

TENDRING DISTRICT COUNCIL

PLANNING COMMITTEE

ALTERATIONS AND ADDITIONS TO PLANNING COMMITTEE

04th February 2025

Item No. A.1

24/01384/OUT – Colchester Institute The Clacton Campus Church Road Clacton On Sea Essex CO15 6JQ

Conservation Area status

Paragraph 8.26 of the committee report confirms that the site is proposed for removal from the Clacton Seafront Conservation Area (CSCA) within the latest draft of the CSCA Appraisal (2021). That draft was agreed by Cabinet on Friday (31/01/2025) but Members have one week to call that decision in to Full Council. The draft cannot therefore be adopted before 08/02/2025. At Planning Committee on 04/02/2025 the site therefore remains within the CSCA and subject to the statutory duty and policy considerations explained within the committee report. The decision by Cabinet to agree the draft, which includes removing this site from the CSCA, is a material consideration.

Change to condition wording

Minor change to wording of condition 5 (RAMS) to make it pre-commencement rather than pre-occupation:

05. PRE-COMMENCEMENT CONDITION: MITIGATION TO BE AGREED, RAMS

CONDITION: The hereby approved development shall not be first **commenced** until detailed proposals addressing the mitigation of the development's impact on protected Essex Habitats Sites have been submitted to and received written approval from the Local Planning Authority. Such proposals must provide and secure mitigation in accordance with the joint Habitats Regulations Assessment Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) or demonstrate mitigation measures of an equivalent effectiveness to the satisfactory of the Local Planning Authority. For any on site mitigation proposals approved, it shall be carried out in full prior to first occupation, and thereafter shall be maintained as approved.

REASON: In order to safeguard protected wildlife species and their habitats in accordance with the NPPF and Habitats Regulations. Failure to achieve satisfactory mitigation would result in harm by new residents due to the development's impact on protected sites meaning the development must mitigate the burden of development regardless of scale of impact.

NOTE/S FOR CONDITION:

This condition establishes the necessity to ensure the implementation of appropriate mitigation measures due to the impact of the approved development. Such mitigation may be required on-site, off-site, or a combination of both.

Typically, a contribution towards visitor management measures at the protected Habitats Site(s) may be the preferred and simplest approach to fulfil the requirements of this condition. To fulfil this requirement, you can contribute funds towards a range of mitigation projects in the protected areas. It is essential to secure this provision through a legal agreement between the District Council, Developer/Applicant, and site owners before occupation. If this is the approach to fulfilling this condition you wish to take, you are strongly advised to finalise the legal agreement with the District Council before submitting any request to discharge this condition. Should this be the route chosen, failure to conclude the agreement within the discharge of condition application timeframe may lead to the refusal to discharge the condition. Please note if there are other obligations needed for this development, for example to secure monitoring and maintenance of a Biodiversity Net Gain Plan, you may wish to combine these together as one agreement. Furthermore, please also note a legal agreement will include legal fees and may require obligations to secure monitoring and associated fees.

Item No. A.3

24/01716/FUL - Milton Road Car Park Milton Road Dovercourt Essex CO12 3LA

No updates.

Item No. A.5

24/01596/FUL - Car Park/Skate Park Clacton Leisure Centre Vista Road Clacton On Sea Essex CO15 6DJ

Paragraph 7.5 – Minor change to wording should read 8 metres and not 12 metres high.

Item No. A.6

24/01761/FUL - Outside 137/139 Old Road Clacton On Sea Essex CO15 3AX

Paragraph 7.5 – Minor change to wording should read 8 metres and not 12 metres high.

Item No. A.7

24/01763/FUL - Adjacent to 37 High Street Opposite Former Post Office Clacton On Sea Essex CO15 6PL

Paragraph 7.5 – Minor change to wording should read 8 metres and not 12 metres high.

Item No. A.8

24/01764/FUL - Outside 48 Wellesley Road Clacton On Sea Essex CO15 3PJ

No Updates

Item No. A.9

24/01765/FUL - Opposite Orwell Road Marine Parade East Clacton On Sea Essex CO15 1PR

No Updates