AOD and therefore at risk of flooding by 4.42m depth in this event.

- Flood resilience/resistance measures have not been proposed within the FRA.

- There is no upper floor proposed and therefore there is not refuge above the 0.1% (1 in 1000) annual probability flood level of 5.81 m AOD.

- The site level is 1.01 m AOD and therefore flood depths on site are 4.42m in the 0.5% (1 in 200) annual probability flood event including climate change and 4.8m in the 0.1% (1 in 100) annual probability flood event including climate change.

- Assuming even a velocity of 0 m/s the flood hazard is danger for all including the emergency services in the 0.5% (1 in 200) annual probability flood event including climate change.

- Therefore this proposal does not have a safe means of access in the event of flooding from all new buildings to an area wholly outside the floodplain 0.5% (1 in 200) annual probability including climate change flood event). We have no objections to the proposed development on flood risk access safety grounds because an Emergency Flood Plan has been submitted by the applicant but you should determine its adequacy to ensure the safety of the occupants, as it is reliant upon timely evacuation prior to flooding.

Residual Risk and the Flood Evacuation and Management Plan

- Appendix 3 of the Flood Evacuation and Management Plan is titled SFRA Extracts - however the FRA does not explore or provide details of the risk of a breach of the defences. This should be explored further.

The Jaywick Strategic Flood Risk Assessment Update 2015 provides outlines, hazard and depth maps for the breach scenario of a tide level equivalent to a Flood Warning (FW) and a Severe Flood Warning. (SFW) Breach location C is the most relevant to this site.

- If there were a breach of the defences as a FW is being received, the site would be inundated rapidly with 0.5-1 m depth of water. However, the proposed access routes would remain dry.

- If they were to wait until a severe Flood Warning was received then if the defences breached the site would be inundated rapidly with 1-2 depth of water and only the secondary evacuation route that leaves to the West of the site would be dry.

- In an un-warned breach, and a worst case scenario when the tide level is at the crest height of the defence then the site would be inundated with 1 -2 m of flood water rapidly and 1metre plus of flood water along the proposed evacuation routes.

Therefore assuming a velocity of 0.5m/s the flood hazard is danger for all including the emergency services in 0.5% (1 in 200) annual probability flood event including climate change.

- People would not be safe if a breach were to occur as a Flood Warning were being received.

- There is no area of safe/dry refuge on site.

- Preparations for evacuation should be made upon receipt of a Flood Alert. The Flood Evacuation and Management Plan should also be more specific about which evacuation route to take in the event of a breach. The information in the SFRA can inform the emergency Planners of the likely consequences and whether there is a loss of safe access/egress and the loss of access for rescue purposes.

- The Communications and Traffic Management Plan in Appendix 1 of the Flood evacuation and Management Plan details the procedures for when a Flood warning is received and evacuation is to commence. However Appendix 2 is an Evacuation Handout/Notice which describes that evacuation occurs when a Severe Flood Warning has been received. This is not a clear procedure.

Other advice: Other Sources of Flooding

In addition to the above flood risk, the site may be within an area at risk of flooding from surface water, reservoirs, sewer and/or groundwater. We have not considered these risks in any detail, but you should ensure these risks are all considered fully before determining the application.

Informative - Environmental Permit for Flood Risk Activities

The applicant may need an environmental permit for flood risk activities if they want to do work in, under, over or within 8 metres (m) from a fluvial main river and from any flood defence structure or culvert or 16m from a tidal main river and from any flood defence structure or culvert. The St Osyth Ditch, is designated a 'main river'.

The EPR are a risk-based framework that enables us to focus regulatory effort towards activities with highest flood or environmental risk. Lower risk activities will be excluded or exempt and only higher risk activities will require a permit. Your proposed works may fall under an either one or more of the below:

- 'Exemption,
- 'Exclusion',
- 'Standard Rules Permit'
- 'Bespoke permit.

Application forms and further information can be found at: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Anyone carrying out these activities without a permit where one is required, is breaking the law.

Access and Maintenance

We will always seek an undeveloped margin between built development and the top of bank or rear edge of river wall/defence as a starting position when we are advised about any proposals close to a main river watercourse.

If we currently use or require access at the location, we should be contacted before any work is carried out so that we can advise on what may be acceptable. This may include the need to preserve an access strip from the nearest public road through to the riverside which is wide enough to enable large vehicles to pass, probably in excess of 6 metres wide.

Maintenance of the area close to and within the watercourse, out to the centreline of the channel, is a riparian responsibility and you will find more details about this in our 'Living on the Edge' document which can be found at : <http://www.environment-agency.gov.uk/homeandleisure/floods/31626.aspx>

We trust you find this advice useful

application has been fully considered by the Highway Authority. No site visit was undertaken in conjunction with this planning application. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material. It is noted that there are no highways implications for this proposal. It is noted that the proposal serves the needs of the holiday park only and will not generate additional traffic to the site or new trips to the network. In addition, it appears the application will provide adequate parking spaces in accordance with requirements of the Site Licence to provide adequate parking, and this includes separate staff and disabled parking areas. Given these considerations:

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

1. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan 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 and Policy DM1.

2. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking 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 streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.

3. Prior to occupation of the development a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority shall be constructed, surfaced, and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the

highway in a forward gear in the interest of highway safety in accordance with policy DM1.

4. 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 in accordance with Policy DM8.

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.

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

SMO1 - Development Management Team
Ardleigh Depot,
Harwich Road,
Ardleigh, Colchester, CO7 7LT

2: The construction vehicle route to the site should be clearly signed from the main road to the site entrance and continued through the site. This should be agreed in advance with the Local Planning Authority in consultation with the Highway Authority.

3: Prior to the commencement of any work on the site a joint inspection of the route to be used by construction vehicles should be carried out by the applicant and the Highway Authority, to include photographic evidence. The route should then be inspected again, after completion of the development, and any damage to the highway resulting from traffic movements generated by the application site should be repaired to an acceptable standard and at no cost to the Highway Authority. The Highway Authority may also wish to secure a commuted sum for special maintenance to cover the damage caused to the existing roads used as access by vehicles servicing the application site.

4: 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.

TDC Environmental
Protection
18.01.2021

Noise: the proposal for a central entertainment and service centre, is located further away than that of the existing complexes to noise sensitive receptors; however we would like to ensure that the noise emitted from the site is not audible from the boundary of the nearest residential dwelling; so would request this is mentioned in any subsequent approvals.

Contaminated Land: given the known historical contamination within the proposal site itself (ten167 - a small unknown infill) and a known historic waste infill site located within 100m of the proposed development and included within the Seawick Site; we are requesting that a watching brief in relation to an unexpected ground contamination is undertaken throughout the development process. We request the LPA are contacted in the event of unexpected ground conditions being encountered during construction and that the below minimum precautions are undertaken until such time as the LPA responds to the notification. I would also advise that the developer is made aware that the responsibility for the safe development of the site lies with them.

Minimum requirements for dealing with unexpected ground conditions being encountered during construction -

1. All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.
2. A suitably trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.
3. The suspected contaminated material will be investigated and tested appropriately in accordance with assessed risks. The investigation works will be carried out in the presence of a suitably qualified geo-environmental engineer. The investigation works will involve the collection of solid samples for testing and, using visual and olfactory observations of the ground, delineate the area over which contaminated materials are present.
4. The unexpected contaminated material will either be left in situ or be stockpiled (except if suspected to be asbestos) whilst testing is carried out and suitable assessments completed to determine whether the material can be re-used on site or requires disposal as appropriate.
5. The testing suite will be determined by the independent geo-environmental specialist based on visual and olfactory observations.
6. Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.

7. Where the material is left in situ awaiting results, it will either be reburied or covered with plastic sheeting.
8. Where the potentially contaminated material is to be temporarily stockpiled, it will be placed either on a prepared surface of clay, or on 2000-gauge Visqueen sheeting (or other impermeable surface) and covered to prevent dust and odour emissions.
9. Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into a Verification Report.
10. A photographic record will be made of relevant observations.
11. The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions. After consultation with the Local Authority, materials should either be:
 - o re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment;
 - o treatment of material on site to meet compliance targets so it can be re-used;
 - o removal from site to a suitably licensed landfill or permitted treatment facility.
12. A Verification Report will be produced for the work.

Construction Method Statement: In order to minimise potential nuisance to nearby existing residents caused by construction and demolition works, prior to the commencement of any construction or demolition works, the applicant (or their contractors) shall submit a full method statement to, and receive written approval from, the Environmental Protection Team. This should at minimum include the following where applicable.

- Noise Control

- 1) The use of barriers to mitigate the impact of noisy operations will be used where possible. This may include the retention of part(s) of the original buildings during the demolition process to act in this capacity.
- 2) No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00(except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holidays.
- 3) The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228.
- 4) Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).
- 5) Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Pollution and Environmental Control). This will contain a

rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents. 6) If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Pollution and Environmental Control prior to the commencement of works.

- Emission Control

1) All waste arising from the demolition process, ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.

2) No materials produced as a result of the site development or clearance shall be burned on site.

3) All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.

4) All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

Lighting: we have no concerns over the proposed lighting of the development, given its location away from nearby residential dwelling and adherence to the relevant design and guidance standards

The reasoning for the above requests and observations is to protect the health of site workers and end users, and to prevent a potential nuisance to any nearby residential dwellings.

TDC Food Health and Safety No comments received.

TDC Building Control and Access Officer 12.01.2021 Access for a fire fighting appliance and provision of fire hydrants to be in accordance with Approved Document B.

Anglian Water Services Ltd 19.01.2021 ASSETS
Section 1 - Assets Affected

Our records show that there are no assets owned by Anglian

Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Jaywick Water Recycling Centre that will have available capacity for these flows

Section 3 - Used Water Network

The sewerage system at present has available capacity for these flows via a connection through the existing on site infrastructure. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

(1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

(4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

(5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance

with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented.

3. Relevant Planning History

01/01403/FUL	Extension of existing building to form cafe bar with external seating area. Internal remodelling. Facade enhancements	Approved	18.10.2001
02/01173/FUL	Change of use of land from use for touring caravans and camping to use for the stationing of static holiday caravans	Approved	11.08.2004
05/01309/FUL	Continuance of use without complying with condition 4 (no tents to be authorised on the site) imposed on TEN/980/84	Approved	26.09.2005
06/01080/FUL	New swimming pool with link to existing complex, new complex entrance and associated internal alterations.	Approved	04.09.2006
06/01992/FUL	New swimming pool and	Approved	15.02.2007

enclosure with link to existing complex, new complex entrance and associated internal alterations.

14/00644/FUL	Change of use of land to allow 11 months holiday use all static and touring caravans across the holiday park.	Approved	13.08.2014
16/00470/LUPR OP	Continuation of use of land as a site for static and touring caravans within the site boundary marked in red on plan reference 3171-150 for use as holiday accommodation for eleven months of the year in compliance only with the conditions attached to planning permission reference 14/00644/FUL.		19.05.2016
18/01681/FUL	Variation of seasonal occupancy period to allow occupation of caravans between 1st March and 15th February in the following year.	Approved	
20/30049/PREA PP	Proposed clubhouse and swimming pool, including function room and bar, shop, reception, craft room, arcade, childrens playground, offices and associated facilities.		19.05.2020

4. Relevant Policies / Government Guidance

National

- National Planning Policy Framework 2019
- National Planning Practice Guidance

Local

Adopted Local Plan 2007 Policies:

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
ER16	Tourism and Leisure Uses
ER18	Caravan and Chalet Parks
COM1	Access for All
COM22	Noise Pollution
COM33	Flood Protection
EN12	Design and Access Statements

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

SPL1	Managing Growth
SPL2	Settlement Development Boundaries
SPL3	Sustainable Design
PP 8	Tourism
PP 11	Holiday Parks
PP13	The Rural Economy
PPL 1	Development and Flood Risk

Supplementary Planning Guidance:

- Parking Standards Design and Good Practice Guide (2009)
- Designing for Accessibility: An essential guide for Public Buildings (1999)

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. In this latter regard, as of 26th January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26th January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2

Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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 relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not.

With the adoption of the modified Section 1 of the emerging Local Plan, the Councils 'objectively assessed housing need' of 550 dwellings per annum has been found 'sound' and there is no housing shortfall. The Council is able to report a significant surplus of housing land supply over the 5 year requirement, in the order of 6.5 years.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

Martello Beach Holiday Park is situated on the Essex coastline at Jaywick approximately 5km west of Clacton on Sea. Access is gained via Belsize Avenue from the village of Jaywick to the east.

The application site forms a parcel of land that separates both the holiday park and St Osyth Beach Holiday Park to the west. The site is approximately 400m to the seafront. The site falls outside the Settlement Development Boundary for Clacton within both the Adopted and Emerging Local plans. However, the area is within a zone covered by policy ER18, that covers Caravan and Chalet Parks and developments therein.

The park extends to approximately 16.5ha and contains some 350 static holiday caravans and 100 touring caravans. The site also accommodates supporting facilities including site reception, office, swimming pool and shops (for park users only). The surrounding static caravans ensures the character of the area is urbanised in comparison to the open countryside to the north of the site.

There is a Martello Tower Named (C) on St Osyth Beach some 400m to the south of the site. This is a Grade II Listed Building.

The land is located within Flood Zone 3.

Proposal

The application area comprises a parcel of land extending to some 1.5Ha.

The application involves the Construction of a new Clubhouse (Use Class E); incorporating reception (Use Class E), caravan sales office (Use Class E), entertainments room,

amusement arcade, swimming pool (Use Class F.2), shop (Use Class E), stores (Use Class B8), external patios, children's play area, service road, car and bicycle parking and associated facilities.

The proposed swimming pool complex and facilities would be for the exclusive use of holidaymakers at Martello Beach Holiday Park and not the general public. The new facilities would be available to holidaymakers throughout the holiday season

The GEA footprint of the proposed building excluding external decked areas is approx. 3520sqm

The construction will be generally single storey with pitched roofs. The highest pitch is 10.120m above external ground level and is of the pool structure.

The three pitched bays of the swimming pool have been reflected by three mono-pitched roofs, clad in standing seam metal panels and timber. The western facade of the swimming pool will have a double height engaged dormer window. This glazed panel will provide broken views to the activity inside the swimming pool across the site and sunset vistas from the pool out. The complex has been designed to appear as a collection of farm buildings.

External materials include Cedar cladding over a dark grey engineering brick plinth. Roofs are a dark grey profiled sheet. Doors and windows will be metal framed and mullioned.

The design raises the internal finished floor level and external raised decking ground floor level a minimum of 150mm above external levels, mitigating potential water ingress to the building during a flood.

A comprehensive landscaping scheme accompanies the application.

Principle of development

Paragraph 80 of the NPPF states that planning decisions should help create the conditions in which businesses can invest and adapt. The proposed development would be one of the main attractions for customers visiting the park. Given that most of the areas proposed would be under cover, its usability all year round is essential for the ongoing viability of the business.

The site is outside the Development Boundary of Jaywick. However, it is surrounded by development in the form of a holiday park. Policy QL1 states outside settlement boundaries development will only be permitted if it is consistent with countryside policies. In this case the host site is chiefly governed by policies ER16 Tourism and Leisure Uses and ER18 Caravan and Chalet Parks.

Policy ER16 is concerned with tourism and leisure uses. The policy states that proposals for tourism and leisure uses will be permitted provided that five criteria are met. The first is that the development is accessible to all potential visitors and users. The Design and Access Statement, forming part of the application documentation, confirms that the proposed development has been designed to facilitate access for all users, including those with any physical disability (paragraph 10.3).

The second criterion is that there is suitable vehicular and public transport access to the site and parking provision. The site has easy vehicular access and public transport access is available via the bus stops in nearby Jaywick. However, the complex is for residents only so the transport impact of the development is limited.

The third criterion is that the use should not cause undue disturbance by reason of noise. The text of criterion c) goes on to say that uses creating high levels of noise should be located away from residential property and sensitive wildlife areas. This aspect is related to Policy QL11 which is concerned with environmental impacts and compatibility of uses. The site is some 450m from the nearest residential development to the east and some 630m from part of the Colne Estuary Ramsar. Given these isolation distances and the fact most of the uses are indoor, it is considered that the proposals would have no material adverse impact with regard to criterion c) of Policy ER16 or Policy QL11.

The proposal would have no effect to agricultural land and therefore is acceptable with regard to criterion d) of Policy ER16. Criterion e) requires that opportunities are taken to improve damaged and despoiled landscapes. A comprehensive landscaping scheme is proposed as part of this application. The proposal complies.

The proposal is acceptable with regard to Policy ER16.

With regards to Policy ER18 this is concerned with caravan and chalet parks, this development is allocated on the proposals map for such a use. However, the policy is essentially concerned with changes from caravan parks to another use. Nevertheless this policy points to the importance of caravan parks and holiday parks. Lower case text, at paragraph 3.68, refers to how the Council recognises that existing sites are an important element of the local holiday industry and the retention and improvement of them is generally supported. The proposal would improve the tourist attraction within which it is set and enhance the District's ability to attract and cater for visitors.

The proposal is acceptable with regard to Policy ER18.

The proposal would not encourage use of the private car and as such is acceptable with regard to Policy QL2.

The site is part of land defined as subject to Policy QL6 which is concerned with Urban Regeneration Areas. In broad terms the proposal is supported by Policy QL6.

The thrust of Council policy to encourage tourism is continuing in the emerging Local Plan. Policy PP 8 states that to attract visitors to the Tendring District and support economic growth in tourism, the Council will generally support proposals that would help to improve the tourism appeal of the District to visitors, subject to other relevant policies. In particular, the Council will support appropriate proposals for improved attractions at holiday parks.

Policy PP 11 of the emerging Local Plan is specifically concerned with holiday parks and seeks to protect such sites from redevelopment. The policy also states that, subject to consideration against other relevant policies, the Council will support proposals for improvements to the quality of attractions and facilities at safeguarded sites.

In conclusion, with regard to the principle of the development, the proposal is supported under the exception criteria of policy QL1, subject to the detailed development management aspects assessed below.

Design, layout and appearance and scale

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments

are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

With regard to Policy QL9, the proposed building is considered to be well designed. The complex has been designed to suit the rural and coastal nature of the site. The linked buildings will appear as a cluster of contemporary agricultural structures with differing roof heights and types. In plan, entrances are set back or project forward to break up elevations and to differentiate the entry points.

Only the swimming pool section shall have a height of just over 10 meters with a triple pitched roof. This would not appear of any great height in the context of its setting. The remaining approximately 70% of the development shall have a small ridge height of various levels with a maximum of under 7 metres, again with pitched roofs in the main. The development would relate well to its site and surroundings.

With regard to Policy QL10, the swimming pool would be accessed by the existing vehicular access but, being used only by occupiers of the site, would generate no appreciable additional visiting traffic. The proposal is considered acceptable with regard to Policies QL10 and policy COM1.

In relation to the Environmental Impact of the development and Policy QL11. No trees or other significant vegetation will be affected by the development proposal

In order to quantify the potential impact of the development on the local landscape character the applicant has provided a Landscape and Visual Impact Assessment (LVIA). The document accurately describes the baseline qualities and current condition of the local landscape character. It identifies several locations (visual receptor viewpoints) from which the application site can potentially be viewed.

The LVIA also identifies steps that would be taken to mitigate the harm that would result from the implementation of the development.

The summary and conclusion section LVIA quantifies the impact of the development on the local environs and identifies mitigation measures, primarily soft landscaping, to address potential harm.

In terms of the impact of the development on the immediate area and the local landscape character it is considered that the proposed structures would be relatively well assimilated with existing structures associated with the current use of the land. The comprehensive soft landscaping proposed will further help to 'break-up' the views of the new buildings and enhance the biodiversity around the boundaries of the site.

The Council's Landscape Officer has written in support of the application.

On balance, and in terms of landscape character, it is considered that the development proposal would not result in a significant change to either the character or visual appearance of the local landscape. The application, subject to planning conditions is supported via Policy QL11.

Highway Safety

The proposal would use existing vehicular access. Essex Highways Authority have stated they have no objections subject to conditions relating to a vehicular turning facility, the submission of a Construction Method Statement, cycle parking and the marking out of the car parking spaces proposed. These are recommended as conditions.

Officer also recommend restricting the use of the facilities to residents at the caravan park only to in part control the Highway impact of the development.

Flood Risk and Drainage

Policy QL3 is concerned with minimising and managing flood risk. The policy states that development will only be permitted in areas of flood risk when there are no reasonably available sites in areas of flood risk and the benefits of development outweigh the risks of flooding. Policy for development and flood risk in the emerging Local Plan, Policy PPL 1, states that where new development cannot be located in an area of lower flood risk and is otherwise sustainable, the Exception Test will be applied in accordance with the National Planning Policy Framework. However, in this case the nature of the development is such that the development can only be where it is to be sited; amongst a holiday park.

Paragraph 159 of the NPPF states that if it is not possible for development to be located in zones with a lower risk of flooding, the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.

The Environment Agency have not objected to the application. Also, as the building is not residential, the proposed development would be classified as less vulnerable. Less vulnerable uses are considered acceptable in terms of flood risk in Flood Zone 3. The Sequential Test would be passed, and the Exception Test would not be required.

A Flood Risk Assessment (FRA) accompanies this application. A Flood Warning and Evacuation Plan (FWEP) is already in operation over the park.

The FRA demonstrates that the proposed development would be operated with minimal risk from flooding and would not increase flood risk elsewhere. However, this plan was written in 2018. Officers recommend a planning condition updating this plan with the new proposals included. This should be completed prior to the commencement of the use on site.

Other measures mitigation against Flood Risk also include a finished floor levels a minimum of +150mm above external levels. Anglian Water, Essex County Council Surface Water Drainage Department and the Environment Agency all have no objections to the proposals.

Overall, subject to planning condition, the proposal is acceptable with regard to Policy QL3.

Biodiversity and Green Infrastructure

The site is some 630m from part of the Colne Estuary Ramsar. However, given that the proposal is not for a residential caravan site, but rather for facilities for an existing holiday park, an Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Habitat Regulation Assessment (HRA) would conclude that the proposal is outside the scope of the Essex Coast RAMS.

The drain corridor along the western and northern boundary forms part of the Jaywick Marshes Local Wildlife Site (LWS). No works to the drain itself or within 8m from the top of the bank, is proposed.

A site visit showed the area already fenced off with nothing but low cut grass being kept on site. This is likely to be a place to play ball games and as a result officers conclude that protected species are unlikely on site.

Other matters

Environmental Protection have stated they have no concerns over the proposed lighting of the development, given its location away from nearby residential dwelling and adherence to the relevant design and guidance standards. Officers agree with this assessment. However, due to the exposed nature of the development full details of the lighting proposed on site, including times of use, is recommended as a planning condition.

There are not considered to be any impacts on the Listed Building the Martello Tower to the south of the application site or the decoy pond top the east of the application site due to the separation distances involved.

6. Recommendation

Approval

7. Conditions / Reasons for Refusal

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason - The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

3072.08.01 Proposed elevations

3072.03.04 Proposed ground floor plan (whole site)

3072.05.01 Proposed ground floor plan (part)

3072.04.01 Proposed ground floor plan (part)

3072 02 03 Site and block plan

Shf.201.88-enz-xx-01-dr-l-00-01 po3 Planting plan 1 of 2

Shf.201.88-enz-xx-01-dr-l-00-02 po3 Planting plan 2 of 2

Shf.201.88-enz-xx-01-dr-l-00-03 po3 Planting schedule

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

3. a) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant, and approved in writing by the local planning authority.

b) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above.

c) The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason: The proposed development is located within an area with potential for below ground archaeological deposits. The development would result in harm to non-designated heritage assets with archaeological interest.

4. No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Rainwater harvesting needs to be considered as part of detailed design.
- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- o Unrestricted discharge into tidal estuary for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.
- Final modelling and calculations for all areas of the drainage system.
- Finalised details of the proprietary treatment device used prior to the outfall.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

Reason:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

5. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent

pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

Reason: The National Planning Policy Framework paragraph 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

6. Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

7. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

8. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:

- Highways

- 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

- Noise Control

- 1) The use of barriers to mitigate the impact of noisy operations will be used where possible. This may include the retention of part(s) of the original buildings during the demolition process to act in this capacity.
- 2) No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00(except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holidays.
- 3) The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228.
- 4) Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).
- 5) Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Pollution and Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.
- 6) If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Pollution and Environmental Control prior to the commencement of works.

- Emission Control

- 1) All waste arising from the demolition process, ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.
- 2) No materials produced as a result of the site development or clearance shall be burned on site.
- 3) All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.
- 4) All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

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.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

9. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking 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 streets does not occur in the interests of highway safety and that appropriate parking is provided.

10. Prior to occupation of the development a vehicular turning facility, of a design to be

approved in writing by the Local Planning Authority shall be constructed, surfaced, and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

11. 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.

12. No development shall commence until precise details of lighting, refuse storage/collection points and the manufacturer and types and colours of the external facing and roofing materials for the dwellings to be used in the construction have been submitted to and approved, in writing, by the Local Planning Authority. Such lighting, refuse points and materials so approved shall be those used in the development.

Reason: To ensure a satisfactory development in relation to external appearance.

13. All changes in ground levels in relation to the soft landscaping, hard landscaping, planting, seeding or turfing shown on the approved landscaping details 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 that the development provides a satisfactory setting, in the interests of the character and appearance of the landscape and the visual amenity of the site.

14. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Ecology Consultancy, November 2020). As already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

15. Prior to the first use of the building hereby approved, an Emergency Evacuation Plan shall be submitted to the Local Planning Authority and be approved in writing. The approved details shall remain in force for the lifetime of the development.

Reason: In the interest of public safety in times of flooding.

16. No development shall commence until Phase 2 Risk contaminated land site investigation of the risks posed by any contamination within the application site is carried out. The investigation report shall be submitted to and approved in writing by the Local Planning Authority. This new assessment shall be in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced). If any contamination is found, a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. The site shall be remediated in accordance with the approved measures and timescale and a verification report shall be submitted to and approved in writing by the Local Planning Authority. If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended and additional measures for its remediation shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures and a verification report for all the remediation works shall be submitted to the Local Planning Authority within 20 days of the report being completed and approved in writing by the Local Planning Authority.

Reason: There is known historical contamination within the proposal site itself (ten167 - a small unknown infill) and a known historic waste infill site located within 100m of the proposed development and included within the Seawick Site.

Also, to ensure that any risks (to future users of the land and neighbouring land and to controlled waters, property and ecological systems) arising from any land contamination are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

17. The host complex subject of this application, as detailed in condition 2 of this Decision Notice, shall be for the exclusive use of holidaymakers at Martello Beach Holiday Park and not the general public.

Reason - For the avoidance of doubt as to the nature of the proposal and in the interests of Highway Safety.

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 these 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.

Highways

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.

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

SMO1 - Development Management Team
Ardleigh Depot,
Harwich Road,
Ardleigh,
Colchester, CO7 7LT

2: The construction vehicle route to the site should be clearly signed from the main road to the site entrance and continued through the site. This should be agreed in advance with the Local Planning Authority in consultation with the Highway Authority.

3: Prior to the commencement of any work on the site a joint inspection of the route to be used by construction vehicles should be carried out by the applicant and the Highway Authority, to include photographic evidence. The route should then be inspected again, after completion of the development, and any damage to the highway resulting from traffic movements generated by the application site should be repaired to an acceptable standard and at no cost to the Highway Authority. The Highway Authority may also wish to secure a commuted sum for special maintenance to cover the damage caused to the existing roads used as access by vehicles servicing the application site.

4: 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.

Contamination

Minimum requirements for dealing with unexpected ground conditions being encountered during construction -

1. All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.

2. A suitably trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.

3. The suspected contaminated material will be investigated and tested appropriately in accordance with assessed risks. The investigation works will be carried out in the presence of a suitably qualified geo-environmental engineer. The investigation works will involve the collection of solid samples for testing and, using visual and olfactory observations of the ground, delineate the area over which contaminated materials are present.

4. The unexpected contaminated material will either be left in situ or be stockpiled (except if suspected to be asbestos) whilst testing is carried out and suitable assessments completed to determine whether the material can be re-used on site or requires disposal as appropriate.

5. The testing suite will be determined by the independent geo-environmental specialist based on visual and olfactory observations.
6. Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.
7. Where the material is left in situ awaiting results, it will either be reburied or covered with plastic sheeting.
8. Where the potentially contaminated material is to be temporarily stockpiled, it will be placed either on a prepared surface of clay, or on 2000-gauge Visqueen sheeting (or other impermeable surface) and covered to prevent dust and odour emissions.
9. Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into a Verification Report.
10. A photographic record will be made of relevant observations.
11. The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions. After consultation with the Local Authority, materials should either be: o re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment; or o treatment of material on site to meet compliance targets so it can be re-used; or o removal from site to a suitably licensed landfill or permitted treatment facility.
12. A Verification Report will be produced for the work.

Anglian Water

(1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

(4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

(5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Are there any letters to be sent to applicant / agent with the decision?	YES	NO
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If so please specify:		
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO