

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	DC	04/02/2022
Planning Development Manager authorisation:	JJ	04/02/2022
Admin checks / despatch completed	DB	04.02.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	04/02/2022

Application: 21/01517/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr L Rendell

Address: Land off Reckitts Close Clacton On Sea

Development: Proposed 10 shepherds huts for holiday lodges, reception lodge, parking, bin and cycle storage.

1. Town / Parish Council

There is no Town Council for the area which is not parished.

2. Consultation Responses

Tree & Landscape Officer
24.09.2021

Part of the application site is affected by Tendring District Council Tree Preservation Order ref 99/22/TPO that affords formal legal protection to 2 Beech trees and 1 Lime. These trees are situated on the land adjacent to Reckitts Close.

The remainder of the land is situated between the rear gardens of the properties in Connaught Gardens East and First Avenue and runs from Reckitts Close to Marine Parade East. The rear gardens of many of these properties are well treed and contain large established shrubs.

In order to assess the impact of the development proposal on the trees on the land the applicant should submit an Arboricultural Impact Assessment (AIA)

The primary purpose of the AIA will be to show that the construction of the proposed car parking spaces will not result in an incursion into the Root Protection Areas (RPA's) of the protected trees

The information should be in accordance with BS5837 2012: Trees in relation to design demolition and construction ' Recommendations and should show the extent of the constraint that the trees are on development potential of the land.

In the part of the application site affected by the placement of wheeled Shepherds Huts there are two established trees: a Eucalyptus and a Silver Birch. Both are shown as retained and will not be adversely affected by the development proposal.

Should planning permission be likely to be granted then a condition should be attached to secure details of soft landscaping to enhance

and screen the elements of the development visible from the public realm.

ECC Highways Dept
03.11.2021

The information that was submitted in association with the 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, google earth image dated October 2014. It is noted that this application is similar to previous application 17/00794/OUT that the Highway Authority did not object to. The area of verge to the south of Reckitts Close has been confirmed by Highway Records as not forming part of the Publicly Maintainable Highway, considering these factors:

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 unbound material shall be used in the surface treatment of the vehicular parking spaces throughout.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

2. Any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space, retained in perpetuity.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8.

3. There shall be no discharge of surface water onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1.

4. Prior to occupation of the development the proposed parking spaces shall be constructed at right angles to the highway boundary and to the existing carriageway and shall be provided with an appropriate dropped kerb vehicular crossing of the verge.

Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1

5. 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 if required marked out in parking bays. The vehicle parking area and associated turning 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.

6. The Cycle / Powered two-wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle / powered two-wheeler 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.

Informatives:

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: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area, it covers, and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

3: Subject to planning approval consideration needs to be given to how the proposed parking spaces for the proposed holiday lodges are to be managed and retained for the duration of each let.

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/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.

Essex County Fire Officer No comment received.

Building Control and Access Officer
01.10.2021 No comments at this stage.

3. Planning History

99/00022/TPO	Tree Preservation Order	Approved	14.12.2010
16/30330/PREAPP	Proposed 4 No. detached residential dwellings.	Refused	16.02.2017
17/00794/OUT	Housing development of 4no. movable 1 bedroom cabins.	Refused	10.07.2017
17/01335/OUT	Housing development of 1no. 1 bedroom cabin.	Refused	24.10.2017
17/02159/OUT	Housing development of a 1 bedroom cabin.	Refused	02.02.2018

4. Relevant Policies / Government Guidance

The following Local and National Planning Policies are most relevant:

National Planning Policy Framework July 2021 (The Framework)
National Planning Practice Guidance (The NPPG)

Tendring District Local Plan 2013-2033 and Beyond (Section 1, adopted on 26 January 2021)

Relevant Section 1 Policies

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 on 25 January 2022)

Relevant Section 2 Policies

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 (RAMS SPD)

Local Planning Guidance

Status of the Local Plan

Planning law requires that decisions on 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 (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

5. Officer Appraisal

The Site

The site comprises a grass highway verge on the south-western side of Reckitts Close which contains protected trees, and an unusually thin strip of land situated between the rear gardens of properties on Connaught Gardens East, Connaught Close and First Avenue, which runs down to Marine Parade East. The site is located within the Settlement Development Boundary for Clacton-on-Sea, as defined under Policy SPL2, adjacent to 'The Gardens Area of Special Character, Clacton-on-Sea' defined under Policy PPL12.

The Proposal

Planning permission is sought for use of the land for the siting of ten shepherds huts (huts) for holiday use and a further hut for use as a reception lodge, with two parking bays, together with parking for thirteen cars. Each hut would have timber clad walls and a metal sheet roof measuring 3m x 6m in floor area and 2.7m in height. The ten huts for holiday use would have two single beds with a double above, a kitchen and a bathroom with a toilet shower and washbasin. A bin storage area would be provided at the end of Reckitts Close adjacent to which Sheffield cycle hoops would be installed. A footpath would be formed leading from the bin store to provide pedestrian access to the holiday huts, which would be situated between neighbouring rear gardens. Hard standings would be created between each hut. Overall, the application site area is stated as being 0.2 hectares. Foul sewage is proposed to be disposed of via a septic tank. However, no specific details have been provided. The application form (Q17) states that there would be a total of 178 sq. m. of net additional gross internal floor space following development.

Representations

The application was publicised by way of site notice and immediate neighbours of the site were notified in writing. In response sixty objection comments were received (some of which are repeat objections), fifteen of which are from residents of Heseltine Court. Objections raised therein may be summarised as follows:

- Harm to the character and appearance of the area and protected trees.
- The proposal would create additional congestion in the area, hinder access to Reckitts Close (including for emergency services), and encourage parking on Marine Parade East, all of which would harm highway safety.
- The site is not wide enough to accommodate the development and there is no provision for play areas for future occupants.
- Failure to consider access for disabled people.
- The submitted plans omit existing mature trees.
- Permission has been refused for less intensive forms of development.
- Bats and other wildlife are observed the area - proper surveys should be carried out.
- The bin store would attract fly-tipping.
- Undue noise and disturbance for the occupants of neighbouring dwellings and care home.
- Loss of privacy for neighbouring residents.
- Economic benefits would not outweigh the harm to neighbouring residential amenity.

- Overdevelopment of the site.
- Light pollution.
- Poor outlook for future occupants of the holiday accommodation.
- Poor access for emergency vehicles and the huts would be a fire hazard.
- The site has been used as a footpath for 50 years - there are private rights of access (an unsigned statutory declaration purporting to confirm 'use of a right of way over a private access' has been submitted by a third party).
- A covenant on the land is over 100 years old and is restrictive of development.
- Concern over future use as permanent residences.
- The proposal would give rise to anti-social behaviour.

Ward Councillor Andy Baker has requested that the application is referred to the planning committee under the Members' Referral Scheme for Planning Applications, in the event that approval is recommended, and has written further to object due to concerns which may be summarised as follows:

- Harm to the character and appearance of the area and the street scene which would become car dominated.
- Loss of amenity/openness due to the reception building.
- No evidence to demonstrate what effect there would be on protected mature trees or how they would be safeguarded.
- No demonstration provision of adequate external amenity space for future occupants of the holiday accommodation.
- No evidence of any ecological evaluation.
- Increased traffic resulting in harm to pedestrian and vehicular safety.
- Poor design/layout resulting in harmful back land development.
- No indication of sewage treatment measures/location of septic tank and connections.
- Insufficient access for firefighting appliances – a reason for Building Control comment on earlier applications - the proposal would result in a greater risk.
- Lack of consultation with the community (such as with residents of Reckitts Close, Haven Lodge Care Home, First Avenue and Connaught Gardens East), and no pre-application advice has been sought.
- Proposals for less intensive forms of development were refused as out of keeping with the character of the area - contrary to assertions made, the proposal would be worse.
- The supporting statement selectively quotes the Framework and misapplies it.
- There are no significant benefits that would outweigh the harm.
- Because of the above, the proposal would be contrary to the development plan and should be refused.

These representations are considered below.

Principle of Development

Local Plan Policy PP8 states that to attract visitors to 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 the Local Plan.

The proposal is for a tourism development of huts on wheels. Therefore, broadly speaking, Policy PP10 Camping and Touring Caravan Sites is relevant. This policy states that outside of holiday parks and subject to consideration against other relevant Local Plan policies (which follows below), if the necessary tests are met with regard to any known flood risk, the Council will support proposals for new camping and/or touring caravan/motorhome sites. Applications will only be permitted under this policy where they are in accordance with Biodiversity Policy PPL4 and proposals must include electricity hook-up points and facilities for potable water, toilets, showers, washing and waste water disposal.

While on wheels, the proposal might also be considered as a new holiday park under Policy PP11, which states that proposals for new static caravan/chalet parks will only be permitted where it can be demonstrated by the applicant how the proposal would help strengthen and diversify the

District's tourist economy, or that they are being specifically created for the relocation of an existing site away from flood risk areas. This policy also requires compliance with Policy PPL4.

The site is located within Flood Zone 1 with the least probability of flooding. It would not be necessary for electricity hook-up points to be provided for the type of accommodation proposed. Because each unit would have shower and toilet facilities these specific policy requirements of Policy PPL10 would be met.

The proposal would clearly contribute to the local tourism economy, albeit to a small degree. However, Local Plan Policy PPL4 requires that sites designated for their international, European and national importance to nature conservation will be protected from development likely to have an adverse effect on their integrity. The policy states that as a minimum there should be no significant impacts upon any protected species. The preamble to Policy PPL4 states that where a development might harm biodiversity an ecological appraisal will be required to be undertaken, and the potential for harm should be considered and addressed in any application. Local Plan Policy SPL3, Part A, criterion d) requires that the design and layout of development maintains or enhances site features, including ecological value. In the absence of any ecological evaluation there is no way of knowing if development of the site would harm protected species.

Furthermore, the proposal is for accommodation falling within the C3 use class for use as holiday accommodation. Under Policy SP2 the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy SPD (RAMS SPD) is therefore relevant. In the absence of a contribution under the RAMS SPD, or any bespoke mitigation measures, the Council cannot be certain that the proposal would adequately mitigate recreational pressures on internationally, European, and nationally important sites to nature conservation. For the above reasons the proposal conflicts with Local Plan Policies SP2 and SPL3, PPL4, and Section 15 of the Framework. As a result, it would not therefore fully comply with Policies PP10 or PP11.

Character and Appearance

Local Plan Policy SP7 requires that all new development should respond positively to local character and context to preserve and enhance the quality of existing places and their environs. Local Plan Policy SPL3 states that all new development, including changes of use, should make a positive contribution to the quality of the local environment and protect or enhance local character and sets out a number of criteria. Among these are that development relates well to its surroundings, in particular in relation to its siting, height, scale, massing, form, design and materials (criterion b) and that the design and layout respects or enhances important existing site features, including those of amenity value (criterion d). The glossary to Section 2 of the Local Plan includes trees within the definition of 'Amenity'. The requirements of criterion c) include that development respects or enhances locally important features.

Among other things, Paragraph 130 of the Framework states that planning decisions should ensure that developments establish or maintain a strong sense of place and are sympathetic to local character and history, including the surrounding built environment and landscape setting. Paragraph 131 recognises that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change, and states that existing trees should be retained wherever possible.

At the entrance to the street the grass verge has a build-out on which is sited a brick panel with coping detail, containing a carved stone name plate for the Haven Lodge Nursing Home. Beyond this build-out the verge narrows and contains a number of mature trees. These existing site features provides an open and spacious feel to the entrance to Reckitts Close, and a good level of amenity for the occupants of dwellings which face towards it. The verge and these trees contribute significantly to the area's strong sense of place.

As the Council's tree and landscape officer confirms the trees on Reckitts Close are covered by a Tree Preservation Order (Variation Order No: 99/00022/TPO) - two Beech and one Lime. Other than these trees, the site also includes a Eucalyptus and a Silver birch which are shown as retained. While the latter would not be adversely affected by the development, the former could potentially be impacted upon by the formation of the proposed parking areas. The rear gardens of

many neighbouring properties also contain trees and large established shrubs which could also be affected. Because of this the landscape officer advises that an Arboricultural Impact Assessment (AIA) in accordance with BS5837 2012: 'Trees in relation to design demolition and construction' is required. No such AIA has been submitted, and in the absence of this information the Council cannot be certain that protected and other mature trees would not be harmed by development in their root protection zones.

Furthermore, the introduction of a reception lodge and two parking spaces within the build-out of the grass verge would have a significant adverse effect on the established character and appearance of the area. The reception lodge would be a highly incongruous feature at the top of the street and the bin storage area and customer parking would dominate the opposite end, essentially creating a car park in the grass verge. By virtue of the sites very long and narrow shape and the siting and layout proposed, the development would not sit well with the established low density pattern of residential development in the area. The proposal would appear cramped and awkward in its context, and this would be apparent in views from the upper floors of neighbouring residential developments. The scheme would have a far greater adverse impact than less intensive forms of development which have been refused before.

Taking all the above factors into account the proposal would result in substantial harm to the character and appearance of the area and significant weight should be given to this harm. Accordingly, the proposal would conflict with Local Plan Policies SP7 and SPL3. It would also conflict with the environmental objective of the Framework and Paragraphs 130 and 131.

Living Conditions of Neighbours and Future Occupants

Policy SP7 states that all new development should protect the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking. Paragraph 130 f) of the Framework requires that decisions should ensure development creates places with a high standard of amenity for existing and future users.

The proposal is for single-storey accommodation and it would not have any overbearing impact on the outlook from existing neighbouring residential development. Established boundary treatment to rear gardens of adjoining development would prevent any direct overlooking or loss of privacy. Although they would be relatively small, the scheme allows for outdoor seating areas to serve each hut. Furthermore, there is no evidence that the development would necessarily lead to anti-social behaviour.

In terms of future occupants, while perhaps not a reason for refusal of itself, the proposal would represent a poor form of holiday accommodation due to the landlocked nature and shape of the site. For example, there would be no play area or on-site facilities, and the outlook from the accommodation would not afford views outwards from the site.

In terms of existing occupants, the proposal is for holiday accommodation and it is to be expected that it would generate noise, both through the comings and goings of guests and when making use of land outside of the huts, especially during the warmer peak holiday season months. Furthermore, car doors opening and closing would cause further disturbance for residents opposite the parking spaces. While existing boundary treatment would provide a degree of acoustic mitigation to the direct travel of noise from the site, upper floors of nearby properties would not benefit from this. In view of the restricted width of the site and its close proximity to adjoining residential property, the use would have an unacceptable effect on the living conditions of neighbours. The proposal would therefore conflict with Policies SP7 and SPL3, and it would conflict with the social objective on the Framework and be at odds with Paragraph 130 f).

Highways

Essex County Council as the Local Highway Authority comment that the application is similar to previous application reference 17/00794/OUT that they did not object to, and that the verge to the south of Reckitts Close has been confirmed by highway records as not forming part of the publicly maintainable highway. Considering these factors no highway safety objection is raised by them, subject to conditions.

While all that may be the fifth bullet of adopted Policy SP7 requires that new development should create well-connected places that prioritise the needs of pedestrians, cyclists and public transport services above use of the private car. Paragraph 92 of the Framework states that planning decisions should aim to achieve healthy, inclusive and safe places. Paragraph 112 states inter-alia that applications for development should give priority first to pedestrian and cycle movements, both within the scheme and neighbouring areas, and minimise the scope for conflicts between pedestrians, cyclists and vehicles. Furthermore, applications for development should address the needs of people with disabilities and reduced mobility in relation to all modes of transport.

The proposal differs from application reference 17/00794/OUT in that a reception hut with two parking spaces would be created within the build-out in the verge at the start of Reckitts Close. Eleven parking spaces would be created at the end of the street. While forward visibility from these spaces would appear to be unobstructed, the site is well located in relation to public transport facilities and cycle parking facilities would be provided, it would not provide for good pedestrian connectivity. Accommodation would be remote from the parking spaces and there would be no segregated footway from them. Instead, visitors would have to walk in the highway. Although Reckitts Close is a cul-de-sac it serves more than ten dwellings and a nursing home. The development would not thereby provide adequate pedestrian connectivity, especially for disabled people or people with reduced mobility. As such, the proposal would be contrary to Local Plan Policies SP7 and Paragraphs 92 and 112 of the Framework.

Other Matters

Policy SP7 requires that all new development should include appropriate waste water measures and sustainable drainage solutions. While no details have been provided these considerations would be capable of being addressed through a planning condition to require a scheme of foul and surface water drainage. Similarly, a condition could require details of external lighting in order to avoid unnecessary light pollution.

Having regard to concern over access for firefighting appliances this was the subject of comment [in relation to the Building Regulations] by the Council's Building Control Service under earlier proposals. However, no such comment is made in relation to the current application, and the Fire Service has not responded to consultation. Unlike earlier proposals the development could be accessed from roads at both ends, albeit across a significant distance for hoses. However, it would be possible to require by a condition fire hose reel(s) be installed on the site, and there is no reason to believe that the huts would of themselves be at undue risk of fire. On this basis it is not considered reasonable that planning permission should be refused due to any such concerns. In any case, for the above reasons the application cannot be supported.

While some objectors comment that the site has a right of way across it the County Council do not state that there is a definitive Public Right of Way. An objector refers to a covenant on the land and others refer to private access rights. These are both private civil matters that are not material planning considerations.

Concern is expressed over the potential future use of the huts as permanent dwellings. If planning permission were to be forthcoming, which it is not, Policies PP10 and PP11 would require a condition to prevent this.

An objector is concerned about the location of the site adjacent to '*The Gardens Area of Special Character*'. However, Policy PPL12 (The Gardens Area of Special Character, Clacton-on-Sea) refers to development *within* the area, and so this policy is not directly relevant. As the PPL12 policy area is not within a designated Conservation Area there is no statutory requirement to consider the effect of the proposal on its setting. However, the effect of the development on the character and appearance of the area has been considered above and found to be unacceptable.

Objection raised in relation to the effect of the proposal on local property values and views are not material planning objections.

Finally, concern has been expressed over a lack of pre-application consultation with the community or any pre-application enquiry. Paragraph 39 of the Framework states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Furthermore, that good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community. However, neither are statutory requirements for the type and scale of development proposed.

Planning Balance and Conclusion

The proposal would result in substantial harm to the character and appearance of the area and significant weight is given to this harm, and the Council cannot be certain that the proposal would not harm mature trees, some of which are protected. While the proposal would not result in unacceptable harm to highway safety it would not provide for good pedestrian connectivity and this weighs against approval, as does the poor form of holiday accommodation which would result.

Although the proposal would not unduly harm the privacy of the occupants of neighbouring residential accommodation it would result in undue noise and disturbance. Furthermore, in the absence of an up-to-date ecology appraisal or any contribution under the RAMS SPD, or any other bespoke mitigation measures, it cannot be demonstrated that the proposal would not harm protected species or have an adverse effect on sites protected for their biodiversity importance.

In its favour the proposal would provide some economic benefits through construction and from the subsequent spend of future occupants in the local tourism economy, which would contribute towards meeting the economic objective of the Framework. However, the weight given to these benefits is limited in view of the proposal's small scale. Due to the identified harm to the character and appearance of the area and neighbouring residential amenity, and concern over the effect on biodiversity, the proposal would conflict with the Framework's social and environmental objectives.

Subject to conditions the proposal could be adequately drained and it would not be at risk of flooding or unduly increase the risk of flooding elsewhere. External lighting could be restricted to avoid undue light pollution and a scheme to adequately mitigate the risk of fire could be required. These are neutral factors in the planning balance.

The limited weight given to the economic benefits would not outweigh the significant cumulative weight given to the harm to the character and appearance of the area, the living conditions of neighbours, and concerns in relation to ecology and poor pedestrian accessibility. The proposal would conflict with Local Plan Policies SP2, SP7, SPL3, PP10 and PPL4, and the policies of the Framework. Planning permission should therefore be refused.

6. Recommendation

Refusal - Full

7. Reasons for Refusal

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.

8. **Informatives**

1. 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.

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