



# TENDRING DISTRICT COUNCIL

## Planning Services

Town Hall, Station Road, Clacton-on-Sea, Essex CO15 1SE

<b>AGENT:</b>	Mrs Dayle Bayliss – Dayle Bayliss Ltd Mulberry Tree Cottage Grove Road Bentley Ipswich United Kingdom IP9 2DD	<b>APPLICANT:</b>	Mr L Rendell 19 Central Maltings Kiln Lane Manningtree CO11 1HR
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### TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO:** 21/01517/FUL      **DATE REGISTERED:** 24th August 2021

Proposed Development and Location of Land:

**Proposed 10 shepherds huts for holiday lodges, reception lodge, parking, bin and cycle storage.  
Land off Reckitts Close Clacton On Sea Essex**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY REFUSE PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted for the following reason(s)

- 1 Due to the narrowness of the site and the uncharacteristic siting and layout proposed, the development would result in significant harm to the character and appearance of the area and the Council cannot be certain that the proposal would not harm mature trees, some of which are protected. As such, the proposal would be contrary to Local Plan Policies SP7 and SPL3, and Paragraphs 130 and 131 of the National Planning Policy Framework 2021.
- 2 Due to the location of the development in relation to neighbouring residential accommodation and the siting and layout proposed, the proposal would result in unacceptable noise and disturbance for existing occupants. The proposal would therefore be contrary to the requirements of Local Plan Policies SP7 and SPL3, and Paragraph 130 f) of the National Planning Policy Framework 2021.
- 3 In the absence of an up-to-date ecological evaluation of the site the Council cannot be certain that the proposal would not harm protected species or their habitat. In the absence of a contribution under The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy, or any other form of bespoke mitigation measures, the Council cannot be certain that the proposal would adequately mitigate the recreational pressures on internationally, European, and nationally important nature conservation sites. Consequently, the proposal would conflict with Local Plan Policies SP2, SPL3 and PPL4, PP10 and PP11, and Section 15 of the National Planning Policy Framework 2021.
- 4 The development would not incorporate adequate pedestrian connectivity including for disabled people and those with reduced mobility. The proposal would therefore conflict with Local Plan Policy SP7 and Paragraphs 92 and 112 of the National Planning Policy Framework 2021.

**DATED:** 4th February 2022

**SIGNED:**




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Graham Nourse  
Assistant Director  
Planning Service

**IMPORTANT INFORMATION** :-

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development

SP2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

SP3 Spatial Strategy for North Essex

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

PP8 Tourism

PP10 Camping and Touring Caravan Sites

PP11 Holiday Parks

PPL1 Development and Flood Risk

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

CP1 Sustainable Transport and Accessibility

CP2 Improving the Transport Network

Supplementary Planning Documents

Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy SPD 2020 (RAMS)

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible.

**The attached notes explain the rights of appeal.**

## NOTES FOR GUIDANCE

### WHEN PLANNING PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

#### APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within the set time frame as outlined below:
  - a. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
  - b. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
  - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
- Appeals must be made using the relevant form (as detailed above) which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. **Please note, only the applicant possesses the right of appeal.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions imposed having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

#### ENFORCEMENT

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.