



TENDRING DISTRICT COUNCIL

Planning Services

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

AGENT: Mr Will Vote - Rose Builders
(Barleyfields) Ltd
Riverside House
Riverside Avenue East
Manningtree
Essex
CO11 1US

APPLICANT: Mr & Mrs Lumber and Weeley
C/o Agent

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 19/00524/OUT

DATE REGISTERED: 1st April 2019

Proposed Development and Location of Land:

**Outline planning application with all matters reserved, except for access, for 280 dwellings, a 2 Form of Entry primary school, 56 place early years nursery, up to 3000 sqm of office (B1) buildings on 1 hectare and associated ancillary buildings, drainage systems, boundary treatments and hard surfacing as well as public open space, vehicular access from Thorpe Road a pedestrian footbridge and the closure of existing level crossing and formal diversion of public footpath No 5 - Weeley, over the new railway bridge.
Land to The South of Thorpe Road Weeley Essex**

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

- 1 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason - To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 3 No development shall be commenced until plans and particulars of "the reserved matters" referred to in the above conditions relating to the appearance, landscaping, layout and scale have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason - The application as submitted does not provide sufficient particulars for consideration of these details.

- 4 Prior to submission of the first Reserved Matters application, a layout and phasing

plan/programme to include details of market and affordable housing provision, employment provision, identification of the physical extent of each proposed phase of development, the layout and an indicative timescale for implementation of each phase, shall be submitted to and agreed, in writing, by the Local Planning Authority.

Reason - To ensure a satisfactory development programme in the interests of the occupiers of the development and in terms of local amenity.

- 5 The maximum number of dwellings to be contained in the development shall be 280 and the amount of employment land shall not exceed 1 hectare and the B1 office space shall not exceed 3000 sqm.

Reason - To ensure compliance with the description of development hereby approved.

- 6 Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

Reason - In the interests of reducing the need to travel by car and promoting sustainable development and transport.

- 7 Prior to occupation of the development, vehicular parking and turning facilities in accordance with current policy standards shall be provided for all dwellings, unless otherwise agreed in writing by the Local Planning Authority. They shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose. Any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space, retained in perpetuity.

Reason - To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety and to ensure adequate space for parking off the highway is provided in the interest of highway safety.

- 8 There shall be no discharge of surface water onto the Highway.

Reason - To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

- 9 No development shall take place before an Environmental Construction Management Plan for the construction of the development hereby approved has been submitted to, and approved in writing, by the Local Planning Authority. Works shall be carried out in accordance with the approved method statement. Details submitted in respect of the method statement, incorporated on a plan, shall provide for wheel cleaning facilities during the excavation, site preparation and construction stages of the development to prevent the deposition of mud or other debris onto the highway network/public areas. The method statement shall also include details of safe access to/from the site, the parking and turning of vehicles of site operatives and visitors, loading and unloading of plant and materials, delivery and construction working hours, dust suppression strategy, routing of delivery vehicles, measures to control noise and lighting, the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials, means of safeguarding the public right of way during construction, the erection and maintenance of security hoarding, a scheme for recycling/disposing of waste resulting from construction, and temporary traffic management/signage.

Reason - To ensure that development is carried out in a controlled manner in the interests of highway safety, while minimising impacts on the surrounding residential properties and the natural environment.

- 10 No development shall take place until details of surface water drainage have been submitted to and agreed, in writing, by the Local Planning Authority. No part of the development shall be first occupied or brought into use until the agreed method of surface water drainage has been fully installed and is available for use.

Reason - To minimise the risk of flooding.

- 11 Prior to construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason - To prevent environmental and amenity problems arising from flooding.

- 12 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall subsequently be implemented as approved.

Reason - To ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

- 13 No development shall take place until 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, has been submitted to and agreed, in writing, by the Local Planning Authority.

Reason - To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

- 14 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason - To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

- 15 No development shall take place within the application site until the applicant or developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the scheme so approved.

Reason - To allow for proper investigation and recording of the site, which is potentially of archaeological and historic significance.

- 16 Prior to the commencement of any work a full method statement in respect of piling works shall be submitted to and approved in writing by the Local Planning Authority, this will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.

Reason - In the interests of residential amenity.

- 17 Other than for lighting within the public highways, each reserved matters application shall be accompanied by details of external lighting which shall be submitted to and approved in writing by the Local Planning Authority. The external lighting strategy shall consider how the use of such lighting will avoid, or minimise, harm caused by light pollution and the development shall be carried out in accordance with the approved scheme.

Reason - To ensure that new external lighting of the development is not harmful to biodiversity or local amenity.

- 18 Prior to commencement of any phase of development, details of all refuse/recycling storage and collection points required to serve that phase of development shall be submitted to and approved in writing by the Local Planning Authority. Each refuse/recycling storage and collection point so approved shall be provided prior to first occupation of any dwelling to which it relates and shall be retained thereafter as approved.

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

- 19 Each Reserved Matters application shall incorporate a detailed scheme of hard and soft landscaping works, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction".

Reason - In the interests of visual amenity and character of the area.

- 20 All trees and hedges identified to be retained, shall be protected in accordance with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction". The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be agreed in writing with the Local Planning Authority, following the death of, or severe damage to the trees.

Reason - In the interests of visual amenity and the character of the area.

- 21 No phase of development shall commence until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in the construction of that phase have been submitted to and approved, in writing, by the Local Planning Authority. Such materials so approved shall be those used in that particular phase of development.

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

- 22 The development hereby permitted shall be carried out in accordance with the mitigation measures set out in the Ecological Impact Assessment; Barn Owl Mitigation Report; Bat Activity Survey; Breeding Bird Survey; Reptile Survey and Outline Mitigation Strategy, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure the proposal does not adversely affect any protected species and to enhance the biodiversity of the site.

- 23 Prior to the commencement of any above ground works a Landscape and Ecology Management Plan shall be submitted to and approved in writing by the Local Planning

Authority. The Plan shall specify how areas of green space are to be managed, including measures to create habitats as well as general biodiversity enhancements and safeguarding of protected species.

Reason - To ensure the areas of green space are appropriately managed and to encourage biodiversity on the site.

- 24 No occupation of the development, or specific phase of development in accordance with Condition 4, shall take place until the following have been completed, as necessary for each phase, in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority:
- Barleyfields carriageway to be widened to 6.75 metres, including 1 x 3 metre footway, and 1 x 2 metre footway to continue into the site;
 - Right-turn lane into Barleyfields for traffic approaching from the west to be a minimum width of 3.5 metres with running lanes of 3 metres in both directions, including lane markings and hatching, as shown in principle on drawing no. 161890-002 Rev B;
 - A pedestrian refuge island to be provided to the west of Barleyfields access road with pedestrian tactile as shown in principle on drawing no. 161890-002 Rev B;
 - The existing footway along the site frontage to be widened to 3 metres minimum as shown in principle on drawing no. 161890-002 Revision B;
 - Adjustments to carriageway width to the east of Crow Lane and removal of the layby, to include kerbing, adjustments to levels and carriageway construction.
 - Right-turn lane into Crow Lane approaching from the east to be a minimum width of 3.5 metres with running lanes of 3 metres in both directions, including lane markings and hatching, as shown in principle on drawing no. 161890-002 Rev B;
 - Homestead access constructed appropriate kerb radii, including dropped kerb to facilitate pedestrian crossing;
 - Right-turn lane into Homestead approaching from the east to be a minimum width of 3.5 metres with running lanes of 3 metres in both directions, including lane markings and hatching, as shown in principle on drawing no. 161890-002 Rev B.

No dwelling within the development or phase of development, shall be first occupied until such time as all facilities identified above, as necessary for each phase, have been provided in accordance with details so approved.

Reason - To protect highway efficiency of movement and safety and to enable satisfactory access to the site by pedestrians, bicycles, public transport and motorised vehicles.

- 25 Prior to commencement of any phase of development, details of cycle storage required to serve each dwelling within that phase of development shall be submitted to and approved in writing by the Local Planning Authority. All cycle storage so approved shall be provided prior to first occupation of the dwelling to which it relates and shall be retained thereafter as approved.

Reason - To ensure a satisfactory development in terms of appearance and functionality and sustainability, so that cycling is encouraged as a sustainable means of transport.

- 26 Each Reserved Matters application shall include precise details of the provision, siting, design and materials of screen walls and fences. The approved screen walls and fences shall be erected prior to the dwellings to which they relate being first occupied and thereafter be retained in the approved form.

Reason - To protect the amenities and privacy of occupiers of adjoining properties and in the interests of visual amenity.

- 27 As part of the first Reserved Matters application, details of any conversion of redundant listed

buildings and/or demolition of non-curtilage listed buildings shall be submitted to and approved, in writing, by the Local Planning Authority.

Reason - To protect the special character and setting of the listed building(s).

- 28 Prior to commencement of any phase of development, details of existing and proposed levels of the site, finished floor levels and identifying all areas of cut or fill, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed scheme.

Reason - To protect existing vegetation and to protect the amenities and privacy of adjoining properties and in the interests of visual amenity.

- 29 Prior to commencement of any phase of development the precise location and specification (to include wooden shelters, raised kerbs, flag and timetable frames) of two new bus stops located to the east of Barleyfield's access on either side of Thorpe Road shall be submitted to and agreed, in writing, by the Local Planning Authority in consultation with the Local Highway Authority. The approved bus stops shall be provided prior to occupation of any dwelling and thereafter be retained in the approved form.

Reason - To ensure a satisfactory development in terms of appearance and functionality and sustainability, so that bus usage is encouraged as a sustainable means of transport.

- 30 The site access to Crow Lane as shown in principle on the planning application drawings shall include but not be limited to a visibility splay with dimensions of 2.4 metres by 75 metres to the west and 2.4 metres by 75 metres to the east, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be retained free of any obstruction at all times.

Reason - To protect highway efficiency of movement and safety.

- 31 The site access to Barleyfields as shown in principle on the planning application drawings shall include but not be limited to a visibility splay with dimensions of 2.4 metres by 66 metres to the west and 2.4 metres by 66 metres to the east, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be retained free of any obstruction at all times.

Reason - To protect highway efficiency of movement and safety.

- 32 The site access to Homestead as shown in principle on the planning application drawings shall include but not be limited to a visibility splay with dimensions of 2.4 metres by 75 metres to the west and 2.4 metres by 75 metres to the east, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be retained free of any obstruction at all times.

Reason - To protect highway efficiency of movement and safety.

- 33 A new gateway traffic calming feature(s) shall be provided on the approaches to Weeley on the B1033 to enhance the existing 30mph speed limits, scheme details to be submitted to and agreed in writing by the Local Planning Authority and implemented prior to first occupation.

Reason - To protect highway efficiency of movement and safety.

- 34 Prior to commencement of any phase of development, a soil survey of the site shall be undertaken and the results provided to the Local Planning Authority. The survey shall be taken at such points and to such depth as the Local Planning Authority may stipulate. Where

contamination is identified, a scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority in writing and the scheme as approved shall be fully implemented and completed before any dwelling hereby permitted is first occupied.

Reason - To ensure that any contamination is identified and addressed in the interests of the health and safety of site operatives during the construction phases and the future occupiers of the development.

- 35 Details of acoustic measures to minimise noise disturbance to occupiers of dwellings in close proximity to the existing railway line shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development or if phased that part of the site closest to the railway. The agreed acoustic measures shall be fully implemented and completed before the dwellings identified for this mitigation are first occupied.

Reason - To protect the amenities of future occupiers.

- 36 Prior to commencement of any above ground works a scheme for the on-site mitigation of the recreational impact of the development on protected Essex Coast European sites shall be submitted to and approved in writing by the Local Planning Authority. This mitigation scheme shall comprise;
- a) a circular walking route; dog off lead area; dog waste bins; and residents' information leaflets;
 - b) full details of the long-term maintenance and management of the green space;
 - c) a program for implementation
- Development shall be undertaken in strict accordance with the approved mitigation scheme and program and thereafter managed and retained as approved. Any approved information leaflet shall be included within the new residents welcome pack to every dwelling.

Reason - To encourage the future residents to remain on-site for day to day recreation/dog walking, so as to minimise pressures upon Hamford Water SPA and Ramsar, Colne Estuary SPA and Ramsar, Blackwater Estuary SPA and Ramsar, Dengie SPA and Ramsar, and Essex Estuaries SAC, pursuant to the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy.

- 37 The hereby permitted development shall not be occupied until a fibre optic broadband connection installed on an open access basis and directly accessed from the nearest exchange, incorporating the use of resistant tubing, has been installed at the site, in accordance with details that shall be submitted 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 it 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.

- 38 Prior to commencement or at a later date agreed in writing by the Local Planning Authority, the applicants shall submit to the Local Planning Authority, in writing, 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 and for the uses of the development thereafter. The approved Local Recruitment Strategy shall be adhered to therein after.

Reason - To promote and encourage the recruitment of employees and other staff in the locality of the application site.

- 39 Prior to the first occupation of any dwelling, a scheme to surface any public right of way (PRoW) contained within the site shall be submitted to and approved in writing by the Local Planning Authority (LPA), or shall be submitted with the first reserved matters application for layout, unless otherwise agreed in writing by the LPA. The submitted scheme shall also include a phasing programme for the delivery of the improvement works. The pathways shall thereafter be upgraded to the agreed surfacing specification in accordance with the approved programme of delivery unless otherwise agreed in writing.

Reason - To ensure existing footpaths across the application site are adequately upgraded to address the increased footfall from the development.

DATED: 14th August 2019

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:

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

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

QL8 Mixed-Uses

ER3 Protection of Employment Land

ER7 Business, Industrial and Warehouse Proposals

ER10 Small Scale Employment Sites in Villages

ER11 Conversion and Reuse of Rural Buildings

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

COM1 Access for All

COM2 Community Safety

COM4 New Community Facilities (Including Built Sports and Recreation Facilities)

COM6 Provision of Recreational Open Space for New Residential Development

COM21 Light Pollution

COM22 Noise Pollution

COM23 General Pollution

COM24 Health Care Provision

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

ER13 Employment Use in Residential Areas

EN23 Development Within the Proximity of a Listed Building

EN29 Archaeology

TR1A Development Affecting Highways

TR1 Transport Assessment

TR2 Travel Plans

- 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
- TR8 Public Car Parking

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

- SP1 Presumption in Favour of Sustainable Development
- SP2 Spatial Strategy for North Essex
- SP3 Meeting Housing Needs
- SP4 Providing for Employment & Retail
- SP5 Infrastructure & Connectivity
- SP6 Place Shaping Principles
- SPL1 Managing Growth
- SPL2 Settlement Development Boundaries
- SPL3 Sustainable Design
- HP1 Improving Health and Wellbeing
- HP2 Community Facilities
- HP3 Green Infrastructure
- 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
- PP7 Employment Allocations
- 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

PPL9 Listed Buildings

CP1 Sustainable Transport and Accessibility

CP2 Improving the Transport Network

CP3 Improving the Telecommunications Network

SAMU5 Development South of Thorpe Road, Weeley

Local Planning Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

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.

Informatives

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

The Local 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.

The Public Right of Way network is protected by the Highways Act 1980. Any unauthorized interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpaths 3, 4 and 5 (Weeley) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The granting of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with the Local Highway Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

Any signal equipment/structures/non-standard materials/trees/public rights of way through the site proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for a period of 15 years following construction.

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 - Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ

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

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

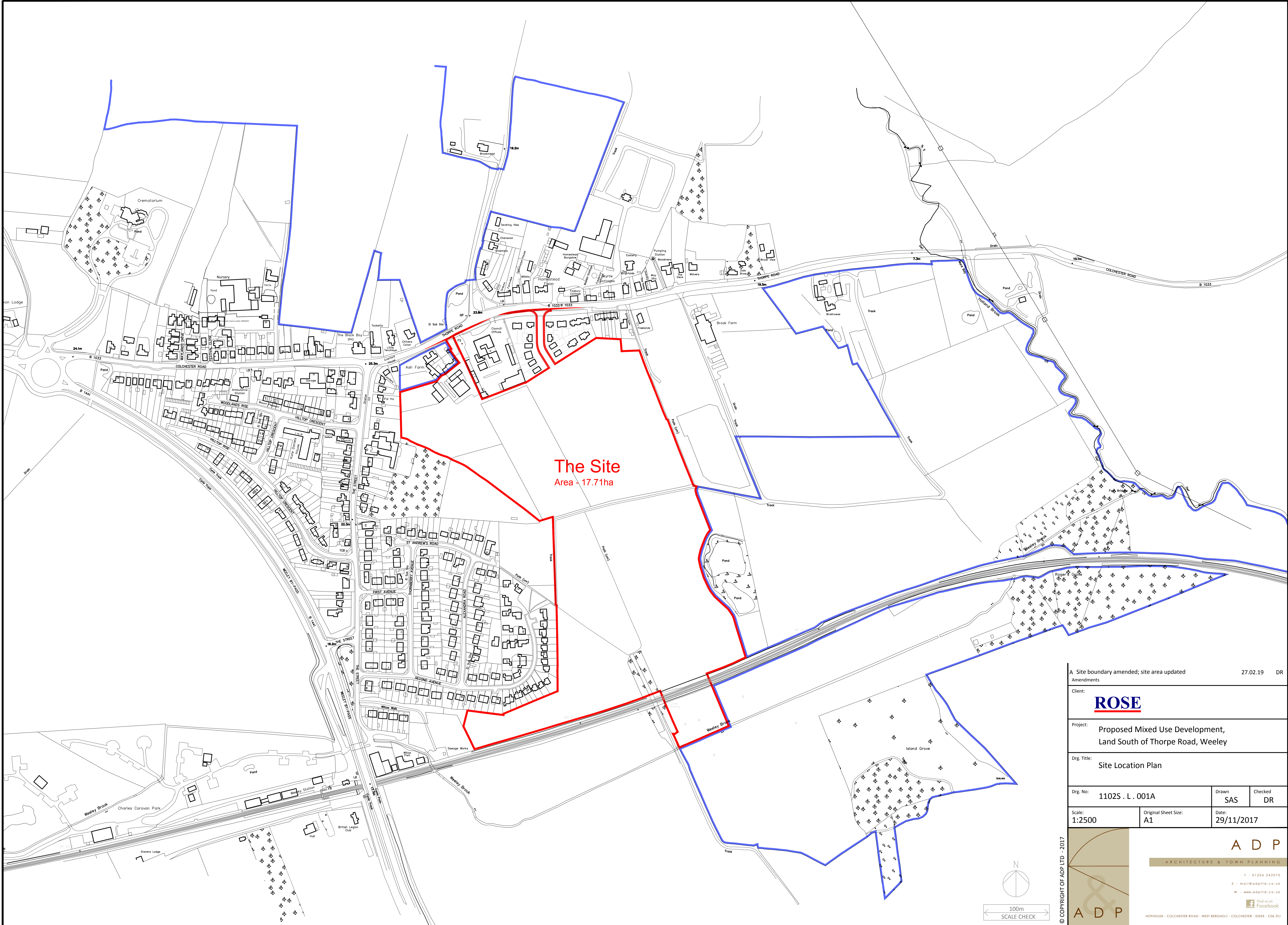
APPEALS TO THE SECRETARY OF STATE

- 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 at <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.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on [GOV.UK](https://www.gov.uk).

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 Site boundary amended; site area updated
Amendments

27.02.19DR

Client:

ROSE

Project:

Proposed Mixed Use Development,
Land South of Thorpe Road, Weeley

Drg. Title:

Site Location Plan

Drg. No:

1102S . L . 001A

Drawn

SAS

Checked

DR

Scale:

1:2500

Original Sheet Size:

A1

Date:

29/11/2017

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Legend

- Existing Public Right of Way
- Proposed Diversion of Public Right of Way
- Residential
- Illustrative School buildings
- Illustrative Employment buildings

Amendments		
Client: ROSE		
Project: Proposed Mixed Use Development Land South of Thorpe Road, Weeley		
Drg. Title: Illustrative Masterplan		
Purpose of issue: Planning submission		
Drg. No: 1102S - APO . L . 01	Drawn DR	Checked DR
Scale: 1:2000	Original Sheet Size: A1	Date: 29.03.19

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