

PLANNING COMMITTEE

03 SEPTEMBER 2026

REPORT OF THE CORPORATE DIRECTOR OF PLANNING AND COMMUNITY

A.3 PLANNING APPLICATION – 25/01781/FUL – CLIFF PARK HIGH STREET HARWICH CO12 3AT



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Application:	25/01781/FUL	Expiry Date:	7 th September 2026
Case Officer:	Alison Pope		
Town/ Parish:	Harwich Town Council		
Applicant:	Tendring District Council		
Address:	Cliff Park High Street Harwich Essex CO12 3AT		
Development:	Planning Application - Construction of floodlit Football Foundation Playzone.		
Referral Reason:	TDC owned land		
Recommendation:	Approval subject to conditions and subject to no objection being raised by Natural England and Place Services Ecology		

1. Executive Summary

- 1.1 This application seeks planning permission for a Football Foundation PlayZone within Cliff Park, Dovercourt, comprising a floodlit multi-use games area, fencing, seating and associated infrastructure. The proposal would enhance existing recreational provision within an established area of public open space and increase opportunities for sport and physical activity.
- 1.2 Whilst the development would result in a low level of less than substantial harm to the significance of the Lower Dovercourt Conservation Area and nearby heritage assets, this harm is considered to be outweighed by the public benefits of the scheme. Subject to conditions, archaeological mitigation, and no objection being received from Natural England and Place Services Ecology, the proposal is considered acceptable and is recommended for approval.

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 3 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.

Neighbourhood Plans

- 2.2 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. 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.

3. Planning Policy

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

National:

National Planning Policy Framework 2026 ([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 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

HP1 Improving Health and Wellbeing

HP2 Community Facilities

HP4 Safeguarded Open Space

HP5 Open Space, Sports and Recreation Facilities

PPL4 Biodiversity and Geodiversity

PPL7 Archaeology

PPL8 Conservation Areas

PPL9 Listed Buildings

PPL10 Renewable Energy Generation and Energy efficiency Measures

CP1 Sustainable Transport and Accessibility

Supplementary Planning Documents

Lower Dovercourt Conservation Area Character Appraisal and Management Plan November 2023

4. Relevant Planning History

00/01961/TCA	Holm Oaks (4194 4138) - pollard due to severe hole in base of trunk	Approved	18.12.2000
96/00376/CON	(Cliff Park, Main Road, Dovercourt) Demolition and reconstruction of masonry wall, provision of 6 masonry buttresses and retaining wall	Approved	05.08.1998
09/00090/FUL	Public w.c block incorporating 9 w.c's, baby changing facilities and sales kiosk.	Approved	03.04.2009
25/01782/ADV	Application for Advertisement Consent - Vinyl banners of funding bodies.	Approved	01.07.2026

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/>.

ECC Highways Dept

08.01.2026

No objection is raised to the proposal from a highway and transportation perspective. The Highway Authority notes that the development would be located on private land and set well back from the public highway, with the impacts considered acceptable. Essex Highways recommends a condition requiring the submission and approval of an updated Construction Management Plan prior to the commencement of development.

Environmental Protection

09.02.2026

No objection is raised to the application subject to minor amendments to the Construction Method Statement. The Environmental Protection Team requests that the construction working hours are amended to reflect the Council's standard requirements, with restrictions on vehicle movements and construction activities, including no working on Sundays or Public/Bank Holidays. They also request the inclusion of a prohibition on the burning of materials arising from site clearance or development works. The Team advises that adherence to these measures will minimise disturbance to nearby residents and reduce the likelihood of statutory nuisance or enforcement action. Subject to these amendments being incorporated into the Construction Method Statement, no objection is raised to the proposal.

Tree & Landscape Officer

07.01.2026

The application site is set to grass and does not contain any trees or other vegetation. None of the trees situated in Cliff Park will be adversely affected by the implementation of the proposed development as there are no trees in close proximity to the site of the Playzone

Considering the proposed use of the Playzone and the likely need for clear views into and out of the site to be maintained, it is not considered necessary or appropriate for soft landscaping to be carried out.

The planting proposed in relation to Biodiversity Net Gain is acceptable in landscape terms.

Sport England

12.01.2026

Raises no objection to the proposal. Sport England considers that the proposed Multi-Use Games Area (MUGA), associated fencing, lighting and spectator area would provide significant sporting benefits and accords with Exception 5 of its Playing Fields Policy and paragraph 104 of the NPPF 2024, as the benefits to sport outweigh any limited loss of playing field land. The MUGA forms part of the Football Foundation's PlayZone programme, aimed at increasing participation in sport, particularly amongst underrepresented groups. Sport England notes that the facility has been designed to meet identified local needs and will be located on an area of the playing field that is not currently marked out or used for formal pitches. No planning conditions are requested. However, Sport England advises that any restrictions on lighting or hours of use should not be overly restrictive, noting that community use of such facilities commonly extends until 10.00pm.

Essex County Council Archaeology

02.07.2026

Place Services (Archaeology) advises that the submitted Heritage Statement, Archaeological Desk-Based Assessment and Geophysical Survey are sufficient to satisfy the requirements of paragraph 207 of the NPPF. The site lies close to the Scheduled Monument at Beacon Hill Fort

and within the wider extent of the former military fortifications, where there is potential for surviving archaeological remains associated with former wartime structures. Place Services notes that while the proposal is likely to result in a low level of less than substantial harm to the setting of the Scheduled Monument and locally listed Cliff Park, this harm should be weighed against the public benefits of the development. Given the potential for archaeological remains to be present, Place Services recommends conditions requiring a programme of archaeological investigation, including trial trenching, any necessary mitigation works, and the submission of a final archaeological report prior to and following development.

Essex County Council Heritage

06.07.2026

Place Services (Heritage and Conservation) raises concerns regarding the impact of the proposed PlayZone on the character and appearance of Cliff Park and the Dovercourt Conservation Area. Whilst acknowledging the recreational nature of the park and the neutral contribution made by existing modern facilities, Place Services considers that the proposed floodlit MUGA, fencing and associated infrastructure would introduce a prominent and utilitarian feature within an otherwise open and verdant landscape. It is considered that the development would detract from key views across the park, including views towards Beacon Hill Fort and the coastline, and would fail to preserve or enhance the character and appearance of the Conservation Area. Overall, Place Services concludes that the proposal would result in a low level of less than substantial harm to the significance of the Conservation Area and harm to Cliff Park as a non-designated heritage asset, requiring this harm to be weighed against the public benefits of the proposal in accordance with the NPPF.

Historic England

06.01.2026

Historic England raises heritage concerns regarding the application. Historic England notes that the site lies partly within and adjacent to the Scheduled Monument of Beacon Hill Fort and within the Lower Dovercourt Conservation Area. It advises that there is potential for archaeological remains associated with former military features to be affected by the development and recommends consideration of archaeological advice and the impact on the Conservation Area. Historic England also objects to the proposed Biodiversity Net Gain tree planting within the Scheduled Monument, considering that it could harm archaeological remains and detract from the legibility and setting of the fort. It recommends that the BNG element be removed or relocated outside the Scheduled Monument. Overall, Historic England considers that further amendments, safeguards and assessment are required to address heritage impacts and ensure compliance with the relevant provisions of the NPPF and the statutory duty to preserve or enhance the character and appearance of the Conservation Area.

6. Representations

6.1 Details of Committee Referral

The application is presented to the Planning Committee for determination because Tendring District Council is the applicant and the proposed development is located on land owned by the Council.

6.2 Parish / Town Council

Harwich Town Council has no objection to the application.

6.3 Neighbour / Local Representations

Three objections and one representation have been received which raise the following planning concerns:

- Parking pressures

- Harm to local habitats
- Detract from the visual amenity of the park and beach environment
- Lacks supervision, security or management
- Cuts off access for everyday users of the park

These matters are addressed in the body of the report.

7. Assessment

Site Context

- 7.1 Cliff Park is designated as Safeguarded Open Space in the Local Plan, is owned by Tendring District Council and lies within the Lower Dovercourt Conservation Area. To the east of Cliff Park is Beacon Hill, a Scheduled Monument comprising predominantly twentieth century defence structures of considerable archaeological and landscape value. Cliff Park faces the sea southwards while the listed buildings of Orwell Terrace lie to the west. To the north, Cliff Park faces the High Street. The park benefits from an existing children's play area, gym equipment and playing field with a majority of the park being laid to grass with mature trees predominantly in the northern area of the park with some new tree planting around the park. The site also lies within the Dovercourt settlement development boundary.

Proposal

- 7.2 This application seeks planning permission for the construction of a floodlit football foundation Playzone located to the south of Park Pavillion and Army Cadet Force Centre and to the east of the play area and gym equipment. The Playzone will be fully encapsulated by 3m high fencing, with a 4 metre high goal recess section to the ends of the Playzone.
- 7.3 In addition, four LED floodlights to each corner of the Playzone are proposed, each measuring 8 metres in height, with LED street lighting along the path leading from Marine Parade to the Playzone. There is also a spectator area, as well as ancillary features such as benches and bins.
- 7.4 The Playzone will be available from 08.30 – 22:00 Monday to Sundays. The booking system will comprise of set bookable timeslots, alongside open access timeslots. Access to the Playzone will be through a gate locking system and it will be free to use at all times, except when booking for commercial use.
- 7.5 The proposal also includes a number of vinyl signs to each elevation; however, this only requires advert consent which has been separately consented under 26/01782/ADV.

Principle of Development

- 7.6 Policy S4 of the NPPF 2026 establishes a presumption in favour of development within settlements, requiring proposals to be approved unless the benefits are substantially outweighed by adverse effects when assessed against the national decision-making policies of the Framework. In particular, Policy S4 requires consideration of the protection of existing recreational land and facilities under Policy HC7.
- 7.7 Policy HC7 seeks to resist the loss of existing open space, sports and recreational land unless it can be demonstrated that the land is surplus to requirements, replacement provision is made, the proposal delivers public service infrastructure, or the development would provide alternative open space, sports or recreational facilities whose benefits clearly outweigh the loss of the existing use.
- 7.8 Local Plan Policy HP5 states The Council will work with partners and sports providers across the district to maintain, expand and improve the quality and accessibility of public open space, sports and recreational facilities of different types. While the proposal also complies with Policy HP4 as it

would not result in the loss of the Safeguarded Open Space.

- 7.9 The application site forms part of Cliff Park, an area designated as Safeguarded Open Space under the Local Plan. However, the proposal does not result in the loss of recreational land or open space to a non-recreational use. Instead, it would provide a new purpose-built sporting facility in the form of a Football Foundation Playzone, together with associated floodlighting, seating and ancillary infrastructure, thereby enhancing the range and quality of recreational opportunities available within the park.
- 7.10 The proposal is specifically intended to increase participation in sport and physical activity and would provide free community access alongside bookable sessions. The proposal therefore delivers enhanced sports and recreational provision on existing recreational land. Consequently, it is considered that the development accords with Policy HC7(d) of the NPPF, as the benefits arising from the provision of a modern multi-use sports facility clearly outweigh any limited loss of open grassed area occupied by the development. In addition, Sport England raise no objection to the proposal.
- 7.11 At the local level, Policy HP5 of the Tendring District Local Plan seeks to maintain, expand and improve the quality and accessibility of public open space, sports and recreational facilities. The proposed Playzone would directly support these objectives by providing a new high-quality community sports facility within an accessible location. Furthermore, the proposal would not result in the loss of the safeguarded open space designation and is therefore considered to accord with Policy HP4.

Scale, Layout & Appearance

- 7.12 Adopted Section 1 Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design, which responds positively to local character and context. Section 2 Policy SPL3 of the Local Plan also requires, amongst other things, that developments are designed to high standards and which, together with a well-considered site layout, create a unique sense of place. Similar objectives are reflected within Policy DP3 of the NPPF, which requires development proposals to respond to their context and integrate with and enhance their surroundings, whilst maintaining a strong sense of place and local character.
- 7.13 The proposed Playzone is large in scale and incorporates perimeter fencing, finished in a green colour. As a result, it will appear as a prominent feature within Cliff Park. The structure will be clearly visible from most areas within the park; however, it will be obscured by the mature trees and Park Pavilion when looking south from High Street.
- 7.14 In addition, a modest range of ancillary facilities are proposed, including two benches, two bins, and equipment storage, together with LED lighting providing a route from Marine Parade to the Playzone, and four LED floodlights which would only be used when the pitch is booked during hours of darkness. These ancillary elements are considered appropriate to the function of the development and are not considered to give rise to any unacceptable visual harm.
- 7.15 The Council's Tree and Landscape Officer has confirmed that there are no trees or other vegetation on the application site and none of the trees situated in Cliff Park will be adversely affected by the implementation of the proposal as there are no trees in close proximity to the site of the Playzone. The Officer goes on to say that it is not considered necessary for soft landscaping to be carried out, given the siting of the Playzone within a wider park setting.
- 7.16 Notwithstanding the increased prominence of the Playzone, the development is considered acceptable in this context given its siting within an established recreational area and its functional role, and it would result in a greater impact, but not unacceptable harm to the character or appearance of Cliff Park itself.

Heritage Assets

- 7.17 In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Local Planning Authority is under a statutory duty to pay special attention to the desirability of preserving or enhancing the character and appearance of the Lower Dovercourt Conservation Area.
- 7.18 Policies HE4, HE5, HE6 and HE9 of the NPPF 2026 seek to ensure that heritage assets are conserved in a manner appropriate to their significance. Development proposals affecting designated and non-designated heritage assets, including their settings, must be supported by a proportionate assessment of significance and the likely effects of the development. Proposals should seek to avoid or minimise harm to heritage assets and give substantial weight to their conservation. Where harm is identified, it must be clearly justified and weighed against the public benefits of the proposal. Particular regard must be had to the conservation and enhancement of Conservation Areas, including the retention of features that contribute positively to their significance, character and appearance. For sites with archaeological interest, appropriate assessment and investigation should be undertaken to inform decision-making and any necessary mitigation measures.
- 7.19 Policy PPL8 of Section 2 of the Local Plan seeks to ensure that any new development within a designated Conservation Area, or which affects its setting, will only be permitted where it has regard to the desirability of preserving or enhancing the special character and appearance of the area.
- 7.20 Policy PPL7 seeks to ensure that development proposals affecting known or potential archaeological remains are supported by appropriate archaeological assessment and, where necessary, investigation, recording and mitigation measures. Development affecting designated or non-designated archaeological heritage assets or their settings should protect, and where appropriate enhance, their significance. Proposals must be informed by a clear understanding of the significance of the heritage asset and be designed in a manner that respects its historic importance. Development that would result in harm to archaeological remains without appropriate protection, mitigation or recording will not be permitted.
- 7.21 The application site lies within the Lower Dovercourt Conservation Area and partly within the setting of the Scheduled Monument at Beacon Hill Fort, a nationally important military heritage asset. The proposal is accompanied by a Heritage Statement, Archaeological Desk-Based Assessment and Geophysical Survey, all of which have been reviewed by Place Services.
- 7.22 Historic England has raised concerns regarding the heritage impacts of the proposal. Whilst recognising the site's archaeological sensitivity and relationship with the Scheduled Monument, Historic England's principal concern relates to the proposed Biodiversity Net Gain (BNG) tree planting within the Scheduled Monument boundary. Historic England considers that the planting could adversely affect archaeological remains and the setting and legibility of the fort. It recommended that the planting is removed. Subsequently, the tree planting has been removed from the application, and the application site has been reduced to exclude this area. BNG does not form a matter requiring determination under the current application. Consequently, the concerns relating to the tree planting are not considered to materially affect the acceptability of the proposed PlayZone development.
- 7.23 Place Services Archaeology advises that the submitted archaeological assessments satisfactorily identify the significance of the heritage assets affected and confirm the potential presence of below-ground remains associated with the former military use of the site. Whilst the geophysical survey indicates areas of previous disturbance, there remains potential for buried archaeological remains to survive. Consequently, Place Services recommends a programme of archaeological investigation, including trial trenching and any necessary mitigation which will be secured through appropriately worded planning conditions on the grant of planning permission.
- 7.24 Place Services (Heritage) advises that the proposed Playzone, fencing and floodlighting would

introduce a prominent and utilitarian form of development within an open and verdant part of Cliff Park. Place Services consider that the proposal would detract from views across the park, including views towards Beacon Hill Fort and the coastline, and would fail to preserve or enhance the character and appearance of the Conservation Area. Place Services therefore concludes that the proposal would result in a low level of less than substantial harm to the significance of both the Lower Dovercourt Conservation Area and Cliff Park as a non-designated heritage asset.

- 7.25 The conclusions of both Historic England and Place Services are acknowledged, that the proposal would result in a low level of less than substantial harm to the significance of the Conservation Area and the setting of nearby heritage assets. In accordance with Policies HE4, HE5, HE6 and HE9 of the NPPF, this harm must be afforded considerable importance and weight and balanced against the public benefits arising from the proposal.
- 7.26 In this case, the proposed development would deliver a modern, high-quality and freely accessible multi-use sports facility funded through the Football Foundation Playzone programme. The facility would expand opportunities for sport and physical activity within the district. The proposal would also improve the quality and accessibility of recreation infrastructure within Cliff Park, in accordance with Local Plan Policy HP5.
- 7.27 Whilst the proposal would introduce new fencing, lighting columns and associated infrastructure into the park, it would remain located within an area already characterised by recreational uses, including a children's play area, outdoor gym equipment and playing fields. Having carefully weighed the identified low level of less than substantial harm against the substantial public benefits associated with the provision of enhanced community sporting and recreational facilities, it is considered that the public benefits outweigh the identified heritage harm. Subject to appropriate archaeological conditions, the proposal is considered to comply with Policies PPL7 and PPL8 of the Local Plan and the heritage policies contained within the NPPF.

Highway Safety/Parking

- 7.28 Policies TR3, TR4 and TR6 of the National Planning Policy Framework are relevant to the assessment of this proposal. Policy TR3 seeks to ensure development is located where it can support sustainable patterns of movement and make effective use of existing transport infrastructure. Policy TR4 requires transport considerations to be integral to the design of development and that parking provision reflects the location, nature and connectivity of a site. Policy TR6 confirms that development should only be refused where it would result in a severe adverse impact on the transport network or an unacceptable impact on highway safety.
- 7.29 Local Plan Policy CP1 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.
- 7.30 Essex Highways has been consulted and raises no objection to the proposal. The Highway Authority acknowledges that the PlayZone would be located on private land set well back from the public highway and considers the development acceptable from a highway and transportation perspective. Essex Highways recommended a condition requiring the submission of an updated Construction Management Plan. However, a Construction Management Plan has already been submitted as part of the application and is considered sufficient for a development of this scale, incorporating appropriate measures for vehicle routing, contractor parking, deliveries, material storage and pedestrian safety during the construction phase.
- 7.31 The proposal will provide a new multi-use games area within Cliff Park, an established area of public open space already containing recreational facilities including a children's play area, outdoor gym equipment and playing fields. The PlayZone will be available for both open access use and bookable sessions and is intended to increase opportunities for community sport and physical activity. Whilst

the facility is likely to attract additional users, it is not considered that the level of activity generated would result in a severe impact on the local highway network or create unacceptable parking pressures within the surrounding area. The proposal is therefore considered acceptable in highway and transportation terms.

Impact on Residential Amenity

- 7.32 Policy L2 of the National Planning Policy Framework 2026 seeks to support the effective use of land whilst ensuring that development maintains acceptable living standards for residents and neighbouring occupiers in terms of access to daylight, sunlight, privacy and amenity. In addition, Policy DP3 requires development to create safe, inclusive and attractive places that function well for existing and future users. P3 of the NPPF requires development to provide healthy living conditions for occupiers and users and to avoid unacceptable impacts from noise, artificial lighting and other forms of pollution, unless such impacts can be satisfactorily mitigated.
- 7.33 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.
- 7.34 It has been demonstrated, through the submitted lighting assessment and supporting illuminance data, that the proposed floodlighting and LED path lighting would unlikely have an adverse impact on neighbouring residential properties. The nearest dwellings are located at Orwell Terrace and in the High Street which are distances of 170 metres and 130 metres away respectively from the proposed Playzone with intervening mature trees. The floodlighting and LED path lighting would only be active if the Playzone was booked for use during hours of darkness up to 10pm as per the operation times. The proposal has been designed and located to minimise the effects of artificial lighting on nearby receptors, consistent with the objectives of Policy P3 of the NPPF.
- 7.35 The Playzone itself would not give rise to any significant overlooking, loss of privacy or adverse impact on outlook. The Council's Environmental Protection team raise no objection in respect of lighting or noise. Having regard to the submitted technical information and consultation responses, the proposal is not considered likely to result in unacceptable impacts on residential amenity through noise, artificial light or other forms of pollution and therefore accords with Policy P3 of the NPPF, together with Policies SP7 and SPL3 of the Local Plan.
- 7.36 In addition, the amended Construction Environmental Management Plan will be secured by condition to ensure that construction activities are appropriately managed throughout the build phase.

Ecology and Biodiversity

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.

7.37 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.

Although the submitted Preliminary Ecological Appraisal identifies the planting of Rowan trees as part of the proposed Biodiversity Net Gain (BNG) enhancements, the proposed location of these trees within the Scheduled Monument boundary is not considered acceptable. Consequently, this element of the enhancement strategy cannot be supported. Rather, a Biodiversity Enhancement Strategy will be secured by condition to deliver alternative enhancements that will benefit protected, Priority and threatened species, to include the purpose of the enhancement, design details, locations, implementation timetable, responsible persons, and arrangements for aftercare and long-term maintenance.

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

7.38 Ecology and nature conservation

The Preliminary Ecological Appraisal identifies that the application site lies within a Site of Special Scientific Interest (SSSI) Impact Risk Zone (IRZ), where there is potential for the proposed development to have an effect on a terrestrial SSSI. In accordance with Schedule 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and Section 28I of the Wildlife and Countryside Act 1981, Natural England has been consulted on the application. Place Services Ecology has also been consulted.

At the time of writing, consultation responses from Natural England and Place Services Ecology remain outstanding. As such, the recommendation for approval is subject to no objection being received from either consultee. Should objections be raised, the recommendation may need to be reconsidered in light of any identified harm and the advice received.

7.39 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. The minimum requirement is for a 10% net gain in biodiversity value achieved on a range of development proposals (excluding Listed Building Consent, Advert Consent, Reserved Matters, Prior Approvals, Lawful Certificates, householders, self builds, and other types of application 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).

The statutory framework for BNG applies. This involves the imposition (automatically applied as a deemed condition) of a planning condition on approvals to ensure the objective of at least 10% net gain over 30 years. The determination of the Biodiversity Gain Plan (BGP) under this planning condition is the mechanism to confirm whether the development meets the biodiversity gain objective. Development may not be begun until the BGP, via planning condition discharge, is approved.

Given this position, the government strictly provides it would generally be inappropriate for decision makers to refuse an application on the grounds that the biodiversity gain objective will not be met. It is considered logical to confirm this closer to commencement of development, given the potential number of options available. This further supports the position that the biodiversity gain objective can always be met in some form.

7.40 Protected Species

The submitted Preliminary Ecological Appraisal confirms the habitat on site is poor quality and contains common species. It contributes very little to biodiversity in Harwich and is considered to be of value at the Site only scale. The impact on the habitat prior to mitigation would be Negligible. There is no evidence to suggest that the proposed development site might support any protected,

rare, scarce or priority plant species, invertebrates, reptiles, water vole or otter, based on the habitat present, its management, and the urban location.

In compliance with relevant wildlife legislation and planning policies, the development will adhere to best practices to protect and enhance the habitat for protected species, mammals and specifically hedgehogs in line with the mitigation set out in the Preliminary Ecological Appraisal (Sibbett Ecology Ltd, October 2025). A condition will be imposed on the grant of planning permission to secure the mitigation.

7.41 Conclusion

In accordance with the overarching duty outlined above, this development is committed to actively contributing to the conservation and enhancement of biodiversity as set out above and within the planning conditions. The development aligns with the statutory framework for biodiversity net gain, striving to achieve a 10% net gain in biodiversity value over 30 years. In conclusion, this development is considered to accord to best practice, policy, and legislation requirements in consideration of the impacts on ecology interests.

Other Considerations

- 7.42 Concerns have been raised regarding access to the wider park by existing and regular users. Whilst these concerns are acknowledged, the proposed PlayZone would occupy only a small part of an established recreational area and would not prevent access to the wider park or its existing facilities. The proposal is intended to enhance the recreational offer available at the site and provide additional opportunities for sport and physical activity. The wider park would remain publicly accessible, and it is not considered that the development would result in a significant adverse impact on the ability of existing users to access or enjoy the park.
- 7.43 In terms of supervision, the PlayZone would function in the same manner as other publicly accessible recreational facilities and its day-to-day management and monitoring are operational matters. There is no evidence before the Local Planning Authority to indicate that the proposed facility would give rise to unacceptable safety, security or management issues that would justify withholding planning permission. The proposal is therefore considered acceptable in this regard.

8. Conclusion

- 8.1 The proposed PlayZone would provide an enhanced recreational facility within an established area of public open space, supporting increased participation in sport and physical activity and contributing to the objectives of Local Plan Policy HP5. Whilst the development would result in a low level of less than substantial harm to the character and appearance of the Conservation Area and the setting of nearby heritage assets, the public benefits are considered to outweigh this harm. Subject to appropriate conditions, including archaeological mitigation, biodiversity enhancement measures and no objection being received from Natural England and Place Services Ecology, the proposal is considered to comply with the relevant policies of the Development Plan and the NPPF and is therefore recommended for approval.

9. Recommendation

9.1 Approval (no S106 requirements)

Recommendation: Approval

That the Head of Planning and Building Control be authorised to grant planning permission subject to no objections from Natural England and Place Services Ecology being received, and 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,
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 than 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 (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

The approved red line plan drawing is Drawing No. MCA-MUK3424-03 Rev B received 28 January 2026

Drawing No. MCA-MUK3424-01 Rev C

Drawing No. MCA-MUK3424-04 Rev A

Drawing No. MCA-MUK3424-05

Drawing No. MCA-MUK3424-06 Rev A

Drawing No. MCA-MUK3424-08

Wydels Electrical Wholesalers 8 Metre Root Mount and Flange Plate Column Drawing

Document detailing floodlighting titled Project number: Cliffe Park MUK 3424 by Powerlight Fitzgerald

Document detailing path LED lighting titled Project number: Cliffe Park Pathway by Powerlight Fitzgerald

Cliff Park Playzone Proposed Materials document dated 11th November 2025

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 FURTHER APPROVAL: BIODIVERSITY NET GAIN PLAN

CONDITION: The development may not be begun unless (a) a biodiversity gain plan has been submitted to the planning authority (see note), and (b) the planning authority has approved the plan (see note).

REASON: In order to accord with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and amended by The Biodiversity Gain (Town and Country Planning) Modifications and Amendments (England) Regulations 2024 and The Biodiversity Gain (Town and Country Planning) (Amendments and Transitional Provisions) (England) Regulations 2026.

NOTE - CONTEXT AND APPLICATION:

Planning conditions are typically established upon the granting of planning permission under sections 70(1) and 72 of the Town and Country Planning Act 1990. However, it's essential to note that the biodiversity gain condition operates under a distinct statutory framework, specifically outlined in paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990.

This condition is deemed to apply to all planning permissions granted for land development in England, unless specific exemptions or transitional provisions are applicable (for further details, please refer to the provided web link <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments> or contact us directly.

The government advises against including this condition in decision notices to avoid confusion. However, for clarity and accountability, we have opted to highlight this condition within the decision notice. This ensures that all involved parties are aware of its requirements, facilitating effective tracking and monitoring throughout the development process, including the discharge of conditions.

In certain instances, this condition may be imposed even if the applicant believes that biodiversity net gain (BNG) does not apply. Based on the available information, it is determined that this permission necessitates the approval of a biodiversity gain plan before commencing development, as none of the statutory exemptions or transitional arrangements

apply.

For further details, please consult the officer report as needed. If you believe this condition does not apply, we strongly recommend contacting the Local Planning Authority (LPA) for clarification. Tendring District Council serves as the planning authority responsible for determining the approval of a Biodiversity Gain Plan in relation to this permission.

BIODIVERSITY GAIN PLAN REQUIREMENTS:

For the Biodiversity Gain Plan requirements, please refer to both paragraphs 14 and 15 of the Environment Act Sch 14 Part 2 as amended by The Biodiversity Gain (Town and Country Planning) Modifications and Amendments (England) Regulations 2024.

<https://www.legislation.gov.uk/ukpga/2021/30/schedule/14/enacted>

In summary, the Biodiversity Net Gain (BNG) plan must achieve a minimum biodiversity net gain of 10% and should typically include the following:

- Steps taken or to be taken to minimize adverse effects of the development on the biodiversity of the onsite habitat and any other habitat.
- Pre-development and post-development biodiversity assessments of the onsite habitat.
- Allocation of any registered offsite biodiversity gain to the development and its biodiversity value in relation to the development.
- Details of any biodiversity credits purchased for the development.
- Plans for maintaining and securing the net gain on and/or off site for at least 30 years after completion of the development.

The Local Authority will ensure the submitted details meet the requirements of the Town and Country Planning Act 1990 as amended, Environment Act as amended, associated legalisation and guidance.

Ways to achieve 10% BNG may include:

- 1) Enhancement and restoring biodiversity on-site (within the red line boundary of a development site).
- 2) If proposals can only achieve part of their BNG on-site, they can deliver through a mixture of on-site and off-site. Developers can either make off-site biodiversity gains on their own land outside the development site or buy off-site biodiversity units on the market as close as possible to the site.
- 3) If developers cannot achieve on-site or off-site BNG, they must buy statutory biodiversity credits from the government. This must be a last resort. The government will use the revenue to invest in habitat creation in England.

Developers may combine all 3 options but must follow the steps in order. This order of steps is called the biodiversity gain hierarchy.

CONDITIONS AND LEGAL AGREEMENT:

The Local Authority is responsible for ensuring that the biodiversity gain objective is achieved, whether it be onsite, offsite, or through the purchase of credits, and that it is secured by legal agreement as necessary. It is essential to highlight that planning conditions operate within a strict timeframe. Therefore, any legal agreements required to secure the biodiversity gain must be completed prior to the consideration of the planning condition. Failure to comply with this requirement may result in the refusal of the condition.

<https://www.tendringdc.gov.uk/content/discharging-the-biodiversity-net-gain-plan-condition-bng>

4 COMPLIANCE: HABITAT MANAGEMENT AND MONITORING PLAN FOR BNG

CONDITION: Unless all biodiversity net gain for the development is achieved via the purchase of off site biodiversity units or statutory biodiversity credits, no development shall commence on the site until a 30 year Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan/s under condition 3, has been submitted to and approved in writing by the local planning authority for the site, and shall contain the following unless otherwise agreed in writing by the Local Planning Authority:

a description and evaluation of the planned habitat works for the creation and/or enhancement of the on site habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

the management measures to maintain the on site habitat creation and/or enhancement works for a period of a least 30 years from the completion (defined for this purpose as first use and/or occupation unless otherwise agreed in writing by the LPA) of the development including:

- i) ecological trends and constraints on the site that may influence management;
- ii) aims, objectives and targets for management e.g. links with local and national species and habitat action plans;
- iii) a description of the management operations necessary to achieving the aims and objectives;
- iv) prescriptions for management actions;
- v) preparation of a works schedule, including annual works schedule;
- vi) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets;

details of the monitoring methodology, to measure the effectiveness of the management of the on site habitat creation and/or enhancement works together with the timetable for each element of the monitoring programme including when scheme shall be first implemented with provision for monitoring reports to be provided to the local planning authority in writing on year 1, 2, 3, 5, 7, 10, 15, 20, 25 and 30, with biodiversity reconciliation calculations at each stage; and

details of the roles and responsibilities of the people or organisation(s) delivering the HMMP including implementation and monitoring;

Furthermore, there shall be a completion report submitted to the local planning authority in writing for its approval, evidencing the completed habitat enhancements and/or creation works as set out in the HMMP prior to first use and/or occupation of the development. unless agreed in writing by the LPA. The approved HMMP shall be strictly adhered to at all times and implemented in full for its duration with the completion of the habitat works for the creation and/or enhancement of the on site habitat no later than the first use/occupation of the development, and the management and monitoring of those habitat works as required and in accordance with the approved HMMP thereafter for the period of 30 years or more.

REASON: To enhance biodiversity in accordance with the National Planning Policy Framework and to achieve the Biodiversity Net Gain objectives set out in Schedule 7A of the Town and Country Planning Act 1990 (as amended).

NOTE: If the approved BNG Plan is for off site units or statutory credits only, this condition does not require discharge. For all development that include a BNG plan for a combination of on site and off site/statutory credit, this condition is imposed and needs to be discharged as set out to secure the on site element. Additionally, should the on site BNG requirement

be considered to be "significant" an associated legal agreement will be required to secure monitoring fees.

5 COMPLIANCE REQUIRED: ECOLOGICAL APPRAISAL RECOMMENDATIONS

CONDITION: All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Sibbett Ecology Ltd, October 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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

6 COMPLIANCE REQUIRED: CONSTRUCTION METHOD STATEMENT

CONDITION: The Construction Environmental Management Plan V1 received 26 March 2026 shall be adhered to throughout the construction period of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of residential amenity and highway safety.

7 FURTHER APPROVAL REQUIRED - BIODIVERSITY ENHANCEMENT STRATEGY

CONDITION: Notwithstanding the recommendation of the Preliminary Ecological Appraisal (Sibbett Ecology Ltd, October 2025) for the planting of rowan *Sorbus aucuparia* trees in a plot to the east of the PlayZone, prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist, shall be submitted to and approved in writing by the local planning authority.

The Biodiversity Enhancement Strategy shall include the following:

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

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

REASON: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

8 FURTHER APPROVAL: ARCHAEOLOGICAL WORKS 1

CONDITION: No development shall take place until a scheme of archaeological evaluation of the site, including timetable, has been submitted to and approved in writing by the Local Planning Authority (including any demolition needing to be carried out as necessary in order

to carry out the evaluation). The evaluation shall be carried out in its entirety as may be agreed.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development. This condition is required to be agreed prior to the commencement of any development to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or loss due to the development and/or its construction. If agreement was sought at any later stage as there is an unacceptable risk of loss and damage to archaeological and historic assets.

9 FURTHER APPROVAL: ARCHAEOLOGICAL WORKS 2

CONDITION: No development shall take place until a written report on the results of the archaeology evaluation of the site has been submitted to the Local Planning Authority and that confirmation by the Local Planning Authority has been provided that no further investigation work is required in writing.

Should the Local Planning Authority require further investigation and works, no development shall take place on site until the implementation of a full programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording.
- b. The programme for post investigation assessment.
- c. Details of the provision to be made for analysis of the site investigation and recording.
- d. Details of the provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Details of the provision to be made for archive deposition of the analysis and records of the site investigation; and
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The written scheme of investigation shall be carried out in its entirety prior to any other development taking place, or in such other phased arrangement including a phasing plan as may be previously approved in writing by the Local Planning Authority.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development. This condition is required to be agreed prior to the commencement of any development to ensure features of archaeological importance are identified, preserved and secured to avoid damage or loss resulting from the development and/or its construction. If agreement was sought at any later stage, there is an unacceptable risk of loss and damage to archaeological and historic assets.

10 FURTHER APPROVAL: ARCHAEOLOGICAL WORKS 3

CONDITION: No use of the Playzone hereby approved shall begin until the archaeology evaluation, and if required the Written Scheme of Investigation, have been completed, submitted to and approved, in writing, by the Local Planning Authority. Furthermore, no building shall be occupied until analysis, publication and dissemination of results and archive deposition from the archaeology investigations as agreed under the Written Scheme of Investigation has taken place, unless an alternative agreed timetable or phasing for the

provision of results is agreed in writing by the Local Planning Authority.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development.

11 SPECIFIC RESTRICTION OF DEVELOPMENT: LIGHTING

CONDITION: The development hereby permitted shall be carried out in accordance with the details of the floodlighting and path LED lighting as shown on the approved plans/documents, one detailing the path LED lighting titled Project number: Cliffe Park Pathway by Powerlight Fitzgerald and the other document detailing floodlighting titled Project number: Cliffe Park MUK 3424 by Powerlight Fitzgerald. The lighting shall be installed prior to first use of the development and shall thereafter be retained and operated only in accordance with the approved details. No additional external lighting shall be installed on the site unless details have first been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the external lighting is appropriately controlled in the interests of residential amenity, visual amenity, to minimise light pollution, and in the interests of biodiversity.

12 ONGOING REQUIREMENT IMPOSED - RESTRICTION ON OPERATION TIMES

CONDITION: The hereby permitted development/use shall only operate between the hours of 08.30 and 22.00 Mondays to Sundays.

REASON: To enable the Local Planning Authority to retain control over the development in the interests of residential amenity within close proximity.

NOTE/S FOR CONDITION:

1) This condition shall engage and restricts the operation of the development from the first commencement of the use. This condition is imposed to ensure the development avoid unreasonable impact on the residential amenity of neighbouring dwellings, especially given the location of the development with considerations to the prevailing character and amenity currently enjoyed in this location. Without the imposing of this condition, the development would be refused due to the risk of harm and this condition is considered necessary, enforceable and reasonable in all other respects. This condition as detailed will apply to the development at all times unless varied or removed legally.

2) If the development operates outside of the hours stated this may result in unlawful development/use at risk of Enforcement Action. You are encouraged to discuss any concerns with this condition with the Local Planning Authority.

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. Also, in determining this application the LPA have identified matters of concern within the application (as originally submitted) and negotiated, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the LPA has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy

Framework.

Highways Informatives

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 must 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.

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 not likely have direct equality impacts on this target group.	Neutral
Disability	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Gender Reassignment	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Marriage or Civil Partnership	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Pregnancy and Maternity	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Race (Including colour, nationality and ethnic or national origin)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral

Sexual Orientation	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Sex (gender)	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral
Religion or Belief	The proposal put forward will not likely have direct equality impacts on this target group.	Neutral

Human Rights

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

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/>.