

Tendring
District Council



**Town Hall
Station Road
Clacton on Sea
Essex CO15 1SE**

APPLICANT: Mr Peter Smith
Winter Cottage
Edith Road
Kirby Le Soken
Essex
CO13 0DH

AGENT:

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 23/01741/DETAIL

DATE REGISTERED: 6th December 2023

Proposed Development and Location of Land:

Reserved matters submission for 21/00201/OUT for erection of one dwelling considering access, appearance, landscaping, layout and scale.

Winter Cottage Edith Road Kirby Le Soken

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **GRANT APPROVAL OF RESERVED MATTERS** pursuant to Outline Planning Permission No. 21/00201/OUT in accordance with the application form, supporting documents and plans submitted subject to the following conditions

1 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

3D MODEL VIEW 1 - REC'D 06/12/23
3D MODEL VIEW 2 - REC'D 06/12/23
3D MODEL VIEW 3 - REC'D 06/12/23
3D MODEL VIEW 4 - REC'D 06/12/23
BLOCK PLAN - REC'D 06/12/23
PROPOSED FLOOR PLAN - REC'D 06/12/23
PROPOSED FRONT AND SIDE ELEVATIONS - REC'D 06/12/23
PROPOSED REAR AND SIDE ELEVATIONS - REC'D 06/12/23
SECTION A-A - REC'D 06/12/23
SECTION B-B - REC'D 06/12/23
SITE PLAN - REC'D 06/12/23

CONSTRUCTION METHOD STATEMENT - REC'D 06/12/23
 DETAILS OF RESERVED MATTERS - REC'D 06-12/23

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

2 HIGHWAYS CONDITION

CONDITION: Prior to the first occupation of the dwelling, a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

REASON: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety.

3 HIGHWAYS CONDITION

CONDITION: No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the carriageway.

REASON: To avoid displacement of loose material onto the carriageway in the interests of highway safety.

4 HIGHWAYS CONDITION

CONDITION: There shall be no discharge of surface water onto the carriageway.

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.

5 HIGHWAYS PROVISION OF PARKING AND TURNING

CONDITION: The hereby approved development shall not be first occupied until such time as the areas for purposes of manoeuvring and parking of vehicles has been provided and made functionally available. The area shall then be retained and remain free of obstruction thereafter.

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 and layout is provided To ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would otherwise be detrimental to highway safety.

6 CONSTRUCTION HOURS

CONDITION: 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 Mondays to Saturdays (finishing at 13:00 on Saturdays) with no working of any kind permitted on Sundays or any Public/Bank Holiday whilst construction works and alterations are being carried out.

REASON: To protect the amenity of nearby residents.

7 BURNING OF MATERIALS

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

REASON: 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).

8 CONTAMINATED LAND

CONDITION - If during construction/demolition works evidence of potential contamination is encountered, works shall cease, and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.

b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

c) If no contamination has been discovered during the build, then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

REASON - To ensure that any risks from land contamination to the future users of the land and neighbouring land are minimised.

9 COMPLIANCE WITH DETAILS AND TIMESCALE REQUIRED - LANDSCAPING SCHEME

CONDITION: All changes in ground levels, soft/hard landscaping shown on drawing no TQRQM23338211914419 and detailed within the supporting statement received 06/12/23 and email of 26th December 2023 shall be carried out in full 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 approved, in writing, by the Local planning authority up to the first use/first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted, or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and same species unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that the approved landscaping scheme has sufficient time to establish, in the interests of visual amenity and the character and appearance of the area.

DATED: 18th January 2024

SIGNED:



John Pateman-Gee
Head of Planning and Building Control

NATIONAL & LOCAL PLAN POLICIES AND GUIDANCE RELEVANT TO THIS DECISION:

National:

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Local:

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
SP3 Spatial Strategy for North Essex
SP4 Meeting Housing Needs
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
HP5 Open Space, Sports & Recreation Facilities
DI1 Infrastructure Delivery and Impact Mitigation
LP1 Housing Supply
LP2 Housing Choice
LP3 Housing Density and Standards
LP4 Housing Layout
PPL5 Water Conservation, Drainage and Sewerage
CP1 Sustainable Transport and Accessibility

Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice
Essex Design Guide

No emerging or adopted neighbourhood plan

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.