



TENDRING DISTRICT COUNCIL

Planning Services

Council Offices, Thorpe Road, Weeley, Clacton-on-Sea, Essex CO16 9AJ

AGENT: Mr Philip Branton - Wincer
Kievenaar Architects Ltd
Market Place
Hadleigh
Suffolk
IP7 5DN

APPLICANT: Mr M Rockall - Sole Bay
Developments Limited
Dolphin House (Formally
Heronway)
4 Angel Lane
Blythburgh
Suffolk
IP19 9LU

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 16/00421/FUL

DATE REGISTERED: 6th April 2016

Proposed Development and Location of the Land:

**Construction of a development of 81 predominantly single storey retirement dwellings (following demolition of existing single dwelling).
Chicken Farm Thorpe Road Little Clacton Clacton On Sea**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY GRANT PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted, subject to the following conditions;

- 1 The development hereby permitted shall be begun before 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 the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following submitted plans:

- o 5075 PA01A Site Location Plan
- o 5075 PA02A Existing Site Plan
- o 5075 PA03E Proposed Site Plan
- o 5075 PA04A Existing Wider Context Plan
- o 5075 PA05B Proposed Wider Context Plan
- o 5075 PA06B Proposed Dwelling Type A
- o 5075 PA07B Proposed Dwelling Type B
- o 5075 PA08B Proposed Dwelling Type C
- o 5075 PA09B Proposed Dwelling Type D
- o 5075 PA10B Proposed Dwelling Type E
- o 5075 PA11B Proposed Street Scenes
- o 5075 PA12B Proposed Site Roof Plan
- o 5075 PA13A Proposed Garage Plans & Elevations
- o 5075 PA100 Site Plan Illustrating Boundary Treatments
- o 5075 101 Proposed Block Paving Layout
- o 5075 101 Proposed Entrance Wall Details

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 No occupation of the development shall take place until a priority junction off Thorpe Road to provide access to the proposal site is completed in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The junction shall include, but shall not be limited to, a 5.5 metre wide carriageway, 2 no. 6 metre kerbed radii and a 120 metre x 2.4 metre x 70 metre visibility splay as shown in principle on planning application drawing number IP14_010_10/100 Rev. D Site Access Plan.

Reason - To protect highway efficiency of movement and safety.

- 4 No occupation of the development shall take place until the applicant and/or developer has provided, to the first owner of each dwelling on the site, a Residential Travel Information Pack for sustainable transport. The details of the pack shall have first been submitted to and approved, in writing, by the Local Planning Authority and shall include as a minimum six one day travel vouchers for use with the relevant local public transport operator.

Reason - To promote travel from the site by sustainable modes including public transport as an alternative to the private motor car.

- 5 The hereby permitted development shall be carried out in accordance with the submitted Contract Method Statement Ref: 16-091/MS01 Issue SR01 received on 06 June 2017 and Traffic Management Layout and Plan Ref: 16-091 by B&W received on 20 February 2017.

Reason - To ensure that the development takes place in a satisfactory manner with regard to its impact on residential amenity and highway safety in the local area.

- 6 Soft landscaping for the development shall be carried out and maintained in accordance with the following details received on 20 February 2017:
 - o DFCC 1157 Doc-01 Soft Landscape Specification
 - o DFCC 1157-Doc-02 Soft Landscape Management Plan
 - o DFCC 1157 Drawing Register
 - o DFCC 1157_D01 Tree Pit Detail
 - o DFCC_1157_L01 Soft Landscape Plan Area 1
 - o DFCC_1157_L02 Soft Landscape Plan Area 2
 - o DFCC_1157_M01 Trees
 - o DFCC_1157_M02 Wildflower and Bulbs
 - o DFCC_1157_M03 Swale and Attenuation Ponds Planting Palette
 - o DFCC_1157_M04 Hedge and Buffer
 - o DFCC_1157_M05 House Frontage and Amenity Space
 and drawing numbers DCCP 3135 TSP Tree Survey Plan and DFCCP 3135 TPP Tree Protection Plan received on 16 March 2016.

Reason - To ensure the proper planning, management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area.

- 7 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the landscaping details referred to in condition 06 of this planning permission shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority.

Reason - In order to ensure the earliest practicable implementation of new planting

required to mitigate the impact of development, in the interests of local and residential amenity.

- 8 Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - In order to ensure the satisfactory establishment of new planting required to mitigate the impact of development, in the interests of local and residential amenity.

- 9 No demolition of any of the existing buildings on site shall commence until a Phase 2 Bat Survey and assessment has been submitted to and approved, in writing, by the Local Planning Authority. Demolition of the structures and any development thereafter shall be carried out in accordance with the recommendations of the assessment as approved.

Reason - To ensure that bats, as a protected species, are not harmed as a result of the development.

- 10 The hereby permitted development shall be carried out and maintained in accordance with the recommendations contained within the following documents dated 14 March 2016:

- o DFC 3135 Rev A Ecological Enhancement Plan
- o DFCP 3135 Great Crested Newt, Badger and Dormouse Assessment and Non Licenced Method Statement for Vegetation Clearance
- o DFCP 3135 Rev A Extended Phase 1 Habitat Survey
- o DFCP 3135 Rev A Reptile Survey

Reason - In order to safeguard and enhance protected wildlife species and their habitats and in the interests of biodiversity.

- 11 Notwithstanding the submitted information, details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- o Surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development
- o A scheme to minimise the risk of off site flooding caused by surface water run off and groundwater during construction works
- o A Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies
- o Details of a Sustainable Urban Drainage Management Company

and no occupation of the development shall occur until the approved details have been fully implemented. The scheme shall subsequently be maintained in accordance with the details as approved.

Reason - To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure effective operation of SuDS features over the lifetime of the development.

- 12 No occupation of the development shall occur until details of a foul water strategy (including details of the external appearance of the pumping station and any associated plant/machinery and boundary enclosures) have been submitted to and approved in writing by the Local Planning Authority and the works have been completed in accordance with the foul water strategy as approved.

Reason - To prevent environmental and amenity problems arising from flooding and in the interests of visual amenity.

- 13 The materials used in the development shall be in accordance with the submitted Wincer Kievenaar's Material Schedule dated 13 February 2017 Plots 1-38, 79 and 81; Wincer Kievenaar's Material Schedule dated 3 April 2017 Plots 39-78 and 80 and drawing number 5075 101 Proposed Block Paving Layout.

Reason - To ensure a satisfactory development in relation to external appearance.

- 14 The hereby permitted development shall be carried out in accordance with the details contained within drawing number DRG 5075/PA100 received on 20 February 2017. The boundary walls and fences and the waste and refuse collection points as approved shall be erected/provided prior to the building/s to which they relate being first occupied and shall thereafter be retained in their approved form.

Reason - To ensure a satisfactory development in terms of appearance and functionality, in the interests of amenity.

- 15 The hereby permitted development shall be carried out in accordance with the external lighting details shown by the following plans and documents received on 20 February 2017 and no occupation of the development shall occur until the scheme has been implemented fully in accordance with the details as approved:
- o S38 Proposed Lighting Design Document - R0
 - o S38 Proposed Lighting Electrical Connections Schedule - R0
 - o S38 Proposed Lighting - Risk Assessments - R0
 - o S38 Roadway Lighting Report - 9.50m Road Width Single Sided
 - o S38 Roadway Lighting Report - 9.50m Road Width Staggered Sided
 - o Outdoor Lighting Report dated 14 February 2017
 - o Drawing No. MMA13935/001 R1 Street Lighting Design

Reason - To ensure lighting is sensitively designed, minimises light spillage and ensures the use of low level, directional lighting to minimise light pollution and ensure there will not be a light nuisance to the existing residential dwellings.

- 16 Within the hereby permitted development, no dwelling shall be occupied until a high-speed broadband connection is installed utilising resistant tubing to that dwelling. All in accordance with details that shall be submitted to and approved, in writing, by the Local Planning Authority. If the applicant is unable to achieve this standard of connection, and can evidence through consultation that this would not be possible, practical or economically viable an alternative superfast (i.e. will provide speeds greater than 24mbps) wireless service will be considered acceptable.

Reason - To ensure the development is able to be equipped with high speed broadband to enable opportunities for web-based communication and homeworking.

- 17 Before development shall commence, or at a later date agreed in writing by the Local Planning Authority, the applicants shall submit to the Local Planning Authority a Local Recruitment Strategy to include details of how the applicant/ developer shall use their reasonable endeavours to promote and encourage the recruitment of employees and other staff in the locality of the application site, for the construction of the development. The approved Local Recruitment Strategy shall be approved in writing by the Local Planning Authority and adhered to therein after.

Reason - To promote and encourage the recruitment of employees and other staff in the

locality of the application site.

- 18 The recommendations of the Remediation Method Statement (RSA Geotechnics Ltd Report No. 14204RS May 2017) shall be carried out prior to the commencement of any works of construction/demolition on site unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be notified in writing a minimum of two weeks prior to commencement of the remediation scheme works of the date that the remediation works will commence. Following completion of the measures identified in such approved Remediation Method Statement, a verification report to demonstrate the effectiveness of the remediation carried out shall be submitted to the Local Planning Authority.

In the event that contamination is found which was not previously identified, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken and, where remediation is necessary, a new Remediation Method Statement shall be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of all necessary measures identified in such Remediation Method Statement, a verification report shall be submitted to and approved in writing by the Local Planning Authority. In such circumstances, no further works of development shall be carried out to that part of the site until such time as the requirements of this condition have been satisfied.

Reason - To ensure that any risks (to future users of the land and neighbouring land and to controlled waters, property and ecological systems) arising from any land contamination are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 19 No occupation of the development shall occur until a scheme for the provision of open space within the approved site, in accordance with drawing no. 5075 PA03E Proposed Site Plan, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the laying out and construction of the open space, and a timetable for its provision. The open space shall then be provided in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

Reason - This condition is imposed to ensure a satisfactory provision of open space is provided in the interests of the amenity of future residents.

- 20 No occupation of the development shall occur until a Landscape Management Plan including long term design objectives, management responsibilities and maintenance/frequency schedules for all public open space and landscaped areas (including those comprising SUDs drainage features) other than small, privately owned, domestic gardens has been submitted to and agreed in writing by the Local Planning Authority. The Landscape Management Plan shall thereafter be carried out as approved at all times.

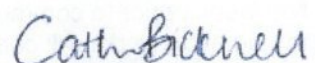
Reason - To ensure the proper management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area.

- 21 No occupation of the development shall occur until details of a management company responsible for the maintenance of the public open space and landscaped areas in the Landscape Management Plan, has been submitted to, and agreed in writing by, the Local Planning Authority. The landscape management company, as approved, shall maintain the landscaped areas in accordance with the approved Landscape Management Plan in perpetuity unless otherwise subsequently agreed, in writing, by the Local Planning Authority.

Reason - The application contains insufficient information to ensure that the landscaped areas will be maintained to a satisfactory condition and there is a potential adverse impact on the quality of the surrounding environment.

DATED: 30th June 2017

SIGNED:



Catherine Bicknell
Head of Planning

IMPORTANT INFORMATION :-

The local planning authority considers that the following policies and proposals in the development plan are relevant to the above decision:

National Planning Practice Guidance

NPPF National Planning Policy Framework

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL2 Promoting Transport Choice

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

QL12 Planning Obligations

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG3A Mixed Communities

HG4 Affordable Housing in New Developments

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

COM2 Community Safety

COM6 Provision of Recreational Open Space for New Residential Development

COM19 Contaminated Land

COM21 Light Pollution

COM23 General Pollution

COM26 Contributions to Education Provision

COM29 Utilities

COM31A Sewerage and Sewage Disposal

EN1 Landscape Character

EN4 Protection of the Best and Most Versatile Agricultural Land

EN6 Biodiversity

EN6A Protected Species

EN6B Habitat Creation

EN12 Design and Access Statements

EN13 Sustainable Drainage Systems

EN29 Archaeology

TR1A Development Affecting Highways

TR3A Provision for Walking

TR4 Safeguarding and Improving Public Rights of Way

TR5 Provision for Cycling

TR6 Provision for Public Transport Use

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SP1 Presumption in Favour of Sustainable Development

SP5 Infrastructure & Connectivity

SP6 Place Shaping Principles

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

HP1 Improving Health and Wellbeing
HP5 Open Space, Sports & Recreation Facilities
LP1 Housing Supply
LP2 Housing Choice
LP3 Housing Density and Standards
LP4 Housing Layout
LP5 Affordable and Council Housing
PP12 Improving Education and Skills
PPL1 Development and Flood Risk
PPL3 The Rural Landscape
PPL4 Biodiversity and Geodiversity
PPL5 Water Conservation, Drainage and Sewerage
PPL7 Archaeology
CP1 Sustainable Transport and Accessibility
CP3 Improving the Telecommunications Network
Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice
Essex Design Guide

1. In connection with Condition 5 above the applicant/developer is reminded that additional information is required to complete the Contract Method Statement (in accordance with the advice contained within the Statement) including details of the following:

- o piling
- o excavation to reduce levels/excavation of foundations/excavation to lay drainage and ducts
- o installation of mechanical and electrical services
- o soft and hard landscaping works

2. In connection with Condition 11 above the applicant/developer is advised that notwithstanding the submitted information listed below, Essex County Council (as the Local Lead Flood Authority) require the submission of additional details in accordance with their letter dated 8 August 2016 and their email dated 6 April 2017 timed at 10:04:

- o IP14_010_10_SK007 SUDs Maintenance
- o IP14_010_10_SK008 Surface Water Runoff
- o IP14_010_10_002 Private Drainage Construction (1 of 2)

- o IP14_010_10_003 Private Drainage Construction (2 of 2)
- o IP14_010_10_009 Private Pavement Construction
- o IP14_010_10_010 Engineering Layout Sheet 1 of 3
- o IP14_010_10_011 Engineering Layout Sheet 2 of 3
- o IP14_010_10_012 Engineering Layout Sheet 3 of 3
- o IP14_010_10_038 Section 38 Layout
- o IP14_010_10_104 Section 104 Layout
- o IP14_010_10_105 Section 104 Offsite Foul
- o Micro Drainage Calculations S104 Foul Network
- o Micro Drainage Calculations S104 Surface Network

The applicant/developer is also advised that the details submitted in connection with 11 above shall include the maintenance of yearly logs of maintenance.

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.

This application is the subject of a legal agreement and this decision should only be read in conjunction with this agreement. The agreement addresses the following issues:

- Affordable Housing Contribution;
- Healthcare Contribution; and,
- Primary Education Contribution.

Standard Informative 1: The Provisions of the Essex Act 1987, Section 13 (Access for the Fire Brigade) may apply to this Development and will be determined at Building Regulation Stage.

Standard Informative 2: You are reminded that the carrying out of building works requires approval under the Building Regulations in many cases as well as a grant of planning permission. If you are in doubt as to whether or not the work, the subject of this planning permission, requires such approval, then you are invited to contact the Building Control section at Tendring District Council.

Standard Informative 3: If the development includes the construction of a new building on or at the boundary of 2 properties, work to an existing party wall or party structure or involve excavation near to and below the foundation level of neighbouring buildings, you are advised that the provisions of the Party Wall Act 1996 may apply to this development. An explanatory booklet concerning the implications of this Act is available online or from the District Council.

The attached notes explain the rights of appeal.

NOTES FOR GUIDANCE

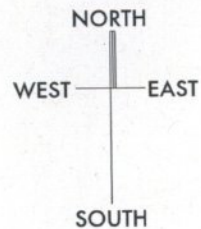
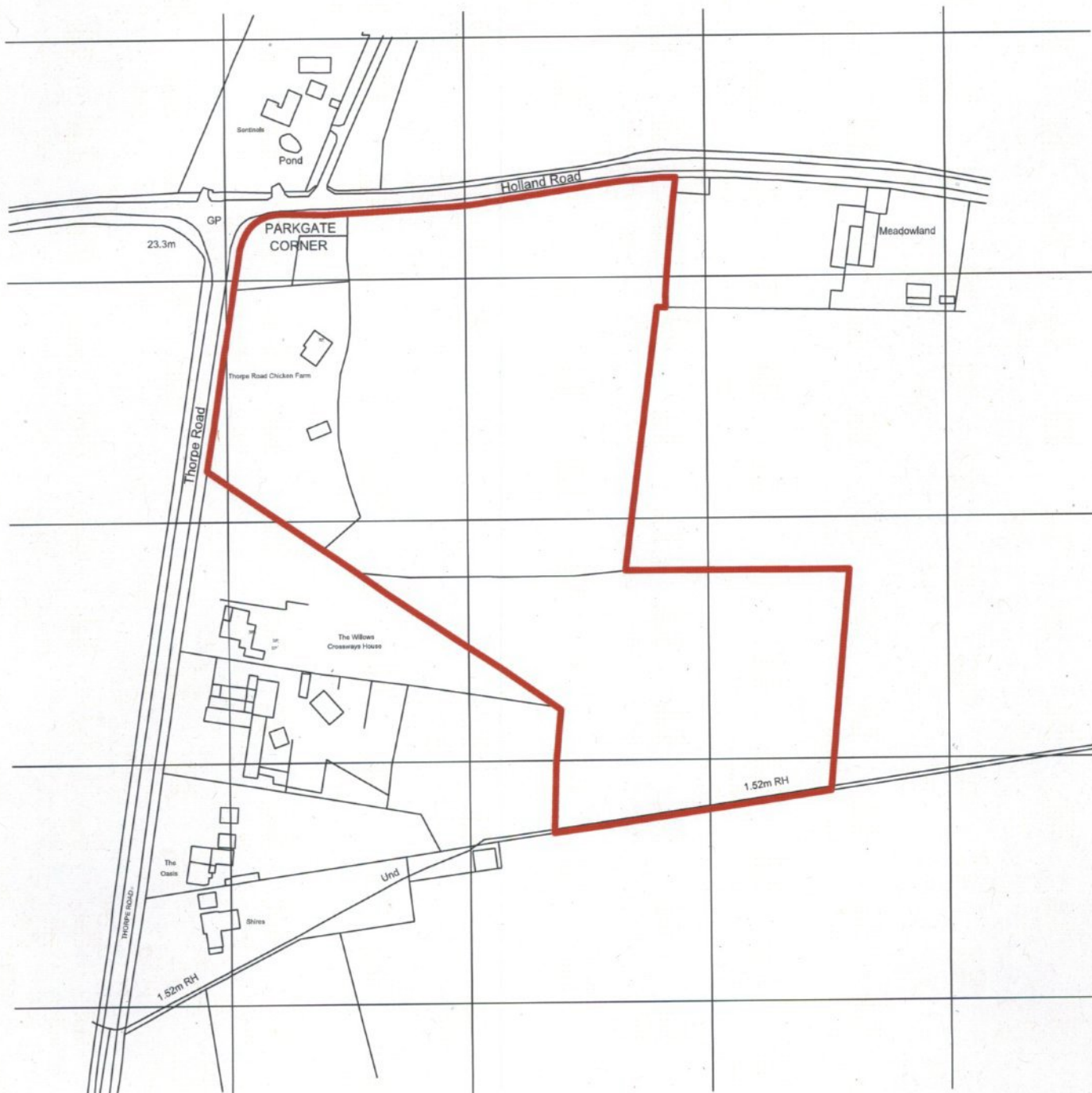
WHEN PLANNING PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

APPEALS TO THE SECRETARY OF STATE



- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within the set time frame as outlined below:
 - a. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - b. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>
 - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online <https://www.gov.uk/planning-inspectorate>
- Appeals must be made using the relevant form (as detailed above) which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. **Please note, only the applicant possesses the right of appeal.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions imposed having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by the Secretary of State.

ENFORCEMENT

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder or minor commercial appeal) of the date of this notice, whichever period expires earlier.



A	PLANNING APPLICATION SUBMISSION	11.03.16	MS	PB
REVISION	DESCRIPTION	DRAWN	CHECK	

TITLE	SITE LOCATION PLAN	JOB NO 5075		 WINCER KIEVENAAR Chartered Architects MARKET PLACE HADLEIGH IPSWICH SUFFOLK IP7 5DN T:01473 827992 F:01473 827149 E:enquiries@wkparchitects.co.uk
		DRG NO PA01A		
PROJECT	PROPOSED RESIDENTIAL DEVELOPMENT, OLD CHICKEN FARM, THORPE ROAD, LITTLE CLACTON, ESSEX, CO16 9RZ	SCALE 1:2500 @ A4		
		DATE March 2016		
CLIENT	Sole Bay Developments Limited	DRAWN MS		

