

25/00142*DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Planning Officer recommendation:	MP	11/06/2025
EIA Development - Notify Planning Casework Unit of Decision:	N/A	
Pre-commencement condition agreement:	N/A	
Team Leader authorisation / sign off:	AN	12/06/25
Assistant Planner final checks and despatch:	ER	12/06/2025

Application: 25/00142/FUL **Town / Parish:** Little Oakley Parish Council

Applicant: Mr P Millington - Claxton Planning Services

Address: Land adjacent to Rectory Road Little Oakley

Development: Erection of dog grooming unit in association with existing dog walking facility.

1. Town / Parish Council

Little Oakley Parish Council OBJECT to this application on the following grounds:

1. The unit's character, appearance and it's setting. The Parish Council is of the opinion that the box will NOT 'preserve and enhance the quality of Little Oakley and the wider environment, as stated in the planning statement. It fears that the unit will be an unclad tin box totally out of character for the area, especially so close to the Grade II listed building 'The White House' which could cause it 'significant harm'. The planning statement gives the distance away from The White House as 250 metres. This is INCORRECT. It is only 25 metres away. The planning statement says that it will use 'appropriate materials and finishes' and the application form refers the materials and finishes proposed to the supporting drawings, but none are listed on the drawings, giving fear of the unclad tin box. The proposed Portaloo will further denigrate the area.

2. The discharge of waste water / foul water. The application form states that foul sewage will be disposed of in the mains sewer. The Parish Council can categorically confirm that there is no mains sewer in this part of Rectory Road and are therefore concerned as to what will be done with the huge amount of waste water that comes with such a business. The water table in this area is very high and it is a clay soil leading to regular flooding of Rectory Road.

3. Additional traffic and parking. The unit will be situated off Rectory Road which is classed by Highways as 'Unclassified'. It is, for most of it's length, and especially in the vicinity of the proposed unit, a single track road and unsuitable for additional traffic. The planning statement is again misleading and factually incorrect when it states that Rectory Road is 'a wide carriageway that can accommodate two way traffic'. The Parish Council is also concerned that the two allocated parking spaces is a gross underestimation of what will be required in reality and that their vision of staff car sharing and the interweaving clientele of the existing dog walking business and new dog grooming business is a pipe dream.

We would be grateful if you could include our comments for consideration.

2. Consultation Responses

ECC Highways Dept
17.02.2025

The information that was submitted in association with the application has been fully considered by the Highway Authority. The information submitted with the application has been thoroughly assessed and conclusions have been drawn from a desktop study with the observations below based on submitted material and google earth image.

Given the scale of the proposal, from a highway and transportation perspective the dog grooming unit is acceptable to the Highway Authority.

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

Environmental Protection
17.02.2025

With reference to the above application; I have had the chance to review the submitted documents and have the following observations -

Discharge of Waste Water - the submitted application form states that the disposal of waste water, produced from the proposed activities, will be discharged into the mains sewer. However, a submitted objection from the local Parish Council indicates there are no provisions within that area for discharging into the mains. The EP Team have reviewed the Anglian Water assets mapping system for that area and there do not appear to be any assets shown on their system. In relation to surface water runoff, the form advises that this is currently via a soak away. As a result of the lack of confirmation in relation to the proposals for drainage, the EP Team are requesting further information be submitted to confirm the proposal in this regard, so as to allow us the opportunity to submit an informed response to the application.

Refuse removal from commercial premises - The application form outlines there are currently no intended provisions for the storage of waste generated by the proposal, or a waste disposal plan. Given the proposal will generate a mixture of waste, including that of dogs' excrement on site? It must also be noted, in line with all commercial waste, it must be removed from site on a regular basis by a licensed waste carrier and disposed of at a licensed waste disposal site. Further information in relation to this should be submitted, before the EP Team are able to respond to this element of the application.

Once we have this information, we will be better placed to offer formal comments in relation to Environmental Health consultation process.

Essex County Council
Heritage
01.05.2025

The application is for the erection of a dog grooming unit in association with an existing dog walking facility, that has been permitted use under the previous application referenced 22/01211/FUL.

The new development is located within the setting of the following Grade II Listed Buildings:

- oThe White House (List Entry No. 1322615), and
- oLittle Oakley Rectory (List Entry No. 1112102).

Positive elements of the Listed Building's settings can contribute to and reveal their significance. The wooded surroundings of Little

Oakley Rectory, which creates a sense of seclusion, and the open agrarian landscape surrounding The White House, that had a functional relationship with the former farmhouse, are both positive elements of their settings. Therefore, any new development that affects these positive elements of the Listed Building's setting has the potential to impact their significance, and the way that the Listed Buildings can be appreciated and experienced. Given the distance to the site and established tree planting surrounding Little Oakley Rectory, the proposal is not considered to cause any harmful impacts to the setting of this Listed Building.

However, there is no support for the erection of the dog grooming unit in the positioning and modular form proposed, this is because the new massing would appear incongruous in the agrarian landscape due to its non-traditional character (in terms of materiality and form) and would spread new built form across the open landscape that has been historically associated to 'The White House'.

The 1838 Tithe Map shows that the site and the enclosed dog walking area consists of land that was historically in the ownership of 'The White House', being part of Plots 17 (a Stable Pightle) and 22 (recorded as Upper Sandpit). The farmhouse's principal elevation faces towards this land to the north which has maintained a generally open aspect. It is notable that the land adjacent to the site with the shared vehicular access would have been Plot 16 where there was historically built form.

As such, it will diminish the ability to appreciate how the Listed Building, a former farmhouse, historically overlooked and worked this land to the north of Rectory Road. Furthermore, the diversification of a commercial use involving (flexible) Class E activities at the site would detract (in terms of additional vehicular movements and potential for noise generated by the dog grooming unit) from the ability to experience 'The White House' in a tranquil setting, given that the existing outdoor recreational use of the land for dog walking is a peaceful unimposing activity within its setting.

With regards to the National Planning Policy Framework (NPPF), the proposal in its current state is considered to cause 'less than substantial' harm to the significance of 'The White House'. The Local Planning Authority should weigh the harm against any public benefits that flow from the new development in accordance with the balancing exercise of Paragraph 215. Whilst the scale of harm may be 'less than substantial, great weight should be given to the designated heritage asset's conservation as per the direction of Paragraph 212, and Paragraph 213 requires that clear and convincing justification be provided for any level of harm the designated heritage asset. The expectations of Paragraph 135 (c) for new development to be 'sympathetic to local character and history, including the surrounding built environment and landscape setting' are considered relevant to this proposal, given that there are issues with the modular form and untraditional character.

In respect of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal in its current state fails to preserve the setting of 'The White House', contrary to Section 66(1) of the Act.

Please do not hesitate to contact us if you have any queries in relation to this advice.

Environmental Protection
06.06.2025

The above treatment plant is acceptable, but we would like to ensure it is installed correctly and confirmation of the location of the installation - this can be done by way of conditioning any approval.

In relation to the waste, our original comments have not changed.

Should you have any further queries concerning this, please do not hesitate to contact me.

3. Planning History

22/01211/FUL	Proposed change of use of agricultural land to use for dog walking and associated development.	Approved	21.10.2022
22/01211/FUL	Proposed change of use of agricultural land to use for dog walking and associated development.	Approved	21.10.2022

4. 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 Local Plan 2013-33 and Beyond (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 made and the Minerals and Waste Local Plans adopted by Essex County Council.

5. 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>

At the time of writing, there are no draft or adopted neighbourhood plans relevant to this site.

6. Relevant Policies / Government Guidance

National:

National Planning Policy Framework 2025 (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
PP1 New Retail Development
PP13 The Rural Economy
PPL3 The Rural Landscape
PPL4 Biodiversity and Geodiversity
PPL5 Water Conservation, Drainage and Sewerage
PPL9 Listed Buildings
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 (2024)
Essex Design Guide

Officer Appraisal

Site Description

The application site is land located to the northern section of Rectory Road, within the parish of Little Oakley. The site consists of a track adjacent to the parking area associated with the dog walking facility to the east, and is bounded by established hedgerow along its southern boundary.

The surrounding area is largely rural in character, with large areas of agricultural and grassed land further out to all sides. The immediate character is more urbanised however, with a series of dwellings, including a Grade II Listed Building to the south and a Grade II Listed Building located to the east, a dwelling currently recently constructed immediately to the west, and sporadic residential dwellings to the south.

Access to the site is gained from an existing field access to the south-west corner of the field, which is shared with the dwelling recently constructed. The site falls outside of a Settlement Development Boundary within the adopted Local Plan.

Description of Proposal

This application seeks planning permission for the erection of a building to be used for the purposes of dog grooming (Class E), and is to be used in association with the existing dog walking facility approved and implemented under permission 22/01211/FUL.

The building will measure 7.3 metres length, 2.74 metres width and have a height of 2.74 metres, and will include a reception area, storage and bathroom, and a third room for the main grooming area.

The business would operate between 8am and 6pm Mondays to Saturdays, and will include two members of staff.

Assessment

1. Principle of Development

Paragraph 110 of the National Planning Policy Framework (2025) states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes, which can help to reduce congestion and emissions, and improve air quality and public health.

The local plan confirms: Growth needs to be carefully managed so as not to lead to unsustainable developments in remote and poorly accessible locations. The settlement hierarchy prioritises locations with access to the strategic road network, public transport and which have the potential to offer the widest range of services. All settlements which may experience growth have a development

settlement boundary. Those without a settlement development boundary are considered to be part of the countryside.

Adopted Policy SP3 provides the spatial strategy for North Essex, including Tendring, whereby existing settlements will be the principal focus for additional growth within the plan period. It states that development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role and beyond the main settlements the diversification of the rural economy and conservation and enhancement of the natural environment will be supported. Adopted Policy SPL2 confirms: 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. Under the settlement hierarchy in Adopted Policy SPL1 Little Oakley is a 'smaller rural settlement' which is the least sustainable category of settlement, furthermore the site is located around 400m from the edge of the settlement.

Adopted Policy PP1 states that retail development will be encouraged on a scale appropriate to the needs of the area served by these centres. Development will be subject to local planning, traffic and environmental considerations and the needs of people who live in or near the areas affected.

On this occasion, the proposal is for the erection of a single building to be used for dog grooming purposes. The site is within a rural location, located approximately 375 metres outside of the Settlement Development Boundary for Little Oakley, which itself is allocated as a 'smaller rural settlement' within Policy SPL1 given its size and lack of facilities. Officers note that there would be minor economic benefits through the addition of two full time employees, and note the proposal is adjacent to an existing car park utilised for the dog walking facility, however concerns are raised that the surrounding area contains a lack of services or facilities, and the nearest bus stops to connect to wider services are some 630 metres to the south-east, which also is not connected to the site via footpaths and street lighting. The majority of all journeys generated by the proposal would therefore be by private vehicles. It is acknowledged it is unlikely that users of this service would use public transport to access the site, however this highlights that the use would be better located in a sustainable location close to dwellings and other services and facilities where it could be more easily accessed/form part of shared trips. Consequently, whilst the small economic boost offers a small benefit in the overall planning balance, the harm from a development on this site's isolated and unsustainable location outweighs these benefits and would provide for an unsustainable development reliant on private modes of transport. Therefore, the principle of development is not able to be supported in this location.

2. Impact to Character of Area

Paragraph 135 of the National Planning Policy Framework (NPPF) (2025) 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 187(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.

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.

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.

The proposed development would see the erection of a single storey building on land adjacent to the west of the existing dog walking facility previously approved under 22/01211/FUL. Whilst the building, which measures 2.74m height, 2.74m depth and 7.3m length, is not of a significant scale, there is limited built form within this northern section of Rectory Road, which beyond the converted dwelling approximately 50 metres to the west is characterised by open fields. The agent for the application has argued that the proposal would sit amongst an area of existing development and

could be complimented by soft landscaping, however whilst these comments are noted, overall Officers are still of the view that such a development in what is an isolated rural location largely dominated by open fields, would appear incongruous and out of keeping with the area, to the detriment of its existing rural character and appearance.

3. Heritage Impacts

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on the Local Planning Authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest.

Paragraph 212 of the NPPF confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 215 adds that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy PPL9 of the Tendring District Local Plan states that proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance and fabric.

The proposal is sited in close proximity to two Grade II Listed Buildings, ECC Place Services (Heritage) have been consulted on the application. They have provided the following comments:

"The new development is located within the setting of the following Grade II Listed Buildings:

- o The White House (List Entry No. 1322615), and*
- o Little Oakley Rectory (List Entry No. 1112102).*

Positive elements of the Listed Building's settings can contribute to and reveal their significance. The wooded surroundings of Little Oakley Rectory, which creates a sense of seclusion, and the open agrarian landscape surrounding The White House, that had a functional relationship with the former farmhouse, are both positive elements of their settings. Therefore, any new development that affects these positive elements of the Listed Building's setting has the potential to impact their significance, and the way that the Listed Buildings can be appreciated and experienced. Given the distance to the site and established tree planting surrounding Little Oakley Rectory, the proposal is not considered to cause any harmful impacts to the setting of this Listed Building.

However, there is no support for the erection of the dog grooming unit in the positioning and modular form proposed, this is because the new massing would appear incongruous in the agrarian landscape due to its non-traditional character (in terms of materiality and form) and would spread new built form across the open landscape that has been historically associated to 'The White House'.

The 1838 Tithe Map shows that the site and the enclosed dog walking area consists of land that was historically in the ownership of 'The White House', being part of Plots 17 (a Stable Pightle) and 22 (recorded as Upper Sandpit). The farmhouse's principal elevation faces towards this land to the north which has maintained a generally open aspect. It is notable that the land adjacent to the site with the shared vehicular access would have been Plot 16 where there was historically built form.

As such, it will diminish the ability to appreciate how the Listed Building, a former farmhouse, historically overlooked and worked this land to the north of Rectory Road. Furthermore, the diversification of a commercial use involving (flexible) Class E activities at the site would detract (in terms of additional vehicular movements and potential for noise generated by the dog grooming unit) from the ability to experience 'The White House' in a tranquil setting, given that the existing outdoor recreational use of the land for dog walking is a peaceful unimposing activity within its setting.

With regards to the National Planning Policy Framework (NPPF), the proposal in its current state is considered to cause 'less than substantial' harm to the significance of 'The White House'. The Local Planning Authority should weigh the harm against any public benefits that flow from the new development in accordance with the balancing exercise of Paragraph 215. Whilst the scale of harm may be 'less than substantial', great weight should be given to the designated heritage asset's conservation as per the direction of Paragraph 212, and Paragraph 213 requires that clear and convincing justification be provided for any level of harm the designated heritage asset. The expectations of Paragraph 135 (c) for new development to be 'sympathetic to local character and history, including the surrounding built environment and landscape setting' are considered relevant to this proposal, given that there are issues with the modular form and untraditional character.

In respect of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal in its current state fails to preserve the setting of 'The White House', contrary to Section 66(1) of the Act."

Taking the above comments into consideration, Officers consider that there are no harmful impacts to the setting of Grade II listed Little Oakley Rectory given the separation distance and established tree planting around the listed property. However, the proposed building would appear incongruous in the agrarian landscape due to its non-traditional character (in terms of materiality and form) and would spread new built form across the open landscape that has been historically associated to The White House, thereby diminishing the ability to appreciate how the listed building historically overlooked and worked the land to the north of Rectory Road. Moreover, the use would generate additional vehicular movements and noise, which detracts from the ability to experience The White House in a tranquil setting.

Consequently, the proposal would result in a level of less than substantial harm to the setting and significance of the Grade II Listed Building known as The White House, and it is therefore for Officers to weigh up this harm against any public benefits the proposal would generate. On this occasion it is noted that the proposal would provide for a small commercial use that would in turn generate two employment opportunities. Whilst these public benefits are afforded some weight in the overall balance, it is considered the identified less than substantial harm outweighs this, and the proposal is therefore contrary to the aforementioned local and national planning policies.

4. Highway Safety

Paragraph 116 of the National Planning Policy Framework (2025) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, whilst Paragraph 110 requires that streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places.

Adopted Policy CP1 (Sustainable Transport and Accessibility) of the Tendring District Local Plan 2013-2033 states that planning permission will only be granted if amongst other things; access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate, and the design and layout of the development provides safe and convenient access for people.

Essex Highways Authority have been consulted on the application and have confirmed that given the scale of the proposal, from a highway and transportation perspective the dog grooming unit is acceptable. No planning conditions have been requested.

In addition, Essex Parking Standards (2024) state that for such a use there should be parking provision of one space per 30sqm of floorspace. On the basis that the building will measure just in excess of 20sqm, there is a requirement to provide for one parking space. The plans submitted demonstrate there are two parking spaces, and therefore no objections are raised in this regard.

5. Impacts to Neighbours

Paragraph 135 of the National Planning Policy Framework (2025) 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.

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.

There are neighbouring properties located to the east, west and south, that all have the potential to be impacted upon. However, on this occasion it is noted that the building itself is of a single storey minor scale that would not appear oppressive or result in any degree of overlooking. Furthermore, the vehicular movements (and associated noise) generated would not be to a significant level that would justify recommending a reason for refusal.

6. Foul Drainage

Paragraph 180 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.

Paragraph: 020 of the National Planning Policy Guidance states that where a connection to a public sewage treatment plant is not feasible a package sewage treatment plant can be considered. The package sewage treatment plant must comply with the Small sewage discharges in England: general binding rules 2015 (GBR), or a permit will be required. Package sewage treatment plants may only be considered if it can be clearly demonstrated by the applicant that discharging into a public sewer is not feasible (taking into account cost and/or practicability and whether the package treatment plant poses a risk to a designated site) in accordance with Approved Document H of the Building Regulations 2010. A completed Foul Drainage Assessment Form 1 (FDA1) form, or equivalent information, should accompany all planning applications where use of a non-mains system is proposed for foul drainage. The operation of small sewage discharges such as those from septic tanks or package treatment plants is regulated under the Environmental Permitting Regulations 2016 (EPR).

Adopted 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.

The applicant has confirmed on the application form that the development would be connected to a package treatment plant. Whilst this does not connect to a public sewer, Officers are content that on this occasion that would not be feasible given the rural location of the site, and a package treatment plant is the next suitable alternative. The agent for the application has also confirmed the applicant is registered as a commercial waste carrier. Taking all of this into consideration, Officers are content that the requirements of Policy PPL5 are adhered to on this occasion.

7. Ecology and Biodiversity

Paragraph 193 of the NPPF states that, when making planning decisions local planning authorities need to assess whether significant harm to biodiversity could result from the development. The NPPF goes on to state the hierarchy that should be applied to mitigate any harm to ecology that is identified. Paragraph 187 of the NPPF requires that Local Planning Authorities contribute to and enhance sites of biodiversity or geological value. TDLP Policy PPL4 states that proposals for new development should be supported by appropriate ecological assessments and, where relevant, provide appropriate mitigation and biodiversity enhancements to ensure a net gain.

This report addresses the distinct legal requirements, ensuring a comprehensive analysis of the ecology and biodiversity impacts of the proposal in line with regulatory standards.

General duty on all authorities

The Natural Environment and Rural Communities Act 2006 amended by the Environment Act 2021 provides under Section 40 the general duty to conserve and enhance biodiversity: "For the purposes of this section "the general biodiversity objective" is the conservation and enhancement of biodiversity in England through the exercise of functions in relation to England." Section 40 states authorities must consider what actions they can take to further the general biodiversity objective and determine policies and specific objectives to achieve this goal. The actions mentioned include conserving, restoring, or enhancing populations of particular species and habitats. In conclusion for decision making, it is considered that the Local Planning Authority must be satisfied that the development would conserve and enhance.

This development is subject to the general duty outlined above. The proposal is for the erection of a single storey building to be used for dog grooming with soft landscaping. In addition, an informative recommending the applicant is strongly encouraged to improve the biodiversity of the site through appropriate additional planting and wildlife friendly features would be included on any approval.

Therefore, the development on balance and with consideration of the impact of the development and baseline situation on site, does conserve and enhance biodiversity interests.

Biodiversity Net Gain

Biodiversity net gain (BNG) is an approach that aims to leave the natural environment in a measurably better state than it was beforehand. This excludes applications for developments of less than 25sqm, this proposal is not therefore applicable for Biodiversity Net Gain.

Protected Species

In accordance with Natural England's standing advice the application site and surrounding habitat have been assessed for potential impacts on protected species. The proposal includes for the erection of a building to be used for dog grooming, however given the sites open location as a track/grassed area, there are unlikely to be protected species on this occasion.

Conclusion

In accordance with the overarching duty outlined above, this development is considered to accord to best practice, policy, and legislation requirements in consideration of the impacts on ecology interests.

8. Renewable and Energy Conservation Measures

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.

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.

The proposal includes for a development that has the potential to incorporate renewable energy features, however whilst the submission does not provide these details it is acknowledged that the proposal is of a small scale and therefore it would not be reasonable or necessary to include a condition to secure these details at a later stage.

Other Considerations

Little Oakley Parish Council object to the application on the following grounds:

1. Will not preserve or enhance character of area;
2. Harm to setting of listed buildings;
3. Unclear how waste/foul water will be disposed of; and
4. Additional traffic and parking impacts.

In response to this, all points are addressed within the main body of the report above.

There have been an additional five letters of objection received, with the following concerns:

1. Impacts to highway safety;
2. Harm to character of area;
3. No nearby public transport, so not a sustainable location;
4. Unclear how waste/foul water will be disposed of; and
5. Harm to setting of listed buildings.

In response to this, all points are addressed within the main body of the report above.

Conclusion

The proposal for a dog grooming unit is unable to be supported in principle, despite minor economic benefits, on the basis that the site is within a rural, isolated location that would be heavily reliant on private vehicles. Moreover, such a proposal would appear out of character with the rural landscape, and would result in a level of less than substantial harm to the setting and significance of the adjacent Grade II Listed Building. Therefore, whilst no issues are raised in relation to residential amenities or highway safety, the proposal fails to accord with local and national planning policies and is therefore recommended for refusal.

7. Recommendation

Refusal.

8. Reasons for Refusal

- 1 Adopted Policy PP1 states that retail development will be encouraged on a scale appropriate to the needs of the area served by these centres. Development will be subject to local planning, traffic and environmental considerations and the needs of people who live in or near the areas affected. Adopted Policy SP3 confirms existing settlements will be the principal focus for additional growth within the plan period. It states that development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role and beyond the main settlements the diversification of the rural economy and conservation and enhancement of the natural environment will be supported.

The proposal is for the erection of a single building to be used for dog grooming purposes within a rural location located approximately 375 metres outside of the Settlement Development Boundary for Little Oakley, which itself is allocated as a 'smaller rural settlement' within Policy SPL1 given its size and lack of facilities. Whilst there would be minor economic benefits through the addition of two full time employees, and the proposal is adjacent to an existing car park utilised for the dog walking facility, the surrounding area contains a lack of services or facilities, and the nearest bus stops to connect to wider services are some 630 metres to the south-east, which also are not connected to the site via footpaths and street lighting. The majority of all journeys generated by the proposal would therefore be by private vehicles. Consequently, the harm from a development on this site's isolated and unsustainable location outweighs the aforementioned benefits and would provide for an unsustainable development reliant on private modes of transport, contrary to the aspirations of the above planning policies.

- 2 Paragraph 135 of the National Planning Policy Framework (NPPF) (2025) 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 187(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.

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.

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.

Whilst the proposed building is not of a significant scale there is limited built form within this northern section of Rectory Road, which beyond the converted dwelling approximately 50 metres to the west is characterised by open fields. Such a development in what is an isolated rural location would appear incongruous and out of keeping with the area, to the detriment of its existing rural character and appearance, and contrary to the above policies.

- 3 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on the Local Planning Authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest.

Paragraph 212 of the NPPF confirms that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 215 adds that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy PPL9 of the Tendring District Local Plan states that proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance and fabric.

The proposed building would appear incongruous in the agrarian landscape due to its non-traditional character (in terms of materiality and form) and would spread new built form across the open landscape that has been historically associated to The White House, thereby diminishing the ability to appreciate how the listed building historically overlooked and worked the land to the north of Rectory Road. Moreover, the use would generate additional vehicular movements and noise, which detracts from the ability to experience The White House in a tranquil setting.

Consequently, the proposal would result in a level of less than substantial harm to the setting and significance of the Grade II Listed Building The White House, and whilst the proposal would provide for a small commercial use that would in turn generate two employment opportunities, these public benefits are not considered to outweigh the identified less than substantial harm, and the proposal is therefore contrary to the aforementioned local and national planning policies.

9. Informatives

Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.

Plans and Supporting Documents:

The Local Planning Authority has resolved to refuse the application for the reason(s) set out above. For clarity, the refusal is based upon the consideration of the plans and supporting documents accompanying the application as follows, (accounting for any updated or amended documents):

Drawing Number 01 Revision PL1 received dated 8th April 2025, and documents titled 'One2Clean Product Specification Sheet', and the untitled Treatment Plant Plan received dated 29th May 2025.

10. Equality Impact Assessment

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.

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.

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

11. Notification of Decision

Are there any letters to be sent to applicant / agent with the decision? If so please specify:		NO
Are there any third parties to be informed of the decision? If so, please specify:		NO
Has there been a declaration of interest made on this application?		NO