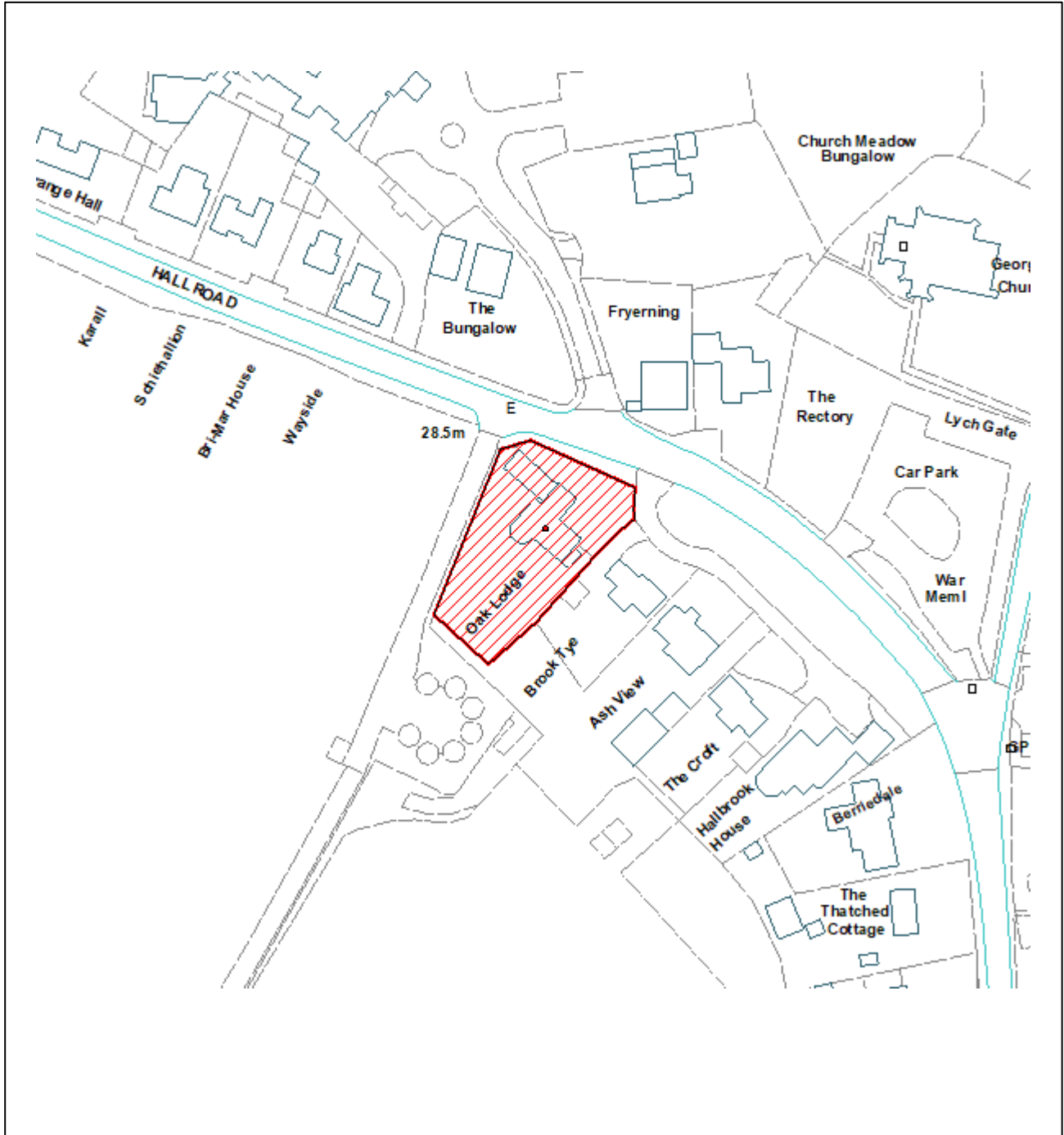


PLANNING COMMITTEE

14TH APRIL 2026

REPORT OF THE CORPORATE DIRECTOR OF PLANNING AND COMMUNITY

A.2 PLANNING APPLICATION – 25/01795/FUL – OAK LODGE HALL ROAD GREAT BROMLEY COLCHESTER ESSEX



DO NOT SCALE

© Crown Copyright and database right 2026. Ordnance Survey Licence No.100018684.

Application:	25/01795/FUL	Expiry Date:	17th April 2026
Case Officer:	Charlotte Cooper		
Town/ Parish:	Great Bromley Parish Council		
Applicant:	Shalamar Children Ltd		
Address:	Oak Lodge Hall Road Great Bromley Colchester Essex CO7 7TY		
Development:	Planning Application - Change of use from residential dwelling (Use Class C3) to a residential children's home (Use Class C2)		
Referral Reason:	Cllr Gary Scott Call In due to the following: - Out of keeping - Lack of facilities - Limited transport - Parking is not sufficient - Not for business use - Concerns in regards to highway movements		
Recommendation:	Approval subject to conditions		

1. Executive Summary

- 1.1 The proposal seeks the change of use of an existing dwelling to a small Class C2 children's home for up to three children, involving only minor external alterations. The development is considered policy-compliant, with no significant adverse impacts identified in relation to residential amenity, heritage, highways, trees, drainage, or biodiversity, and is therefore acceptable.

2. Status of the Local Plan

Planning Policy Context

- 2.1 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.

Housing Supply

- 2.2 The Framework requires Councils to significantly boost the supply of homes to meet the District's housing need. Paragraph 78 states that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of 5% to ensure choice and competition in the market for land, unless the Housing Delivery Test (HDT) demonstrates

significant under delivery of housing over the previous 3 years - in which case a higher buffer is required. Section 1 of the Local Plan, which establishes the District's annual housing requirement, reached five years old on 26 January 2026.

- 2.3 The Council demonstrates its supply of specific deliverable sites within the Strategic Housing Land Availability Assessment (SHLAA), which is published annually. The most recent SHLAA was published by the Council in December 2025.
- 2.4 From 26th January 2026, the Council is required to calculate its five-year land supply position against the local housing need determined using the Standard Method set out in Planning Practice Guidance. The housing requirement for Tendring is 1,063 homes a year. The most recent SHLAA demonstrates a 3.22-year supply of deliverable housing sites. The SHLAA can be viewed on the Council's website: <https://www.tendringdc.gov.uk/content/monitoring-and-shlaa>
- 2.5 As a result, the 'titled balance' at paragraph 11 d) of the NPPF may apply to decisions relating to new housing development and needs to be assessed on an individual basis in respect of the proposal.

Neighbourhood Plans

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

3. Planning Policy

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

National:

National Planning Policy Framework 2024 ([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)

SP 1 Presumption in Favour of Sustainable Development

SP 2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

SP 3 Spatial Strategy for North Essex

SP 7 Place Shaping Principles

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

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP10 Care, Independent Assisted Living

HP4 Safeguarded Open Space

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

PPL10 Renewable Energy Generation and Energy efficiency Measures

CP1 Sustainable Transport and Accessibility

Supplementary Planning Documents

Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy SPD 2020 (RAMS)

[Essex Design Guide](#)

Local Planning Guidance

[Essex Parking Guidance](#) Part 1: Parking Standards Design and Good Practice 2024

4. **Relevant Planning History**

94/00103/FUL	(Brook Farm, Gt Bromley) Erection of 5 detached dwellings with integral garages	Approved	28.06.1994
95/00109/FUL	(Brook Farm, Great Bromley) Variation to design of dwelling to plot 5 as approved under permission TEN/94/0103	Approved	10.03.1995
95/00713/FUL	(Plot 2, Brook Farm, Great Bromley) Variation to design of dwelling approved under permission TEN/94/0103	Approved	20.07.1995
20/00129/FUL	Proposed two storey side extension with alterations over existing utility.	Approved	27.03.2020

5. **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/>.

Waste Management

05.03.2025

No comments.

ECC Highways Dept

22.12.2026

It is noted that no alterations to the development is required to facilitate the proposed change of use, except for the installation of a small area of hardstanding to form an additional parking space on the drive. Given the site will operate as a residential children's home that will provide care for up to three children, and the property is in a central location, it is not considered that the proposal would 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. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and if required marked out in parking bays. 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.
2. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.
3. The powered two-wheeler/cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the development and retained at all times.

Environmental Protection**14.01.2026**

Have reviewed the proposal and the submitted documents and have no comments to make.

Tree & Landscape Officer**16.12.2025**

The proposed change of use of the existing residential dwelling will not adversely affect any trees or other vegetation on the application site or adjacent land.

The oak on the adjacent highway that is afforded legal protection by Tendring District Council Tree Preservation Order 92/00023/TPO Land Opposite Seven Rivers Cheshire Homes, Hall Road, Great Bromley will not be adversely affected by the proposed development.

6. Representations**6.1 Great Bromley Parish Council - Objects****1. Policy Context – LP10**

Policy LP10 of the Tendring Local Plan supports, in principle, the provision of new care units within defined settlement boundaries. The site lies within the settlement boundary of Great Bromley, and therefore the principle of a care home use is acknowledged. However, LP10 also requires that proposals do not harm residential amenity, provide adequate parking, and respect the character of the village. On these grounds, the proposal is deficient.

2. Loss of Safeguarded Open Space – Policy HP4

The proposal seeks to extend hardstanding at the front of the property, cutting into land identified as Safeguarded Open Space in the Local Plan.

- Policy HP4 states that such space should only be lost where it is replaced in kind, no longer required, or where its loss would not harm visual amenity.
- The verge in front of the site contributes to the open character at the centre of Great Bromley. Its reduction would erode the village's visual amenity and character.
- The proposal therefore conflicts with Policy HP4.

3. Car Parking Provision and Highway Safety

The management plan indicates:

- Up to 3 children accommodated.
- Two carers on shift at all times, with overlap periods.
- A registered manager and a team of carers on rota.

Based on Essex Parking Standards, the site should provide:

- 1 space per full-time staff member (minimum 5 spaces).
- 1 visitor space per 6 beds.
- Total requirement: at least 6 spaces with turning provision.

The application form states 7 spaces, but the submitted plans do not clearly demonstrate how these can be accommodated. The layout appears cramped, with insufficient turning space to allow vehicles to enter and leave in a forward gear. This raises highway safety concerns and conflicts with LP10's requirement for adequate parking provision. The parking opposite is on private ground and used by

the village school and church, the proposal fails to demonstrate compliance with policies CP1 and CP2 which states the application should not give rise to unacceptable highway safety impacts or congestion.

4. Impact on Village Character

Large areas of hardstanding and multiple parked vehicles at the front of the property would be visually intrusive and harmful to the character of the village street scene. This impact conflicts with both LP10 and HP4, which seek to protect local character and amenity.

5. Residential Amenity

While the number of residents is comparable to a large family, the intensity of staff movements, shift changes, and visiting professionals will increase vehicle activity and noise. This has potential to disturb neighbouring properties contrary to LP10's requirement to protect residential amenity. This application would significantly intensify activities materially different from a private dwelling, this application fails to demonstrate compliance with policy SP7 which requires the development does not materially harm neighbouring residential amenity.

6. Conclusion

Although the principle of care provision is supported by Policy LP10, the proposal fails to comply with key requirements relating to:

- The protection of Safeguarded Open Space (HP4).
- Adequate car parking and highway safety (LP10).
- Protection of village character and residential amenity (LP10 and HP4).

For these reasons, the Parish Council respectfully requests that the application be refused.

6.2 Neighbour / Local Representations

A total of 25 letters of representation have been received raising the following material planning considerations;

- Unsustainable area
- Highway safety / parking issues
- Out of character with local area / impact on local character
- Protected open space
- Harm to residential amenities – noise, loss of privacy
- Refuse and servicing

7. Assessment

Site Context

7.1 The application site is Oak Lodge which is located on the southern side of Hall Road within the Settlement Development Boundary of Great Bromley. The building itself is a two storey residential dwelling with five bedrooms.

7.2 Oak Lodge is the first of five dwellings on this cul-de-sac. Residential properties are located immediately to the south east. To the west are agricultural fields and to the north is St Georges Church which is a Grade I listed building. There is a mature Oak situated on the grassed verge to the north west of the existing dwelling that is afforded formal legal protection under a Tree Preservation Order (ref:92/93/TPO). A public right of way runs outside the western site boundary.

Proposal

7.3 This application seeks full planning permission for the change of use from its existing Class C3

(dwellinghouse) use to Class C2 (Residential Institutions). The site is proposed specifically to be operated as a children's care home that will provide care for up to 3 children between the ages of 4 and 17.

- 7.4 The use will include two carers working a 24.5 hour shift (8am-8.30am the following day incorporating a sleep-in). There will be a short 30 minute window for staff changeover (8am-8.30am). There will be a Home Manager overseeing daily operations working Monday to Friday (8am-4pm).
- 7.5 The only external changes will be for the installation of a small area of hardstanding at the front to form an additional parking space. The internal layout of the building will remain unchanged.

Principle of Development

- 7.6 Paragraph 61 of the National Planning Policy Framework (NPPF) states: To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community. Paragraph 63 of the NPPF seeks to ensure that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; looked after children; older people; students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.
- 7.7 Adopted Local Plan Policy LP10 (Care, Independent Assisted Living) confirms that the Council will support the provision of care homes and extra care housing within settlement development boundaries. Proposals shall have no significant material adverse impact on the landscape, offer a high quality, safe, secure and attractive environment for their residents and provide sufficient external space to accommodate the normal recreation and other needs of residents, visitors or employees. Proposals shall have no significant material adverse impact on the landscape, residential amenity, highway safety, or the form and character of nearby settlements and shall be otherwise appropriate in scale and design for their location, having regard to other policies in the Local Plan.
- 7.8 The Council is currently unable to demonstrate a five-year supply of deliverable housing sites. In such circumstances, paragraph 11(d) of the National Planning Policy Framework (NPPF) requires decision-makers to apply the tilted balance, giving added weight to schemes that contribute to meeting identified housing needs. Paragraph 63 of the NPPF confirms the need for housing for looked after children, such as the current application, to be assessed and reflected in planning policy. The proposed C2 care home use is therefore an alternative form of 'housing' in planning terms and the loss of a standard class C3 dwelling to a class C2 residential care home is not considered to materially impact the housing supply for the district. However, the proposal does provide a specialist form of housing and this carries positive weight in the planning balance.
- 7.9 The application site is located within the Settlement Development Boundary for Great Bromley, which is designated as a 'smaller rural settlement' within Policy SPL1 of the adopted Local Plan. Although the smaller rural settlements tend to have fewer local services and facilities the site is in walking distance of a church, primary school, bus stop and care home. The report below confirms no material harm in terms of landscape impact, residential amenity, highway safety, or the form or character of the surrounding area. The proposal therefore complies with Local Plan Policy LP10.
- 7.10 In addition, it is important to consider any potential fallback position. Similar cases in the District and across the country have been granted lawful development certificates which confirm that the proposed change of use from a C3 dwelling to a small C2 residential care home does not require planning permission.

- 7.11 In this case the proposal seeks to change from a standard dwelling to a small residential children's care home accommodating three children with up to 3 staff who do not permanently live at the property. The proposed use falls within Use Class C2 as a residential children's care home. The change of use from C3 to C2 is not an automatically permitted change. However, it is nevertheless considered that there is little material difference between the current and proposed uses, meaning that this doesn't constitute a material change and planning permission is not therefore required. This is because the day-to-day activity, staffing arrangements, comings and goings, and overall pattern of occupation would closely mirror that of a traditional or extended five bedroom family household.
- 7.12 No internal or external changes are proposed except for an extended area of hardsurfacing for additional parking. If these works were carried out prior to any change of use then they would fall within the permitted development rights under Part 1 Class F of the General Permitted Development Order (provided the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse) and would not require planning permission.
- 7.13 In this case a lawful development certificate has not been applied for or granted. However, the Local Planning Authority must consider any potential fallback position in assessing an application for planning permission as a significant material consideration. If a lawful development certificate is likely to be granted, as in this case, for the same development then it would be unreasonable to refuse planning permission. This further supports the acceptability of the proposed change of use, and also enables the Council the opportunity to impose conditions which is not possible on lawful development certificates. The principle of development is therefore accepted, subject to the more detailed considerations below.

Scale, Layout & Appearance

- 7.14 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. Policies SPL3 and LP4 of Section 2 of the 2013-33 Local Plan also require, amongst other things, that developments deliver new dwellings that are designed to high standards and which, together with a well-considered site layout, create a unique sense of place. Paragraph 135 of the Framework requires 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.
- 7.15 The proposed development includes no internal or external changes except an extended area of hardstanding to the front to accommodate additional parking. While this change will be publicly visible from the streetscene along Hall Road, it would not be materially harmful to the area's character and appearance. Furthermore, as stated above such works could be carried out under permitted development without the requirement for planning permission. The proposal will therefore result in no material harm to visual amenity or landscape quality.

Highway Safety/Parking

- 7.16 Paragraph 115 of the National Planning Policy Framework seeks to ensure that safe and suitable access to a development site can be achieved for all users. Paragraph 116 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.
- 7.17 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.
- 7.18 Essex Car Parking Standards state that for C2 uses there should be one parking space per full time equivalent member of staff, plus one visitor space per six beds. Given that there will be a maximum

of three full time equivalent members of staff and a total of 3 resident children, this results in a requirement for a total of four parking spaces. The site has a double garage and an existing parking area to the front of the property which can currently accommodate four vehicles. The proposal also includes an additional area of hardstanding which would increase the current parking provision. The site is also situated within approximately 300 metres of a bus stop.

- 7.19 To the west of the site lies a public right of way, the proposed development will be partially visible from this route, however, due to the limited scale of the alterations Officers do not consider that the proposal will have any significant harmful impacts to users of this Public right of way.
- 7.20 The Highway Authority raised no objection subject to conditions securing the provision and retention of the parking and turning areas to acceptable dimensions. Such conditions are imposed within the recommendation.

Landscaping/Biodiversity

- 7.21 The Tree and Landscape Officer raises no objections as the proposed change of use of the existing residential dwelling will not adversely affect any trees or other vegetation on the application site or adjacent land.
- 7.22 The Oak tree on the adjacent highway that is afforded legal protection by Tendring District Council Tree Preservation Order 92/00023/TPO will also not be adversely affected by the proposed development.

Heritage

- 7.23 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.
- 7.24 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.
- 7.25 Tendring Local Plan Policy PPL9 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 interests, its character, appearance and fabric. Where a proposal will cause harm to a listed building, the relevant paragraphs of the NPPF should be applied.
- 7.26 The Grade I Listed Church of St George is located towards the north-east of the site, approximately 95 metres away. However, as no external alterations are proposed apart from an additional area of hardstanding to facilitate parking and given the significant intervening vegetation and buildings the proposal is considered to preserve the setting of the listed building.

Safeguarded Open Space

- 7.27 Policy HP4 of the Tendring District Local Plan states that development that would result in the loss of the whole or part of areas designated as Safeguarded Open Space, as defined on the Policies Map and Local Maps, will not be permitted unless criteria are met.
- 7.28 The grassed area to the front of the site is part of an area of safeguarded open space, as defined by the Tendring District Local Plan. The proposed hardstanding area will encroach upon this land.
- 7.29 The current adopted local plan wording in respect of Policy HP4 refers to "The National Planning

Policy Framework (Annex 2) defines open space as ‘all open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and act as a visual amenity’”. The rest of the background text refers to open space in terms of sport and recreation. This may be considered an area that represents visual amenity, but it is private land and currently retains permitted development rights and so can be made into hardstanding currently. This is also why the current fence is in place.

7.30 Policy HP4 provides

- a. The site is replaced by the provision of a new site at least equal in quality and size and accessible to the community, which the existing site serves;

The existing site, being private doesn’t serve the existing community and would not be removed in function as a result of this proposal. Visual amenity is changed, but there would not be any buildings on the land.

- b. It is demonstrated that there is no longer a demand for the existing site;

There is no criteria provided by the policy on what is needed to demonstrate demand. As the only user can be the owners, it is by default that their demand is only criteria to meet.

- c. The site is not appropriate for other open space functions; and

Again, the policy fails to define what functions this may include. However, the proposal is for other open space functions as parking retaining the openness.

- d. The development of the site would result in the loss of an area important to visual amenity.

The proposal may result in the loss of grass, but does not result in the loss of the area for buildings or other works that would restrict visual amenity. Arguably the removal of the current fence would improve visual accessibility.

- 7.31 On this basis the policy is not considered to be in conflict. As stated above such works would be permitted development if carried out prior to any change of use. Given the small strip of land involved the proposal is not considered to have any significant harmful impacts on the visual amenities of the area overall, and a reason for refusal on these grounds would fail to be robust.

Impact on Residential Amenity

- 7.32 Paragraph 135 of the NPPF 2024 includes that planning decisions should ensure developments 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.
- 7.33 Section 1 Policy SP7 of the 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. Section 2 Policy SPL 3 Part B requires that new development meets practical requirements and that structures should be designed and orientated to ensure adequate daylight, outlook, and privacy for future and existing residents.
- 7.34 No external alterations are proposed aside from the installation of a small hardstanding area to provide additional off-street parking space. There will therefore be no significant adverse impacts on the loss of light or outlook. The building itself is unchanged and as such, the general physical relationship with the surrounding dwellings will be unaffected.
- 7.35 In terms of activity levels and potential noise, the proposal relates to the care of up to three children,

supported by two carers on a 24-hour shift pattern and a Home Manager present during standard weekday working hours. This staffing arrangement is consistent with the operational characteristics of a five bedroom family home and is not likely to give rise to levels of noise or comings and goings materially different from those that could reasonably be expected from a larger family household.

- 7.36 Children living in the home will be engaging in normal domestic routines, and staff movements will be limited to predictable shift changeover periods. As such, the intensity of use would not be expected to create noise or disturbance beyond that typical of a large residential property within a suburban context. The small number of residents, combined with the structured and supervised nature of the care environment, further reduces the likelihood of any unacceptable behaviour or disruption.
- 7.37 Vehicle movements associated with the proposal are similarly modest. The number of trips generated by staff arrivals, departures, and occasional professional visitors will not significantly exceed the level of activity associated with the lawful C3 use. Accordingly, the impact on neighbouring amenity in terms of traffic, parking, and general activity is considered to be minimal and not materially harmful.
- 7.38 The proposal is therefore deemed compliant with the above mentioned policies and is therefore acceptable in terms of residential amenities.

Drainage

- 7.39 Paragraph 187(e) of the NPPF 2025 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 198 of the NPPF 2025 states that planning policies and decisions should also ensure that new development is appropriate for its location considering the likely effects of pollution on the natural environment.
- 7.40 Adopted Policy PPL5 of Section 2 of the Adopted Local Plan states that all new development must make adequate provision for drainage and sewerage. Connection to the mains is the preferred option having regard to the drainage hierarchy and building regulations requirements.
- 7.41 While no detailed drainage information has been submitted, it is evident that the five bedroom property is already in residential use and therefore benefits from an existing foul and surface water drainage arrangement. The proposal does not involve works that would materially alter or intensify the drainage or refuse requirements of the site, and the number of occupants would remain comparable to that of a typical five bedroom family dwelling.

Habitats, Protected Species and Biodiversity Enhancement

- 7.42 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. An informative has been imposed strongly encouraging the applicant to improve the biodiversity of the application site through appropriate additional planting and wildlife friendly features. Therefore the development on balance,

with consideration of the impact of the development and baseline situation on site, is considered likely to conserve and enhance biodiversity interests.

7.43 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 which are below the threshold i.e. does not impact a priority habitat and impacts less than 25 sq.m of habitat, or 5m of linear habitats such as hedgerow). This proposal is not therefore applicable for Biodiversity Net Gain.

7.44 Protected Species

In accordance with Natural England's standing advice the proposed development site and surrounding habitat have been assessed for potential impacts on protected species. It is considered that the proposal is unlikely to adversely impact upon protected species or habitats.

7.45 Ecology 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. Conclusion

8.1 The proposed change of use from a dwellinghouse to a small Class C2 children's home represents a modest and residentially compatible form of development within the Settlement Development Boundary of Great Bromley. The use is considered comparable to the occupation and activity levels of a typical five bedroom family home, with no likely significant impacts identified in relation to residential amenity, highway safety, local character, heritage assets, trees, drainage, or biodiversity. The minor external alteration proposed is acceptable, and the Highway Authority raises no objection. A clear fallback position, although not currently demonstrated by the granting of a lawful development certificate, further supports the proposal. The development is considered to accord with the NPPF and the relevant policies of the adopted Local Plan and is therefore acceptable.

9. Recommendation

9.1 Approval (no S106 requirements)

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 9.2, 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.

9.2 Conditions and Reasons

1 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard.

- Drawing No. OL/NAK/02 - Proposed Elevations and Floor Plans
- Drawing No. OL/NAK/03 B - Amended Site Plan and Block Plan
- Access Appraisal - Received 08.12.2025
- Management Plan - Received 08.12.2025
- Planning Statement - Received 08.12.2025
- Access Appraisal - Received 27.01.2026

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 COMPLIANCE REQUIRED; VEHICLE PARKING AREA

CONDITION; The proposed development shall not be occupied until details of car and cycle

parking, and vehicular turning area have been submitted to and approved in writing by the Local Planning Authority. The vehicle parking and turning areas as approved shall be provided prior to first occupation of the hereby approved care home and 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 on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided.

4 COMPLIANCE REQUIRED: PARKING SPACE DIMENSIONS

CONDITION; 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.

5 COMPLIANCE REQUIRED; LIMITATION ON NUMBER OF RESIDENTS

CONDITION: The use hereby permitted shall operate with a maximum of three looked after children residing at the property at any one time.

REASON: To enable the Local Planning Authority to retain control over the intensity of the use, having regard to the residential character of the area, the basis on which the proposal has been assessed, and to protect the amenities of neighbouring occupiers.

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.

Ecology Informative

In accordance with the Council's general duty to conserve and enhance biodiversity, you are strongly encouraged to improve the biodiversity of the application site through appropriate additional planting and wildlife friendly features. Suggested enhancements could include: <https://www.rhs.org.uk/wildlife/in-the-garden/encourage-wildlife-to-your-garden>

Highways

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

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.

Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.

10. Additional Considerations

Equality Impact Assessment

- 10.1 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.
- 10.2 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.
- 10.3 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 likely have direct equality impacts on this target group.	Positive
Disability	The proposal put forward will likely have direct equality impacts on this target group.	Positive
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

- 10.4 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.
- 10.5 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).
- 10.6 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

- 10.7 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. Declaration of Interest

- 11.1 Please refer to the minutes of this meeting, which are typically available on the councils website which will be published in due course following conclusion of this meeting.

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/>.