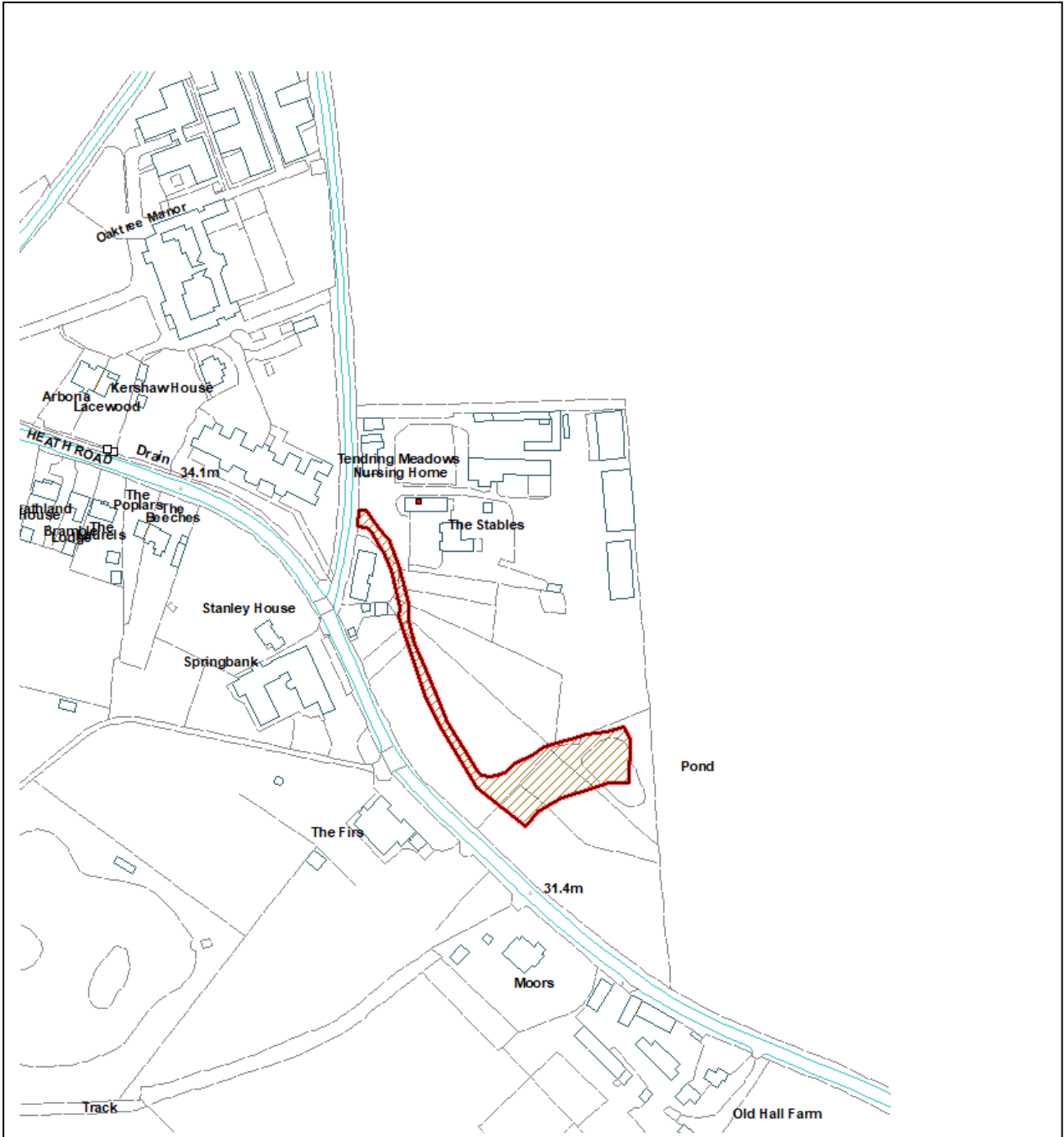


PLANNING COMMITTEE

16 APRIL 2024

REPORT OF THE DIRECTOR OF PLANNING

A.3 PLANNING APPLICATION – 23/01280/FUL – THE STABLES HEATH ROAD TENDRING CO16 0BX



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Application:	23/01280/FUL	Expiry Date:	26th December 2023
Case Officer:	Michael Pingram	EOT Date:	8th January 2024
Town/ Parish:	Tendring Parish Council		
Applicant:	Mr and Mrs Wallis		
Address:	The Stables Heath Road Tendring, CO16 0BX		
Development:	Change of use of land for siting of five lodges to be occupied for holiday purposes only.		

1. Executive Summary

- 1.1 This application is before the Planning Committee at the discretion of the Head of Planning, and seeks permission for the change of use of the land to tourism and including the erection of five lodges for holiday purposes.#
- 1.2 The site is outside of a Settlement Development Boundary and policies contained within the Local Plan do not specifically mention holiday lets in the types of tourism opportunities to be promoted within the district, and overall are not clear whether a small-scale proposal such as this represents a departure. A recent appeal decision allowed the conversion of a stable block into two holiday units, and while this differs from the current application it does add some weight to the acceptability of the current scheme. Further, the proposal is considered to result in a small boost to the tourism offering within the District, and is also not within an isolated and unsustainable location.
- 1.3 If it is considered that the development represents a departure from the Local Plan, planning harm has not been identified as no objections are raised in regard to the impact to the character of the area or to the impacts to neighbouring amenities, and ECC Highways raise no objections. Whilst ECC Ecology initially had concerns, additional information provided by the agent for the application has since addressed this.

Recommendation: Approval

- 1) That the Head of Planning and Building Control be authorised to grant planning permission subject to the conditions as stated at paragraph 10.2, or varied as is necessary to ensure the wording is enforceable, precise, and reasonable in all other respects, including appropriate updates, so long as the principle of the conditions as referenced is retained; and,
- 2) The informative notes as may be deemed necessary.

2. 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), supported by our suite of evidence base core documents

(<https://www.tendringdc.uk/content/evidence-base>) together with any neighbourhood plans that have been brought into force.

3. **Neighbourhood Plans**

A neighbourhood plan introduced by the Localism Act that can be prepared by the local community and gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan to promote development and uphold the strategic policies as part of the Development Plan alongside the Local Plan. Relevant policies are considered in the assessment. Further information on our Neighbourhood Plans and their progress can be found via our website <https://www.tendringdc.uk/content/neighbourhood-plans>

4. **Planning Policy**

4.1 The following Local and National Planning Policies are relevant to this planning application.

National:

National Planning Policy Framework December 2023 ([NPPF](#))

National Planning Practice Guidance ([NPPG](#))

Local:

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

SP1 Presumption in Favour of Sustainable Development

SP2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

SP3 Spatial Strategy for North Essex

SP5 Employment

SP7 Place Shaping Principles

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

SPL1 Managing Growth

SPL3 Sustainable Design

PP8 Tourism

PP10 Camping and Touring Caravan Sites

PP11 Holiday Parks

PP13 The Rural Economy

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

PPL10 Renewable Energy Generation and Energy Efficiency Measures

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Essex Design Guide (2005)

5. **Relevant Planning History**

N/A

6. **Consultations**

Below is a summary of the comments received from consultees relevant to this application proposal. Where amendments have been made to the application, or additional information has been submitted to address previous issues, only the latest comments are included below.

All consultation responses are available to view, in full (including all recommended conditions and informatives), on the planning file using the application reference number via the Council's Public Access system by following this link <https://idox.tendringdc.gov.uk/online-applications/>.

Essex County Council Ecology

22.11.2023 (initial comments)

Thank you for consulting Place Services on the above application.

Holding objection due to insufficient ecological information on European Protected Species (Great Crested Newts).

Summary

We have reviewed the documents supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation.

We are not satisfied that there is sufficient ecological information available for determination of this application. This is because no ecological information has been submitted to support this application and we note that a potentially suitable pond is present adjacent to the site. Furthermore, the site lays within an Amber Risk Zone for Great Crested Newt as shown on the Great Crested Newt Risk Zones (Essex) | GCN Risk Zones (Essex) | Natural England Open Data Geoportal (arcgis.com) and a further two potentially suitable waterbodies present within 250m. As a result, the LPA does not have certainty of the likely impacts of these European Protected Species.

Therefore, we recommend that a Preliminary Ecological Appraisal should be prepared by the applicant's ecologist to provide adequate assessment of the proposal to inform the need for any further surveys and, if necessary, mitigation & compensation for impacts from this application. Any surveys must be undertaken by suitably qualified ecologists, at the appropriate time of year, using standard methodologies, and professional judgement should be used to come to reasoned conclusions as to the likelihood of species being present and affected by the proposed development.

To fully assess the impacts of the proposal the LPA need ecological information for the site, particularly for Great Crested Newts (GCN), European Protected Species. These surveys are required prior to determination because Government Standing Advice indicates that you should "Survey for great crested newts if there's a pond within 500 metres of the development, even if it only holds water some of the year".

The results of these surveys are required prior to determination because paragraph 99 of the ODPM Circular 06/2005 highlights that: "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."

This information is therefore required to provide the LPA with certainty of impacts on legally protected species and be able to secure appropriate mitigation either by a mitigation licence from Natural England or a condition of any consent. This will enable the LPA to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006 and prevent wildlife crime under s17 Crime and Disorder Act 1998.

The applicant may be interested to know that Natural England's District Level Licensing for GCN is now available in Essex- see <https://www.gov.uk/government/publications/great-crested-newts-district-level-licensing-schemes> - where sites can be registered to be covered by

this strategic mitigation scheme. Guidance for developers and registration forms to join the scheme are available and the LPA will need an Impact Assessment and Conservation Payment Certificate (IACPC) document countersigned by Natural England as evidence of site registration prior to determination where this European Protected Species is likely to be present and affected by development.

Additionally, no biodiversity enhancement measures are identified in the documents provided. We recommend that, to secure net gains for biodiversity, as outlined under Paragraph 174d and 180d of the National Planning Policy Framework 2023, reasonable biodiversity enhancement measures will need to be provided.

The site falls within the evidenced recreational Zone of Influence (ZOI) of Essex Coast RAMS. Therefore, given the tourist element of this development is relevant to the Essex Coast RAMS, we note that the LPA has prepared a project level HRA Appropriate Assessment to secure a per dwelling tariff by a legal agreement for delivery of visitor management measures at the designated sites. This will mitigate for predicted recreational impacts in combination with other plans and projects and avoid Adverse Effect on Integrity of the designated Habitats sites.

This is needed to enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

We look forward to working with the LPA and the applicant to receive the additional information required to support a lawful decision and overcome our holding objection.

Natural England

22.02.2024

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

DESIGNATED SITES [EUROPEAN] - NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION

This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for one or more European designated sites, such as Essex Coast RAMS. It is anticipated that new residential development within this ZOI is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development. On this basis the development will require an appropriate assessment.

Your authority has measures in place to manage these potential impacts in the form of a strategic solution Natural England has advised that this solution will (in our view) be reliable and effective in preventing adverse effects on the integrity of those European Site(s) falling within the ZOI from the recreational impacts associated with this residential development.

This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

Natural England advises that the specific measures (including financial contributions) identified in the strategic solution can prevent harmful effects from increased recreational pressure on those European Site within the ZOI.

Natural England is of the view that if these measures are implemented, they will be effective and sufficiently certain to prevent an adverse impact on the integrity of those European Site(s) within the ZOI for the duration of the proposed development.

The appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites as highlighted above (in view of its conservation objectives) with regards to recreational disturbance, on the basis that the strategic solution will be implemented by way of mitigation.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects likely to occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions. If all mitigation measures are appropriately secured, we are satisfied that there will be no adverse impact on the sites from recreational pressure.

If the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant, it is your responsibility (as the competent authority) to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

Natural England should continue to be consulted on all proposals where provision of site specific SANGS (Suitable Alternative Natural Green Space) or other bespoke mitigation for recreational impacts that falls outside of the strategic solution is included as part of the proposal. We would also strongly recommend that applicants proposing site specific infrastructure including SANGs seek pre application advice from Natural England through its Discretionary Advice Service. If your consultation is regarding bespoke site-specific mitigation, please reconsult Natural England putting 'Bespoke Mitigation' in the email header.

Reserved Matters applications, and in some cases the discharge/removal/variation of conditions, where the permission was granted prior to the introduction of the Strategic Solution, should also be subject to the requirements of the Habitats Regulations and our advice above applies.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

ECC Highways Dept

10.11.2023

The information submitted with the application has been assessed by the Highway Authority and conclusions have been drawn from a desktop study with the observations below based on submitted material. A site visit was undertaken in conjunction with another planning application. It is noted that no new or altered means of vehicular access is proposed for this application and the proposal will utilise an existing, well established, access, which not only serves the agricultural unit and respective farm house but also the farm shop and attendant visitor parking via Tendring Road. The Highway Authority did not raise an objection in relation to the farm shop application in 2018 (reference 18/01609/FUL). It is also noted that a significant area for parking and turning of vehicles is available within site entrance, while adequate parking is being provided for each holiday lodge. It is not considered that this proposal, which will be seasonal, would give rise to a significant increase in vehicle movements to and from the site or result in a material change in the character of the traffic in the vicinity of the site, 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. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

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

2. The proposed development shall not be occupied until such time as the single-track

driveway has been constructed of loose permeable material to service each lodge and the vehicle parking area indicated on the approved plans, for each holiday lodge, has been completed in a loose permeable material. 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 satisfactory access is provided for the safety of residents and the public, in the interests of highway safety and that appropriate parking is provided 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.

Informative:

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

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: 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 and 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.

Tree & Landscape Officer

10.11.2023

The main body of the application site is set to grass and does not contain any trees or other significant vegetation.

The application site is contained by existing field boundaries that are demarcated by established countryside hedgerows. The hedgerows currently provide a good level of screening.

The scale and extent of the proposed development is such that it is unlikely to have a significant adverse impact on the local landscape character.

Taking into account the benefits provided by existing vegetation there appears to be little public benefit to be gained by additional soft landscaping associated with the development proposal. However, the Block Plan shows screening between the proposed units by way on soft landscaping and it would be desirable to ensure that appropriate species are used for this purpose.

Therefore, should planning permission be likely to be granted then details of soft landscaping should be secured by a planning condition.

Environmental Protection**13.11.2023**

With reference to the above application, I can advise the EP Team have the following comments to make, along with a query of which we would like confirmation on before finalising our comments:

Construction Method Statement: I can advise we are satisfied with the submitted CMS and have no adverse comments to make.

*INFORMATIVE Foul Drainage: The submitted planning statement advises a Sewerage Treatment Plant will be utilised as a way of disposing of foul waste; we would request, should the application be approved, that the Applicant / Agent, ensure the installation is fully compliant with the Environment Agency's Binding Rules and any other relevant Government guidance and British standards, in respect of these systems. Information on this can be found at: Septic tanks and treatment plants: permits and general binding rules: The general binding rules - GOV.UK (www.gov.uk). It is strongly recommended these rules are complied with, as they will minimise any potential nuisance to nearby residential dwellings, assist in preventing a potential Public Health nuisance, and minimise the potential for adverse incidents, of which may result in formal enforcement action.

QUERY: Section 5.1 of the submitted planning statement outlines that the units "benefit from electricity and water from a local source". The EP Team are requesting confirmation of the source of the water in relation to this proposal to establish whether water that is distributed to the units is sourced from a nearby private water supply or if it will be provided by the local Water Authority.

Once we have received confirmation of the source, we will be able to provide an informed response to this proposal.

Essex County Council Ecology**30.01.2024 (additional comments)**

No objection subject to securing:

- a) a proportionate financial contribution towards Essex Coast RAMS
- b) biodiversity mitigation and enhancement measures

Summary

Further to our comments on the 22nd November 2023, we have reviewed the Photos sent by the agent (Stanfords, January 2023) and Email from Stanfords (2nd January 2024) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures.

The site falls within the evidenced recreational Zone of Influence (ZOI) of Essex Coast RAMS. Given the holiday element of this development is relevant, we note that the LPA has prepared a project level HRA Appropriate Assessment to secure a per dwelling tariff by a legal agreement for delivery of visitor management measures at the designated sites. This will mitigate for predicted recreational impacts in combination with other plans and projects and avoid Adverse Effect on Integrity of the designated Habitats sites.

We are now satisfied that there is sufficient ecological information available for determination of this application.

We note that the Photos sent by the agent (Stanfords, January 2023) and Email from Stanfords (2nd January 2024) explains that the pond adjacent to the site has been recently

dredged and reprofiled. However, the adjacent waterbody still appears that it could be potentially suitable for Great Crested Newt, a European Protected Species. Furthermore, we also note that the site lays within an Amber Risk Zone for Great Crested Newt as shown on the Great Crested Newt Risk Zones (Essex) | GCN Risk Zones (Essex) | Natural England Open Data Geoportal (arcgis.com) and a further two potentially suitable waterbodies present within 250m. However, it is also noted that little suitable terrestrial habitat is likely present onsite with potentially suitable habitat present to the south of the pond. Therefore, due to the type of development and area impacted, we recommend that potential impacts upon GCN are managed under a precautionary non-licenced method statement for GCN, including storage of materials. This precautionary non-licenced method statement should be prepared by a suitably qualified ecologist and secured by condition of consent.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

We also support reasonable biodiversity enhancements, which are recommended to secure net gains for biodiversity, as outlined under Paragraph 180d of the National Planning Policy Framework (December 2023). The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013.

We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended Conditions.

1. PRIOR TO COMMENCEMENT: NON-LICENCED GREAT CRESTED NEWT METHOD STATEMENT

"A Great Crested Newt Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newt during the construction phase.

The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter."

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).

2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

"A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

a) Purpose and conservation objectives for the proposed enhancement measures;

- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
- d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- e) persons responsible for implementing the enhancement measures;
- f) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter."

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (Priority habitats & species).

7. Representations

- 7.1 Tendring Parish Council neither support nor object to the application, but highlight that the protection of wildlife must be a priority and also note concerns relating to visibility splays due to the fencing associated with a neighbouring property.
- 7.2 There have been no further letters of representation received.

8. Assessment

- 8.1 The application site is land located on the northern side of Heath Road within the Parish of Tendring. The application site benefits from an existing access off Heath Road that serves the adjoining land and stables which is also in the applicant's name. The site currently accommodates a grassed bund forming the boundary to the north, a stable block, a ménage/holding pen, pig pens, poultry sheds, a multipurpose hay barn, a cow barn, a farm shop, and a dwelling associated with the agricultural use of the site. The western boundary of the site is marked by mature hedgerow that screens views into the site from the highway.
- 8.2 The surrounding area is predominantly rural in character, with large areas of agricultural land to the north and east; however there are examples of built form to the west and south. The site is not situated within a recognised Settlement Development Boundary within the adopted Local Plan 2013-2033.
- 8.3 The specific area of the wider site relating to this application is the southern section, which is largely open with a pond located centrally. To the eastern and southern boundaries are bunding.

Planning History

- 8.4 The wider application site (notably to the north of the current application site) has numerous recent planning permissions to facilitate the expansion of the business. Notably, under planning permissions 11/00423/FUL and 12/00192/FUL multi-purpose hay barns, under 15/00599/FUL, 15/01871/FUL and 16/00280/FUL the erection of cow sheds, under 17/01309/OUT and 18/00130/DETAIL the erection of a rural worker dwelling, and under 18/01609/FUL the erection of a farm shop.

Description of Proposal

- 8.5 This application seeks planning permission for the change of use of land for holiday purposes, and the erection of five detached lodges, which are all to be sited to the north of the existing pond and finished in black timber boarding and clay pantiles. Each lodge will be served by one bedroom, a bathroom and kitchen/living room area, as well as a decking area, with the five combined lodges to have a total floorspace of 221sqm.

8.6 The lodges are static caravans and not buildings in planning terms by reason of their size, ability to be constructed off site in one or two parts and placement on the site. Therefore, the application is for the change of use of the land for C3 residential use for the placement of the caravan/lodges. The use of the land is residential C3 use but proposed to be restricted to only allow occupation by those on holiday and not using the site as a main home. On this basis the proposal is for residential use in the countryside, but with a material consideration that it may support tourism interests.

Tourism

- 8.7 The site lies outside the Settlement Development Boundary (SDB) for Tendring as shown in the adopted Tendring District Local Plan 2013-2033 and Beyond and is therefore located within the countryside for the purposes of applying adopted plan policy. Overarchingly, Policies SP1, SP3, SPL1 and SPL2 of the adopted Local Plan seek to direct growth to existing settlements in favour of the presumption of sustainable development. Specific to this development proposal, the relevant part of Policy SPL 2 states 'outside of Settlement Development Boundaries, the Council will consider any planning application in relation to the pattern and scales of growth promoted through the Settlement Hierarchy in Policy SPL1 and any other relevant policies in this plan'.
- 8.8 The NPPF (2023) promotes a strong, competitive economy stating that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt, whereby paragraph 85 of the Framework states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. In terms of supporting a prosperous rural economy, paragraph 88 states that planning policies and decisions should enable (a) the sustainable growth and expansion of all type of business in rural areas both through the conversion of existing buildings and well-designed new buildings, (b) the development and diversification of agricultural and other land-based rural businesses and (c) sustainable rural tourism...which respect the character of the countryside. Paragraph 89 adds that, "Planning policies and decisions should recognise that sites to meet business...needs in rural areas may have to be found adjacent or beyond existing settlements, and in locations that are not well served by public transport", adding that it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable, concluding that the use of previously developed land and sites that are physically well-related to existing settlements should be encouraged where suitable opportunities exist.
- 8.9 Policy SP5, Section 1 of the adopted Local Plan seeks to support a strong, sustainable and diverse economy across North Essex with the relevant local planning authorities pursuing a flexible approach to economic sectors showing growth potential across the Plan period.
- 8.10 Policy PP8, Section 2 seeks to promote tourism within Tendring District whereby the policy states that 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. Policy PP8 also states 'to maintain and deliver a range of accommodation that meets the varying needs, demands and expectations of potential visitors to the Tendring District, proposals that involve the creation of visitor accommodation will be assessed based on policies set out in this Local Plan'. However, the policies of the local plan regarding residential accommodation directs this mainly to settlement boundaries and so it is not clear if the policy should be interpreted as allowing an exception for accommodation if restricted to holiday let, or not.
- 8.11 Residential use restricted to holiday lets are not specifically mentioned in the types of tourism opportunities which are mentioned in the pre-ambles to Policy PP8 to be promoted within the district, unlike hotels and self-catering accommodation (where Policy PP9 states that the Council will support proposals for new hotels and guesthouses within defined centres and along seafronts)

- 8.12 Policy PP10 refers to touring caravans and camping, but not static caravans and so is not applicable. PP11 does refer to Holiday Parks and provides 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. To ensure that new caravan and chalet developments are not used for permanent residential dwellings, the Council will impose holiday occupancy conditions and limit use to certain periods of the year. For the proposed development of lodges (static caravans) this appears to provide some potential support, but five lodges without supporting facilities and services may not be considered as a Holiday Park attraction; at the scale and layout proposed it is simply a base to stay to visit other attractions in the area. The policy is not clear on the definition of holiday park to be certain this could apply. If it does apply, the planning authority needs to be certain that five units would help and diversify the tourist economy.
- 8.13 Other material planning considerations include a recent appeal decision (reference APP/P1560/W/23/3321142 – Land adj Willowell, Spring Valley Lane, Ardleigh – 8th January 2024) that has allowed the conversion of a stable block into two holiday units. While the two schemes differ in that the appeal decision relates to the conversion/re-use of an existing building as opposed to new built form, the Inspector in reaching their conclusion was clear that Policy PP13 “*supports growth in the rural economy and allows certain types of development in the countryside outside the defined Settlement Development Boundaries*” and that “*a condition restricting occupancy of the units would ensure that they are used only as holiday lets and not mainstream housing*”, before concluding that the development would support economic growth, including sustainable rural tourism and the growth of rural businesses.
- 8.14 While this was for conversion of a building and that would have been weighted in the balance, this appeal links holiday accommodation to be regarded as tourism despite PP13 not specifically stating holiday accommodation being acceptable or in the policy. A similar approach may be potentially taken with other policies in the local plan. In light of this recent appeal decision, as well as the uncertainty around the definition of holiday park or the understanding of PP8 and visitor accommodation placement, officers consider that the local plan is unclear and it is difficult to assess if this small scale proposal is a departure.
- 8.15 The proposed development of five holiday lodges would result in a small boost to the tourism offering within the District, thereby supporting economic growth and tourism. Furthermore, the site is adjacent to a bus route and there is also a farm shop on the wider site to the north. If considered to be a development that support the principles of tourism that aligns with the local plan as a whole that seeks to support allowing residential development in a form of holiday accommodation in various forms, it may be considered not to be a departure. However, if considered to be a departure the merits of the proposal as explored further in this report below do not result in planning harm that officers feel should warrant refusal, providing the use is restricted to holiday let use only to avoid unsustainable permanent residential use.

Impact to Character of Area

- 8.16 Paragraph 135 of the National Planning Policy Framework (NPPF) (2023) states 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. Paragraph 180(b) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.
- 8.17 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. Adopted Policy SPL3 Part A (b) requires that development relates well to its site and surroundings, particularly in relation to its siting, height, scale, massing, form, design and materials.

- 8.18 Adopted Policy PPL3 confirms the Council will protect the rural landscape and refuse planning permission for any proposed development which would cause overriding harm to its character or appearance.
- 8.19 The proposed development is sited to the southern section of the wider site, to the north of Heath Road. On this occasion, Officers acknowledge that the site is currently well screened by existing field boundaries that are demarcated by established countryside hedgerows, and the development itself is of a low-key nature that would not be particularly visible from any views beyond the confines of the site. Furthermore, the design of the lodges is such that it would assimilate well within the rural surrounds, with the black timber boarding and clay pantile materials also in-keeping with the existing built form within the wider site and is also what would be expected in such a location. Officers, therefore, raise no objections in relation to the design and impact to the character of the area, although do recommend conditions to secure full details of soft landscaping.

Impact on Residential Amenity

- 8.20 Paragraph 135 of the National Planning Policy Framework (2023) confirms planning policies and decisions 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.
- 8.21 Policy SP7 of Section 1 of the 2013-33 Local Plan requires that the amenity of existing and future residents is protected. Section 2 Policy SPL 3 (Part C) seeks to ensure that development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.
- 8.22 The application is well contained and is set a significant separation distance apart from the residential properties located to the south and west of the site. Therefore, the only neighbouring property potentially impacted upon is that to the north, which is owned and occupied by the applicant. That notwithstanding, the development is sited approximately 125 metres apart and is low-key in nature; given this, Officers do not consider there to be significant harm in respect of the development appearing overbearing or resulting in a significant level of overlooking or loss of daylight/sunlight. It is noted the proposal would generate some vehicular movements that could generate a degree of noise pollution, but this is not considered to be to such a level that it would warrant recommending a reason for refusal.

Impact on Highway Safety

- 8.23 Paragraph 114 of the National Planning Policy Framework (2023) seeks to ensure that safe and suitable access to a development site can be achieved for all users. Paragraph 115 of the Framework states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.24 Policy SPL3 (Part B) of the Adopted Local Plan seeks to ensure that access to a new development site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate, and provision is made for adequate vehicle and cycle parking.
- 8.25 Adopted Policy CP1 (Sustainable Transport and Accessibility) states proposals for new development must be sustainable in terms of transport and accessibility and therefore should include and encourage opportunities for access to sustainable modes of transport, including walking, cycling and public transport.
- 8.26 ECC Highways, upon consultation, have confirmed that from a highway and transportation perspective, the impact of the proposal is acceptable subject to a condition relating to the single-track driveway being laid with permeable material.

8.27 Furthermore, the proposal allows for a total of ten parking spaces (two for each lodge), sited adjacent to each lodge. Officers are content that the parking provision is sufficient so do not object on these grounds.

Impact on Protected Species

8.28 Paragraph 180 of the Framework states planning decisions should contribute to and enhance the natural and local environment, by minimising impacts and providing net gains for biodiversity. Paragraph 186(a) of the NPPF confirms that in assessing planning applications where significant harm to biodiversity as a result of a development cannot be avoided, adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.

8.29 Adopted Policy SP7 requires that all new development should incorporate biodiversity creation and enhancement measures. Adopted Policy SPL3 Part A(d) includes that the design and layout of development should maintain or enhance ecological value.

8.30 Adopted Policy PPL4 states that proposals for new development should be supported by an appropriate ecological assessment, and where new development would harm biodiversity or geodiversity, planning permission will only be granted in exceptional circumstances, where the benefits of the development demonstrably outweigh the harm caused and where adequate mitigation or, as a last resort, compensation measures are included, to ensure a net gain, in biodiversity.

8.31 ECC Place Services (Ecology) have been consulted on the application, and initially raised a holding objection on the grounds that the application contains insufficient information for the local planning authority to determine the application. Specifically, they requested the submission of a Preliminary Ecological Appraisal to provide adequate assessment of the proposal to inform the need for any further surveys and, if necessary, mitigation and compensation for impacts from this application. However, despite this being requested by Officers, the agent for the application has not provided this, instead highlighting that the pond adjacent to the proposed lodges has recently been dredged and remodelled prior to the submission of the application, with no sign of any Great Crested Newts or other suitable habitat being evident.

8.32 Following this, ECC Place Services (Ecology) were again consulted following the additional comments provided, and they have confirmed that following receipt of this additional information they are satisfied that there is sufficient ecological information available for the determination of the application, and they raise no objections. They have, however, recommended a condition requesting a Great Crested Newt Method Statement given that the adjacent pond could be potentially suitable for Great Crested Newt. A further condition requesting a Biodiversity Enhancement Strategy is also requested.

Foul Drainage

8.33 Paragraph 174 of the Framework states that planning policies and decisions should contribute to and enhance the natural and local environment by preventing new development from contributing to unacceptable levels of water pollution. Furthermore, Paragraph 185 of the Framework states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects of pollution on the natural environment.

8.34 Policy PPL5 of Section 2 of the adopted Local Plan states that all new development must make adequate provision for drainage and sewerage. Private sewage treatment facilities will not be permitted if there is an accessible public foul sewer. Where private sewage treatment facilities are the only practical option for sewage disposal, they will only be permitted where there would be no harm to the environment, having regard to preventing pollution of groundwater and any watercourses and odour.

8.35 The agent for the application has confirmed via the application form that the development would be connected to the existing public foul sewer. This is in accordance with the above policy requirements and is therefore considered to be acceptable in the event of an approval.

Renewable Energy

8.36 Paragraph 116 of the Framework states that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles (ULEV) in safe, accessible and convenient locations. However, recent UK Government announcements that ULEV charging points will become mandatory for new development have yet to be published.

8.37 Policies PPL10 and SPL3, together, require consideration be given to renewable energy generation and conservation measures. Proposals for new development of any type should consider the potential for a range of renewable energy generation solutions, appropriate to the building(s), site and its location, and be designed to facilitate the retro-fitting of renewable energy installations.

8.38 The proposal includes for a development that has the potential to incorporate renewable energy features, albeit to a reduced extent given the nature of proposal. The submission is accompanied with details outlining EV charging points, and while there are no other details that accompany the planning application, on this occasion officers are content that this information is sufficient. A condition requesting details of this is therefore not suggested.

Legal Obligation – RAMS

8.39 Under the Habitats Regulations, a development which is likely to have a significant effect or an adverse effect (alone or in combination) on a European designated site must provide mitigation or otherwise must satisfy the tests of demonstrating 'no alternatives' and 'reasons of overriding public interest'. There is no precedent for a residential development meeting those tests, which means that all residential development must provide mitigation.

8.40 The application scheme proposes a residential use on a site that lies within the Zone of Influence (ZoI) being approximately 5.7 kilometres from Hamford Water SPA and RAMSAR. New housing development within the ZoI would be likely to increase the number of recreational visitors to these sites and in combination with other developments it is likely that the proposal would have significant effects on the designated site. Mitigation measures must therefore be secured prior to occupation.

8.41 A unilateral undertaking has been prepared to secure this legal obligation. This will ensure that the development would not adversely affect the integrity of European Designated Sites in accordance with Section 1 Policy SP2 and Section 2 Policy PPL4 of the Tendring District Local Plan 2013-2033 and Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

9. Conclusion

9.1 The application proposes the erection of five holiday lodges on a site outside of a Settlement Development Boundary. Policies contained within the Local Plan do not specifically mention holiday lets in the types of tourism opportunities to be promoted within the district, and overall are not clear whether a small-scale proposal such as this represents a departure. A recent appeal decision allowed the conversion of a stable block into two holiday units, and while this differs from the current application it does add some weight to the acceptability of the scheme. Further, the proposal is considered to result in a small boost to the tourism offering within the District, and is also not within an isolated and unsustainable location.

9.2 If it is considered that the development represents a departure from the Local Plan, planning harm has not been identified as no objections are raised in regard to the impact to the character of the

area or to the impacts to neighbouring amenities, and ECC Highways raise no objections. Whilst ECC Ecology initially had concerns, additional information provided by the agent for the application has since addressed this.

- 9.3 Taking the above into consideration, the application is considered to be compliant with local and national planning policies, and is therefore recommended for approval.

10. Recommendation

- 10.1 The Planning Committee is recommended to grant planning permission subject to the following conditions and informatives.

10.2 Conditions and Reasons

- 1 **CONDITION:** The development hereby permitted shall be begun not later 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

- 2 **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.

Drawing Number 01 Revision C, the documents titled 'Construction Method Statement', 'Electric Vehicle Charging', 'Klargester BioDisc Domestic Sewage Treatment Plant', 'Planning Statement and Tourism Appraisal', and the untitled Site Location Plan received 14th September 2023.

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.

- 3 CONDITION: The hereby approved development shall not be occupied until such time as the single-track driveway has been constructed of loose permeable material to service each lodge and the vehicle parking area indicated on the approved plans, for each holiday lodge, has been completed in a loose permeable material. The vehicle parking area and associated turning area shall be retained in this form at all times, and 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 first having been agreed in writing by the Local Planning Authority.

REASON: To ensure that satisfactory access is provided for the safety of residents and the public, in the interests of highway safety.

- 4 CONDITION: Prior to first occupation of the hereby approved development, a Great Crested Newt Method Statement shall be submitted to, and approved in writing by, the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newt during the construction phase. The approved measures and/works shall be carried out in full accordance with the approved details and shall be retained in that manner thereafter.

REASON: In order to safeguard protected wildlife species and their habitats in accordance with the NPPF and Habitats Regulations.

- 5 CONDITION: Prior to first occupation of the hereby approved development, a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
- d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- e) persons responsible for implementing the enhancement measures;
- f) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

REASON: To enhance protected and Priority species and habitats.

- 6 CONDITION: The development site hereby approved is exclusively designated for holiday purposes of the occupier/s only and shall not be utilised as a person's sole or main place of residence nor permanent residential dwelling of individuals not engaged in such holiday purpose at any time, including any other purpose in Class C3 of the Schedule to the Town and Country

Planning (Use Classes) Order 1987 as amended. Furthermore, the following restrictions shall apply:-

1. Occupation Period: The duration of occupation by any one person shall not exceed more than 100 days in any given year (Jan to Dec) and no continuous occupation period of an individual person shall exceed 28 days without a break of at least 7 days between occupation.
2. Primary Residence Prohibition: The approved development site shall only be occupied by persons who have available an alternative primary residential address, it shall not be utilised as a person's sole or main place of residence.
3. Register of Occupants: A comprehensive register containing the names, full details of permanent home addresses, and vehicle registrations (if travelling by car) of occupants shall be maintained for all periods of occupation each year. This register must be made available to the Local Planning Authority for inspection at any time in a form that can be digitally provided upon request, and all records shall be retained for a minimum of ten years.

REASON: The site of the permission is outside any area where planning permission would normally be forthcoming for residential development without either harm or conflict with planning policies. The development is expressly permitted for holiday use to contribute significantly to local tourism and the economic well-being of the area. This contribution is considered paramount, justifying the exceptional approval of this development that would otherwise be a departure of the Local Plan and unsustainable development.

NOTE FOR CONDITION: Holiday Purpose: This term refers to the usage of the development site for short-term stays, primarily for recreational or leisure purposes, individuals occupying the site are doing so for holidays and vacations. Continuous Occupation: Continuous occupation, as mentioned in the condition, indicates the uninterrupted stay of an individual on the development site. In this context, the condition restricts the continuous occupation of any individual person to no more than 28 days without a break of at least 7 days between periods of occupation. This restriction is designed to ensure that the site is not used as a permanent residence and aligns with its intended holiday purpose to generate active tourism within the District.

- 7 CONDITION: At no time shall there be any more than the hereby approved five units on site, unless having first been agreed, in writing, by the Local Planning Authority.

REASON: To ensure that the site is not expanded to the detriment of visual amenity.

- 8 CONDITION: Prior to the erection/installation of any floodlighting or other means of external lighting at the site, details to include position, height, aiming points, lighting levels and a polar luminance diagram shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall be carried out and retained as may be approved. There shall be no other means of external lighting installed and/or operated on/at the site except that approved.

REASON: In the interests of amenity to reduce the impact of night time illumination on the character of the area and in the interests of biodiversity.

- 9 CONDITION: No development above slab level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site, which shall include any proposed changes in ground levels.

REASON: In the interests of visual amenity and the character and appearance of the area.

NOTE/S FOR CONDITION:

Slab level is normally refers to the concrete slab supported on foundations or directly on the subsoil and is used to construct the ground floor of the development. In any other case, please

assume slab level to be the point before any walls and/or development can be visually above ground level or seek confirmation from the Local Planning Authority for your development.

Should the landscape works include any new hedgerow, please consider the following planting for a native hedge. Native hedge: 50% hawthorn, 25% blackthorn (but beware - this can spread into adjacent fields), 15% field maple, 2% holly, 2% wild privet, 2% guelder rose, 2% dog rose, 2% buckthorn.

- 10 **CONDITION:** All changes in ground levels, soft/hard landscaping shown on the approved landscaping details 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.

10.3 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 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

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: 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 and 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.

11. Additional Considerations

Equality Impact Assessment

- 11.1 In making this recommendation/decision regard must be had to the public sector equality duty (PSED) under section 149 of the Equality Act 2010 (as amended). This means that the Council

must have due regard to the need in discharging its functions that in summary include A) Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act; B. Advance equality of opportunity between people who share a protected characteristic* (See Table) and those who do not; C. Foster good relations between people who share a protected characteristic* and those who do not, including tackling prejudice and promoting understanding.

11.2 It is vital to note that the PSED and associated legislation are a significant consideration and material planning consideration in the decision-making process. This is applicable to all planning decisions including prior approvals, outline, full, adverts, listed buildings etc. It does not impose an obligation to achieve the outcomes outlined in Section 149. Section 149 represents just one of several factors to be weighed against other pertinent considerations.

11.3 In the present context, it has been carefully evaluated that the recommendation articulated in this report and the consequent decision are not expected to disproportionately affect any protected characteristic* adversely. The PSED has been duly considered and given the necessary regard, as expounded below.

Protected Characteristics *	Analysis	Impact
Age	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Disability	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Gender Reassignment	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Marriage or Civil Partnership	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Pregnancy and Maternity	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Race (Including colour, nationality and ethnic or national origin)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sexual Orientation	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sex (gender)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Religion or Belief	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral

Human Rights

11.4 In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998 (as amended). Under the Act, it is unlawful for a public authority such as the Tendring District Council to act in a manner that is incompatible with the European Convention on Human Rights.

11.5 You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property) and Article 14 (right to freedom from discrimination).

11.6 It is not considered that the recommendation to grant permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence or freedom from discrimination except insofar as it is necessary to protect the rights and freedoms of others (in

this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Finance Implications

- 11.7 Local finance considerations are a matter to which local planning authorities are to have regard in determining planning applications, as far as they are material to the application.
- 11.8 The New Homes Bonus (NHB) is one local finance consideration capable of being a material consideration to which the weight given shall be determined by the decision maker. The NHB is a payment to local authorities to match the Council Tax of net new dwellings built, paid by Central Government over six consecutive years. In this instance, it is not considered to have any significant weight attached to it that would outweigh the other considerations.

12. Background Papers

- 12.1 In making this recommendation, officers have considered all plans, documents, reports and supporting information submitted with the application together with any amended documentation. Additional information considered relevant to the assessment of the application (as referenced within the report) also form background papers. All such information is available to view on the planning file using the application reference number via the Council's Public Access system by following this link <https://idox.tendringdc.gov.uk/online-applications/>.