

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	6 th Oct 2021
Planning Development Manager authorisation:	AN	07/10/2021
Admin checks / despatch completed	ER	07/10/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	LN	07/10/2021

Application: 21/01300/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr David Miller

Address: Sacketts Grove Caravan Park Jaywick Lane Clacton On Sea

Development: Variation of condition 4 (Vehicle Parking) of application TEN/2201/88 to allow residents with disabilities to park next to trailers.

1. Town / Parish Council

Not applicable

2. Consultation Responses

ECC Highways Dept 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. The Highway Authority observes that this variation is to allow those residents who suffer from disabilities to park next to/ and or closer to their trailers only; in line with and under Section 6 of the Equality Act, 2010; taking this into consideration:

The Highway Authority does not object to the proposals as submitted.

3. Planning History

01/01604/FUL	Change part of layout from six residential mobile homes to seven (variation to scheme and condition 2 imposed upon planning permission TEN/2201/88)	Approved	08.11.2001
98/01520/FUL	Extension to existing car park	Approved	22.01.1999
04/01699/FUL	-Siting of 41 static holiday caravans on part of the existing touring area.	Approved	26.10.2004
04/02222/FUL	Variation of Condition No. 2 on planning consent ref. TEN/2200/88 dated 26th August 1989 to provide for an operating season namely 1st March in any one year to 15th January in the following year.	Approved	05.01.2005
07/00434/FUL	Block of 9 new pre-fabricated garages to car park. (Part retrospective)	Approved	29.05.2007

08/00572/FUL	Relocation of outside swimming pool.	Approved	18.06.2008
11/00254/FUL	Proposed upgrade and extension of existing caravan park to allow for the siting of 21 additional static holiday caravans, 40 relocated touring pitches and pitch and putt area together with the siting of 19 additional static holiday caravans within the existing park and overall environmental improvements including significant landscaping at Sacketts Grove Caravan Park.	Approved	07.06.2011
11/00256/OUT	Proposed indoor swimming pool as part of the upgrade and redevelopment at Sacketts Grove Caravan Park.	Approved	16.05.2011
14/30164/PREAPP	Proposed siting of 119 static holiday caravans in lieu of approved development for 40 static holiday caravans and 40 touring caravans.		12.04.2014
14/00568/DISCON	Discharge of condition 02 (Landscaping details) of planning permission 11/00254/FUL.	Approved	27.05.2014
14/00577/DETAIL	Approval of reserved matters of outline approval 11/00256/OUT, in relation to the appearance of the proposed indoor swimming pool.	Approved	02.07.2014
14/01815/FUL	Proposed siting of 135 static holiday caravan on the western element of Sacketts Grove Holiday Park in lieu of an approved development of 40 static holiday caravans and 40 touring caravans, together with landscape planting.	Approved	04.11.2015
15/00391/FUL	Relocation of LPG compound from east side of residents car park to north end of car park to facilitate improvements to parking and to accommodate bulk tanker deliveries.	Approved	28.05.2015
15/01904/FUL	Removal of condition 12 of planning permission 14/01815/FUL, regarding the north bound bus stop improvements, as the condition is considered unreasonable and unnecessary.	Withdrawn	23.03.2016
16/00582/DISCON	Discharge of condition 7 (hard and soft landscaping), 8 (ground levels	Approved	07.12.2016

	and hard landscaping), 9 (screen walls and fences) and 11 (car parking) of planning permission 14/01815/FUL.		
16/00675/FUL	Variation of conditions 13, 14 and 15 of planning application 14/01815/FUL to allow for an extension of time for the details to be submitted to discharge the subject conditions.	Approved	12.04.2017
16/00850/FUL	Proposed extension to existing office accommodation to caravan park.	Approved	26.07.2016
16/00980/DISCON	Discharge of condition 13 (surface water drainage scheme) and 15 (drainage management and maintenance plan) of planning permission 14/01815/FUL.	Approved	07.12.2016
16/01113/FUL	Proposed Calor tank compound (6 No. 4,000 litre tanks).	Approved	27.09.2016
16/30316/PREAPP	Proposed 24 additional static caravans and 91 parking spaces.		09.01.2017
17/02055/FUL	Variation of conditions 1,2,3,4,5,6,9 & 10 of planning application 16/00675/FUL to allow for the residential occupation of caravans permitted on the western part of the site.	Refused	09.10.2018
18/01861/FUL	Proposed 21 additional Static Holiday Caravans with parking spaces adjacent to Caravans (NOT occupied for human habitation between 15th January and 28th February), demolition of existing building and re-arrangement of existing car park to form 29 parking spaces.	Approved	26.04.2019
19/01115/DISCON	Discharge of condition 4 (Landscaping) for approved application 18/01861/FUL.	Approved	28.08.2019
19/01620/FUL	Variation of condition 02 (approved plans) of planning permission 18/01861/FUL.	Approved	
19/01712/FUL	Proposed 19 additional Static Holiday Caravans with parking spaces adjacent to Caravans (NOT occupied for human habitation between 15th January and 28th February), demolition of existing building and re-arrangement of	Approved	10.02.2020

	existing car park to form 29 parking spaces		
20/00507/DISCON	Discharge of conditions 7 (surface water drainage), 8 (Drainage) and 9 (Drainage) for 17/02055/FUL allowed on appeal APP/P1560/W/19/3226280.	Approved	04.06.2020
21/01300/FUL	Variation of condition 4 (Vehicle Parking) of application TEN/2201/88 to allow residents with disabilities to park next to trailers.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Relevant Section 1 Policies (adopted)

SP1 Presumption in Favour of Sustainable Development

SP3 Spatial Strategy for North Essex

SP7 Place Shaping Principles

Adopted Tendring District Local Plan 2007 (part superseded)

ER18 Caravan and Chalet Parks

TR7 Vehicle Parking at New Development

Relevant Section 2 Policies (emerging)

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

CP2 Improving the Transport Network

PP10 Camping and Touring Caravan Sites

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies adopted prior to its publication according to their degree of consistency with the policies in the

Framework. On the 26th January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework 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 the policies of the Framework. In this regard 'Proposed Modifications' to the emerging Section 2 of the 2013-33 Local Plan, which contains more specific policies and proposals for Tendring, has been examined and hearing sessions have now closed. The main modifications recommended to make the plan legally compliant and sound were considered at the Council's Planning Policy and Local Plan Committee on 29th June 2021. The Council held a six-week public consultation on the Main Modifications and associated documents which began on 16th July 2021. The consultation closed at 5pm on 31st August 2021 and adoption is expected later this year. Section 2 will then join Section 1 as part of the development plan, superseding in full the 2007 Local Plan. Section 2 of the 2013-33 Local Plan is therefore at a very advanced stage of preparation and should be afforded considerable weight.

5. Officer Appraisal

Site Description

Sacketts Grove Caravan Park is a high quality mixed residential (park home) and holiday caravan-park situated in the Jaywick area of Clacton-on-Sea.

The park is split into two defined areas for residential and holiday purposes. The eastern element of the park adjacent to Jaywick Lane and the site entrance, is known as Sackett's Grove and is developed for residential park homes.

The western section of the park, known as Saddlebrook Chase, is a very well established traditional static holiday caravan park and has a planning history dating back to the 1960s.

Description of Proposal

The application seeks to vary the wording of Condition 4 of planning approval TEN/2201/88; which states:-

All vehicle parking shall take place solely within the existing car parking area defined on the hereby approved plan. At no time shall vehicles be parked on the greensward areas alongside the caravans.

Reason – In the interest of public safety and visual amenity.

The proposal seeks to amend the wording of where vehicles can park in order that those residents with seen or unseen disabilities can park closer to their unit.

Assessment

The main planning considerations are:

- Principle of Development;
- Layout, Scale and Appearance;
- Neighbouring Amenities;
- Highway Considerations;
- Caravan and Chalet Parks

Principle of Development:

The principle of the development has been established through the granting of the original planning approval TEN/2201/88.

Design & Appearance

Adopted Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context. Emerging Policy SPL3 of Section 2 of the 2013-33 Local Plan also requires, amongst other things, that the development respects or enhances local landscape character, views, skylines, landmarks, existing street patterns, open spaces and other locally important features. Paragraph 130 of the Framework requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place.

The second element of the reason for imposing the original condition was in the interest of protecting visual amenity. Since the approval of the original application the site in general has evolved and changed. Aerial photography indicates that the site is extremely verdant and contains examples of domestic paraphernalia and for these reasons, the parking of domestic vehicles adjacent the unit is not considered to harm the amenity of the area to a degree which would be unacceptable.

Impact to Neighbouring Amenities

The NPPF, at paragraph 130 states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Adopted Policy SP7 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) requires that all new development protects the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking.

The variation to the wording of Condition 4 has no greater impact on privacy, daylight or other amenities of occupiers of nearby properties than the existing permission.

Highway Issues

Paragraph 130 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users. These objectives are supported adopted Policy SP7 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

The Highway Authority observes that this variation is to allow those residents who suffer from disabilities to park next to/ and or closer to their trailers only; in line with and under Section 6 of the Equality Act, 2010; taking this into consideration the Highway Authority does not object to the proposals as submitted.

Caravan and Chalet Parks:

Paragraph 112 (b) of the NPPF requires applications for development to address the needs of people with disabilities and reduced mobility in relation to all modes of transport. Policy ER18 welcomes proposals to modernise and introduce new, imaginative layouts, improved landscaping, better quality accommodation and an improved range of on-site facilities will be supported in parallel with the policies on the provision of new leisure parks. These objectives are supported in Emerging Policy PP10 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

The variation to the wording of Condition 4 would address a variety of the needs of people living at the Park and would contribute therefore to improving on-site facilities.

6. Recommendation

Approval - Full

7. Conditions

- 1 This permission shall only authorise the layout of the site in the manner shown on approved plan 2216/88 (October 1988) and no further rearrangement of the site or sub-division of garden curtilages shall take place without the express consent of the Local Planning Authority having first been obtained on an application made in that behalf.

Reason - To ensure that the development is satisfactory in relation to the site and its surroundings.

- 2 At no time shall vehicles be parked on the four open, greensward areas.

Reason - In the interests of visual amenity.

8. Informatives

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.

Highways:

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

Are there any letters to be sent to applicant / agent with the decision?		NO
Are there any third parties to be informed of the decision?		NO