



TENDRING DISTRICT COUNCIL

Planning Services

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

APPLICANT: Roger Wyncoll
Woodland Lodge
Spring Valley Lane
Ardleigh
Colchester
CO7 7SD

AGENT:

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 21/02051/FUL

DATE REGISTERED: 1st December 2021

Proposed Development and Location of the Land:

**To demolish No 1 & No 2 The Pavilion and replace with a new two bedroomed single storey residential dwelling with parking and amenity provision
1 & 2 The Pavilion Spring Valley Lane Ardleigh Essex**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY GRANT PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted, subject to the following conditions;

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in strict accordance with the following approved plans and documents: PL003, PL004, PL005, TP03-01/12/2021, TP04-01/12/2021, TPO02-01/12/2021, Design and Access statement dated 1st December 2021.

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

- 3 Prior to the first occupation of the dwelling hereby approved the existing building known as 1 and 2 The Pavilion must be fully demolished, including all associated demolition material removed from the site, and the landscaping scheme shown on approved plan TP03-01/12/2021 must be fully implemented.

Reason - In order to control the number of dwellings on the site in this rural location.

- 4 All changes in ground levels, 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 the implementation and maintenance of the approved scheme in the interests of visual amenity.

- 5 Prior to the commencement of development a 15m buffer zone must be marked out from the edge of the woodland closest to the development hereby approved. This area must be kept clear at all times during the construction phase of the development and must not be subject to any vehicular movements or used for storage purposes.

Reason - To ensure that no damage or harm occurs to the adjacent Ancient Woodland by the development.

- 6 Notwithstanding the provisions of Schedule 2 Part 1 Classes A to E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no extensions, additions or alterations to the roofs of the dwellings hereby approved shall be carried out except where express planning permission has been obtained.

Reason - To ensure that private residential amenities of the neighbouring and future occupiers are protected.

- 7 Prior to the first occupation of the dwelling hereby approved, an electric vehicle charging point shall be provided.

Reason - In the interests of sustainability and to accord with the requirements of Paragraph 112 e) of the Framework (2021) which states that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

DATED: 26th January 2022

SIGNED:



Graham Nourse
Assistant Director
Planning Service

IMPORTANT INFORMATION :-

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

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

QL11 Environmental Impacts and Compatibility of Uses (part superseded)

HG9 Private Amenity Space

HG12 Extensions to or Replacement of Dwellings Outside Settlement Development Boundaries

HG16 Garden Extensions into the Countryside

EN1 Landscape Character

EN6 Biodiversity

COM31A Sewerage and Sewage Disposal

EN13A Renewable Energy

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

Adopted Tendring District Local Plan 2007 (part superseded)

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1 adopted on 26th January 2021)

Relevant Section 1 Policies (adopted)

SP1 Presumption in Favour of Sustainable Development

SP7 Place Shaping Principles

Relevant Section 2 Policies (emerging)

SPL3 Sustainable Design

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

PPL10 Renewable Energy Generation

CP1 Sustainable Transport and Accessibility

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Standard Informative 1: The Provisions of the Essex Act 1987, Section 13 (Access for the Fire Brigade) may apply to this Development and will be determined at Building Regulation Stage.

Standard Informative 2: You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control section at Tendring District Council.

Standard Informative 3: If the development includes the construction of a new building on or at

the boundary of 2 properties, work to an existing party wall or party structure or involve excavation near to and below the foundation level of neighbouring buildings, you are advised that the provisions of the Party Wall Act 1996 may apply to this development. An explanatory booklet concerning the implications of this Act is available online or from the District Council.

The attached notes explain the rights of appeal.

NOTES FOR GUIDANCE

WHEN PLANNING PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within the set time frame as outlined below:
 - a. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - b. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online <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.