

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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Alresford Parish Council

<i>17/01108/FUL Approval - Full 30.08.2017 Delegated Decision</i>	<i>Mr & Mrs R Pugh</i>	<i>Raise walls to accommodate new roof and parapet walls to allow for new stud ceiling height. New dropped kerb.</i>	<i>157 Wivenhoe Road Alresford Colchester Essex CO7 8AQ</i>
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01 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.

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no. P01.

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

03 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason - To avoid displacement of loose material onto the highway in the interests of highway safety.

04 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 adequate space for parking off the highway is provided in the interest of highway safety.

Ardleigh Parish Council

<i>17/01152/OUT Refusal - Outline 30.08.2017 Delegated Decision</i>	<i>Mr Nigel Orrin</i>	<i>Outline application for the erection of five detached dwellings and associated garaging (amendment to 16/02014/OUT).</i>	<i>Land at Cherrytree Farm Harwich Road Ardleigh Colchester Essex CO7 7LT</i>
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01 The application site is located outside of the defined Development Boundary of any recognised settlement as defined by the Saved Tendring District Local Plan 2007 and the Tendring District Local Plan 2013-2033 and Beyond Publication Draft Document (June 2017). Outside Development Boundaries, the Local Plan seeks to conserve and enhance the countryside for its own sake by not allowing new housing unless it is consistent with countryside policies. Saved Tendring District Local Plan (2007) Policy QL1 sets out that development should be focussed towards the larger urban areas and to within development boundaries as defined within the Local Plan and Policies SP2 and SPL1 of Tendring District Local Plan 2013-2033 and Beyond Publication Draft Document (June 2017) contains similar requirements.

The Council is in a position where it can now identify a 5 year housing supply and as such there is no requirement for the 'skewed' approach to the presumption in favour of sustainable

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development, under paragraph 14 of the National Planning Policy Framework (NPPF), to be engaged. Furthermore, with the emerging Local Plan progressing well, and it is considered that greater weight can be given to the core planning principles under paragraph 17 of the NPPF that development should be genuinely plan-led and that the Council should actively manage patterns of growth and should make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

With this in mind, the emerging Local Plan includes a 'settlement hierarchy' aimed at categorising the district's towns and villages and providing a framework for directing development toward the most sustainable locations. The application site is within a countryside location, isolated from any settlement boundary, and where Paragraph 55 of the N.P.P.F states that:-

Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as: the essential need for a rural worker to live permanently at or near their place of work in the countryside".

The application site is located in an isolated location within the open countryside, outside the defined Settlement Development Boundary for Ardleigh (the nearest settlement), both within the existing and the emerging Local Plan. The boundary aims to restrict new development to the most sustainable sites and outside of the boundary the Local Plan seeks to conserve and enhance the countryside for its own sake by not allowing new housing unless it is consistent with countryside policies.

The development proposes an intensification of an existing site, and the additional dwelling proposed, should be located within a sustainable location close to services, facilities and public transport. The site is isolated from most community services and facilities, and as a result, the development would therefore be dependent on the private motor car for most journeys, and the isolated location would be unsustainable and Saved Tendring District Local Plan (2007) Policy QL1 sets out that development should be focussed towards the larger urban areas and to within development boundaries as defined within the Local Plan where services and facilities are available.

The NPPF advocates a plan-led approach that actively seeks to achieve sustainable patterns of growth, but this development, due to its siting outside of any defined development boundary, is not considered sustainable. In applying the NPPF's presumption in favour of sustainable development, the adverse impacts of the proposal, both on the undeveloped character of the locality and on the Council's ability to manage growth through the plan-led approach, are not outweighed by the benefits. The development is unnecessary and there are no public benefits that might warrant the proposal being considered in an exceptional light.

It constitutes an unsustainable development that would be contrary to the aims of the Framework and the Development Plan Policies listed above.

<i>17/01302/TCA Approval - Full 29.08.2017 Delegated Decision</i>	<i>Mr Michael Coppeard</i>	<i>1 No. Small Leaf Lime - Reduce overhanging and bottom fork</i>	<i>New Hall Station Road Ardleigh Colchester Essex CO7 7RS</i>
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Beaumont Parish Council

No Determinations

Bradfield Parish Council

<i>17/01116/FUL Approval - Full 31.08.2017 Delegated Decision</i>	<i>Mr R Mitchell</i>	<i>Single storey rear extension.</i>	<i>Lansdowne Straight Road Bradfield Manningtree Essex CO11 2RA</i>
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- 01 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.

- 02 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No - RD 0 3 and Drawing No - RD 0 2.

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

Brightlingsea Town Council

<i>17/01084/FUL Refusal - Full 29.08.2017 Delegated Decision</i>	<i>Mr & Mrs Herbert</i>	<i>Proposed two storey rear extension with first floor balcony.</i>	<i>42 Red Barn Road Brightlingsea Colchester Essex CO7 0SJ</i>
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- 01 The National Planning Policy Framework states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The adjacent neighbours to the south-east, Number 40, and north-west, Number 44 have full visibility of the proposal and therefore the impact to their existing amenities is a key consideration of this application. With respect to Number 40 Red Barn Road, given the size of the proposed balcony, there is huge potential for it to be used as a sitting out area right upon the boundary, with the consequence of this being the potential for noise disturbance directly adjacent to the neighbouring bedroom window to the serious detriment to the neighbours existing amenities. Furthermore, in terms of the impact to the adjacent neighbour to the north-west, Number 44 Red Barn Road, the side elevation of the proposed balcony has a screen measuring just 1.4 metres high, thereby allowing direct views to the private garden area of the adjacent property, to the serious detriment of their existing amenities.

The proposed development would therefore be significantly detrimental to neighbouring residents at both Number 40 and 44 Red Barn Road in respect of loss of privacy and noise disturbance and is therefore contrary to the aforementioned planning policies.

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<i>17/01107/FUL Approval - Full 30.08.2017 Delegated Decision</i>	<i>Mr & Mrs Corris</i>	<i>Dropped kerb and hard standing to form new parking area.</i>	<i>10 Rye Close Brightlingsea Colchester Essex CO7 0RA</i>
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01 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.

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg. No: P01.

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

03 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason - To avoid displacement of loose material onto the highway in the interests of highway safety

04 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 adequate space for parking off the highway is provided in the interest of highway safety

<i>17/01110/FUL Approval - Full 30.08.2017 Delegated Decision</i>	<i>Mr A Sauka</i>	<i>Proposed conservatory.</i>	<i>11 Samsons Road Brightlingsea Colchester Essex CO7 0RW</i>
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01 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.

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Site Layout 1:500, Drawing number: 1729/1 and 1729/2.

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

Clacton-on-Sea

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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<i>17/00435/FUL Approval - Full 31.08.2017 Delegated Decision</i>	<i>Mr Maran Mariyathas - Inspired Planning Solutions</i>	<i>Change of use of former care-home and dwelling and erection of single storey rear extension to create 11 self-contained flats; demolition of existing flat-roof rear extension, and removal of metal fire escapes, along with associated parking, cycle-storage, bin-store and communal garden area.</i>	<i>Sea Breeze 32 and 34 Carnarvon Road Clacton On Sea Essex CO15 6QE</i>
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01 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.

02 The development hereby permitted shall be carried out in accordance with the following approved plans: -

Drawing Number - Un-numbered 1/1250 scale - Location Plan;
 Drawing Number - Un-numbered 1/500 scale - Block Plan;
 Drawing Number - CAR - 004 - Proposed Ground Floor Plan;
 Drawing Number - CAR - 005 - Proposed First Floor Plan;
 Drawing Number - CAR - 006 - Proposed Second Floor Plan;
 Drawing Number - CAR - 011 - Proposed Front Elevation;
 Drawing Number - CAR - 012 - Proposed Rear Elevation;
 Drawing Number - CAR - 013 - Proposed Right Elevations, and;
 Drawing Number - CAR - 014 - Proposed Left Elevations.

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

03 The car-parking and cycle spaces shown on the submitted plans shall be provided prior to the flats being brought in to use, and thereafter retained free of any obstruction that would prevent their use for the intended purpose.

Reason - In the interest of highway safety.

04 All new external works and finishes of making good to the retained fabric and the new extension shall match the existing work adjacent in respect of materials, methods, detailed execution and finished appearance.

Reason - In the interest of the visual amenity of the locality.

05 The flat-roof of the proposed/existing extensions shall not be used as balconies or roof gardens or for any form of outdoor recreation.

Reason - In order to avoid the overlooking of neighbouring property in the interest of privacy and the residential amenity enjoyed by the occupants of nearby residential property.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
17/01223/ADV Approval - Advertisement Consent 31.08.2017 Delegated Decision	McDonald's Restaurants Ltd	Installation of freestanding 8 metre totem sign.	Proposed McDonald's Restaurant Land West of A133 Brook Park West Roundabout Clacton On Sea Essex

01 All advertisement consents are subject to five standard conditions specified in Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 which are as follows: -

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Additionally all advertisement consents are for a fixed term of 5 years unless this period is varied on the formal decision notice.

02 The development hereby permitted shall be carried out in accordance with the following approved plans, titled 'Site Location Plan', 'Drive Totem 2' and 'Proposed Site Layout Plan Drive Totem'.

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

03 The maximum luminance of the sign shall not at any time exceed the standards contained within the Institution of Lighting Professionals Technical Report PLG05 The Brightness Of Illuminated Advertisements, for zone E3 locations, which in this case is 600 Candelas per square metre (600 cd/m²) for signs less than 10m², and 300 Candelas per square metre (300 cd/m²) for those over 10m².

Reason - To ensure that users of the highway are not subjected to glare and dazzle in the interest of highway safety

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
17/01225/ADV Approval - Advertisement Consent 31.08.2017 Delegated Decision	McDonald's Restaurants Ltd	Installation of 6no. fascia signs.	Proposed McDonald's Restaurant Land West of A133 Brook Park West Roundabout Clacton On Sea Essex

01 All advertisement consents are subject to five standard conditions specified in Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 which are as follows: -

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Additionally all advertisement consents are for a fixed term of 5 years unless this period is varied on the formal decision notice.

02 The development hereby permitted shall be carried out in accordance with the following approved plans, titled 'Site Location Plan', 'Sign 5', 'Sign 19', 'Arch Panels' and drawing number 7138-SA-8470-P009 A.

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

03 The maximum luminance of the sign shall not at any time exceed the standards contained within the Institution of Lighting Professionals, Professional Guide No. 5, which in this case is 600 Candelas per square metre (600 cd/m²) for signs less than 10m², and 300 Candelas per square metre (300 cd/m²) for those over 10m².

Reason - To ensure that glare and dazzle is not caused to traffic in the adjoining highway, in the interests of highway safety.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
17/01226/ADV Approval - Advertisement Consent 31.08.2017 Delegated Decision	McDonald's Restaurants Ltd	Installation of site signage to include, 1no. gateway, 9no. freestanding, 1no. side by side directional, 1no. banner unit, and 16no. dot signs.	Proposed McDonald's Restaurant Land West of A133 Brook Park West Roundabout Clacton On Sea Essex

01 All advertisement consents are subject to five standard conditions specified in Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 which are as follows: -

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Additionally all advertisement consents are for a fixed term of 5 years unless this period is varied on the formal decision notice.

02 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing numbers 7138-SA-8470-AL01 A, 7138-SA-8470-P008 E, and drawings titled 'Sign Type 2' which shows the 'welcome' and 'see you soon' signs, 'Dot Signage Give Way', 'Dot Signage Pedestrian Crossing', 'Dot Signage No Entry', 'Dot Signage Parked Order Bay 2', 'Gateway', 'Totem 4 2 bay', 'Totem 3 Pre Sell Boards', 'Hero Poster Board', 'Side by Side Any Lane Sign', 'McDonalds 10mph Disc', 'McDonalds, Small Banner Frame' and the untitled drawings that show details of signage with the words 'Caution Look Left Traffic Approaching' and 'Caution Look Right Traffic Approaching'.

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

03 The maximum luminance of the sign shall not at any time exceed the standards contained within the Institution of Lighting Professionals, Professional Guide No. 5, which in this case is 600 Candelas per square metre (600 cd/m²) for signs less than 10m², and 300 Candelas per square metre (300 cd/m²) for those over 10m².

Reason - To ensure that glare and dazzle is not caused to traffic in the adjoining highway, in the interests of highway safety.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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Elmstead Market Parish Council

No Determinations

Frating Parish Council

<i>17/01113/FUL Approval - Full 30.08.2017 Delegated Decision</i>	<i>Mr & Mrs A Burgess</i>	<i>Proposed garage conversion.</i>	<i>11 Fenn Close Frating Colchester Essex CO7 7GB</i>
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01 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.

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing no. 01 Revision A.

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

Frinton & Walton Town Council

<i>17/01063/FUL Approval - Full 30.08.2017 Delegated Decision</i>	<i>Mrs Claire Henderson</i>	<i>Single storey rear extension, demolition of bay on east elevation, and conversion of garage to shower room and study.</i>	<i>84 Third Avenue Frinton On Sea Essex CO13 9EE</i>
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01 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.

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 1611/01, Drawing No. 1611/02C, Drawing No. 1611/03C and Drawing No. 1611/03Cc

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

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<i>17/01103/LUPR OP Lawful Use Certificate Granted 30.08.2017 Delegated Decision</i>	<i>Mr & Mrs P Townsend</i>	<i>Proposed loft conversion and associated works.</i>	<i>103 Rochford Way Walton On The Naze Essex CO14 8SP</i>
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- 01 The proposed development constitutes permitted development by virtue of the provisions of Schedule 2, Part 1, Classes B, C and G of The Town and Country Planning (General Permitted Development) (England) Order 2015. This definition is subject to the conditions set out therein, namely that the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

<i>17/01144/FUL Approval - Full 31.08.2017 Delegated Decision</i>	<i>Mr & Mrs S O'Donnell</i>	<i>Erection of a two bedroom detached dwelling.</i>	<i>21 Upper Second Avenue Frinton On Sea Essex CO13 9LL</i>
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- 01 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.

- 02 The development hereby permitted shall be carried out in accordance with the following approved plans: -

Drawing no. 3A;
Drawing no. 1A, and;
Drawing no. 2B.

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

- 03 Prior to occupation of the development the vehicular parking facility, as shown on the submitted plan shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason - To ensure that adequate off-street parking provision is provided in the interests of highway safety.

- 04 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason - To avoid displacement of loose material onto the highway in the interests of highway safety.

- 05 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 adequate space for parking off the highway is provided in the interest of highway safety.

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06 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no dormer windows or roof lights shall be inserted in the rear elevation, and no first floor windows shall be inserted in to either end elevation of the dwelling except in accordance with details which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - In order to ensure that a level of privacy is maintained for the residents of surrounding property in the interests of the residential amenity enjoyed by those residents.

07 No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, 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 interest of visual amenity and the character of the area.

08 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details 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. 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 the interest of visual amenity and the character of the area.

09 All new driveways and parking areas shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling.

Reason - In the interests of sustainable development and to ensure that run-off water is avoided to minimise the risk of surface water flooding.

10 The existing access shall be suitably and permanently closed incorporating the reinstatement to full height of the highway verge/footway, to the satisfaction of the Highway Authority, immediately the proposed new access is brought into use.

Reason - To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

<i>17/01283/TCA Approval - Full 29.08.2017 Delegated Decision</i>	<i>Mr Steven Herd</i>	<i>4 No. Conifers - fell</i>	<i>Fleetside First Avenue Frinton On Sea Essex CO13 9EY</i>
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17/01305/TCA Approval - Full 29.08.2017 Delegated Decision	Mr R M Wolny	T3 Poplar, SG1 Tamarisk, T6 Cypress, T7 Alder - Cut back branches of trees overhanging 18 Warley Way	16 Warley Way Frinton On Sea Essex CO13 9PA

Great Bentley Parish Council

17/01096/OUT Refusal - Outline 31.08.2017 Delegated Decision	Sam Bampton - City and Country	Outline application with all matters reserved other than strategic access point onto the public highway, for the erection of up to 75 dwellings with associated public open space, landscaping and infrastructure.	Land to The North of Thorrington Road Great Bentley Colchester Essex CO7 8QD
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01 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require applications for planning permission to be determined in accordance with the 'development plan' unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is material planning consideration in the determination of planning applications and one of its core principles is that planning should be genuinely 'plan-led'. Another core planning principle is to actively manage patterns of growth to make fullest use of public transport, walking and cycling, and to focus significant development in locations which are or can be made sustainable. The Council's adopted and emerging Local Plans seek to achieve this aim by defining 'settlement development boundaries' and by directing the majority of new development towards locations within those boundaries.

The development plan for this area is the Tendring District Local Plan 2007 (the 'adopted Local Plan') which is 'saved' beyond its intended timescale of 2011 under a direction from the Secretary of State. The application site lies outside of the settlement development boundary as depicted on the Local Plan's proposals maps. Policy QL1 in the adopted Local Plan states that development will be concentrated within the settlement development boundaries and that outside of the defined boundary and other specific land allocations in the plan, only development which is consistent with countryside policies will be permitted. Whilst the adopted Local Plan was only intended to cover the period to 2011, the NPPF in paragraph 215 allows Councils to give weight to existing plans according to their degree of consistency with the NPPF.

The application site also lies outside of the settlement development boundary as shown in Tendring District Local Plan 2013-2033 and Beyond - Publication Draft 2017 (the 'emerging Local Plan') which has been extended, as necessary, to meet longer-term objectively assessed housing and other development needs in the district, in line with the requirements of the NPPF. Policy SPL2 in the emerging Local Plan explains that settlement boundaries are defined to encourage sustainable patterns of growth and carefully control urban sprawl and that within the boundaries, there will be a general presumption in favour of new development. Paragraph 216 in the NPPF allows Councils to give weight to emerging plans according to their stage of preparation, the extent of unresolved objections and the degree of consistency with the NPPF.

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Paragraph 47 of the NPPF requires Councils to identify and update annually a supply of specific deliverable sites to provide five years worth of housing against their housing requirements with an appropriate buffer to ensure choice and competition in the market for land. Paragraph 49 of the NPPF then states that relevant policies for the supply of housing should not be considered up to date if a five year supply cannot be demonstrated and that, as per paragraph 14 of the NPPF, the 'presumption in favour of sustainable development' is engaged - requiring applications to be approved unless the adverse impacts would significantly and demonstrably outweigh the benefits or other policies in the NPPF indicate that development should be restricted. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites and there is consequently no requirement for the Council to consider an exceptional departure from the Local Plan on housing supply grounds.

Because the application site lies outside of the defined settlement development boundaries, the proposed development is contrary to Policy QL1 in the Council's adopted Local Plan, Policy SPL2 in the emerging Local Plan and the core principle of the NPPF which advocates a plan-led system that actively directs development towards the most sustainable locations.

The Council has also considered the potential public benefits of the proposed health centre and primary school land associated with separate application 17/01098/OUT which the applicants seek to relate to this application through a s106 legal agreement. However, the Council does not consider that these benefits justify such a significant departure from the plan-led system and would be dependent on all three applications (17/01096/OUT, 17/01097/OUT and 17/01098) comprising up to 190 dwellings, receiving approval.

02 The National Planning Policy Framework (2012) states Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be sought where they meet all of the following tests: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

Policy HG4 of the Tendring District Local Plan (2007) (the 'adopted Local Plan') requires up to 40% of new dwellings on residential schemes of 5 or more units to be provided in the form of affordable housing to meet the needs of people that are unable to access property on the open market. Policy LP5 of the Tendring District Local Plan 2013-2033 and Beyond - Publication Draft 2017 (the 'emerging Local Plan'), which is based on more up-to-date evidence of housing need and viability, requires for developments of 10 or more dwellings, the Council expect 30% of new dwellings to be made available to Tendring District Council or alternative provider to acquire at a discounted value for use as affordable housing, or as an alternative, the Council will accept a minimum of 10% if new dwellings are to be made available alongside a financial contribution toward the construction or acquisition of property for use as affordable housing (either on the site or elsewhere in the district) equivalent to delivering the remainder of the 30% requirement. A completed Section 106 has not been provided prior to the application determination date and the application is therefore contrary to the above policy.

Policy COM26 of the adopted Local Plan states where necessary planning permission will only be granted for residential developments of 12 or more dwellings if land and/or financial contributions are made to provide the additional school places that will be needed to service the development. Policy PP2 of the emerging Local Plan states planning permission will not be granted for new residential development unless the individual or cumulative impacts of development on education provision can be addressed, at the developer's cost, either on-site or through financial contributions towards off-site improvements. Essex County Council Education Services have identified the need for financial contributions toward early years and

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childcare, primary, secondary and school transport provision. A completed Section 106 obligation to secure these contributions has not been provided prior to the application determination date and the application is therefore contrary to the above policies.

Policy HP1 in the emerging Local Plan states that the Council will seek contributions towards new or enhanced health facilities from developers where new housing development would result in a shortfall or worsening of health provision. NHS England has identified the need for financial contributions toward local health services. A completed Section 106 obligation to secure these contributions has not been provided prior to the application determination date and the application is therefore contrary to the above policy.

<i>17/01097/OUT Refusal - Outline 31.08.2017 Delegated Decision</i>	<i>Sam Bampton - City & County</i>	<i>Outline application with all matters reserved other than strategic access point onto the public highway, for the erection of up to 75 dwellings with associated landscaping, public open space and infrastructure.</i>	<i>Land to The West of Plough Road Great Bentley Essex CO7 8LG</i>
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01 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require applications for planning permission to be determined in accordance with the 'development plan' unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is material planning consideration in the determination of planning applications and one of its core principles is that planning should be genuinely 'plan-led'. Another core planning principle is to actively manage patterns of growth to make fullest use of public transport, walking and cycling, and to focus significant development in locations which are or can be made sustainable. The Council's adopted and emerging Local Plans seek to achieve this aim by defining 'settlement development boundaries' and by directing the majority of new development towards locations within those boundaries.

The development plan for this area is the Tendring District Local Plan 2007 (the 'adopted Local Plan') which is 'saved' beyond its intended timescale of 2011 under a direction from the Secretary of State. The application site lies outside of the settlement development boundary as depicted on the Local Plan's proposals maps. Policy QL1 in the adopted Local Plan states that development will be concentrated within the settlement development boundaries and that outside of the defined boundary and other specific land allocations in the plan, only development which is consistent with countryside policies will be permitted. Whilst the adopted Local Plan was only intended to cover the period to 2011, the NPPF in paragraph 215 allows Councils to give weight to existing plans according to their degree of consistency with the NPPF.

The application site also lies outside of the settlement development boundary as shown in Tendring District Local Plan 2013-2033 and Beyond - Publication Draft 2017 (the 'emerging Local Plan') which has been extended, as necessary, to meet longer-term objectively assessed housing and other development needs in the district, in line with the requirements of the NPPF. Policy SPL2 in the emerging Local Plan explains that settlement boundaries are defined to encourage sustainable patterns of growth and carefully control urban sprawl and that within the boundaries, there will be a general presumption in favour of new development. Paragraph 216 in the NPPF allows Councils to give weight to emerging plans according to their stage of preparation, the extent of unresolved objections and the degree of consistency with the NPPF.

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Paragraph 47 of the NPPF requires Councils to identify and update annually a supply of specific deliverable sites to provide five years worth of housing against their housing requirements with an appropriate buffer to ensure choice and competition in the market for land. Paragraph 49 of the NPPF then states that relevant policies for the supply of housing should not be considered up to date if a five year supply cannot be demonstrated and that, as per paragraph 14 of the NPPF, the 'presumption in favour of sustainable development' is engaged - requiring applications to be approved unless the adverse impacts would significantly and demonstrably outweigh the benefits or other policies in the NPPF indicate that development should be restricted. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites and there is consequently no requirement for the Council to consider an exceptional departure from the Local Plan on housing supply grounds.

Because the application site lies outside of the defined settlement development boundaries, the proposed development is contrary to Policy QL1 in the Council's adopted Local Plan, Policy SPL2 in the emerging Local Plan and the core principle of the NPPF which advocates a plan-led system that actively directs development towards the most sustainable locations.

The Council has also considered the potential public benefits of the proposed health centre and primary school land associated with separate application 17/01098/OUT which the applicants seek to relate to this application through a s106 legal agreement. However, the Council does not consider that these benefits justify such a significant departure from the plan-led system and would be dependent on all three applications (17/01096/OUT, 17/01097/OUT and 17/01098) comprising up to 190 dwellings, receiving approval.

02 The National Planning Policy Framework (2012) states Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be sought where they meet all of the following tests: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

Policy HG4 of the Tendring District Local Plan (2007) (the 'adopted Local Plan') requires up to 40% of new dwellings on residential schemes of 5 or more units to be provided in the form of affordable housing to meet the needs of people that are unable to access property on the open market. Policy LP5 of the Tendring District Local Plan 2013-2033 and Beyond - Publication Draft 2017 (the 'emerging Local Plan'), which is based on more up-to-date evidence of housing need and viability, requires for developments of 10 or more dwellings, the Council expect 30% of new dwellings to be made available to Tendring District Council or alternative provider to acquire at a discounted value for use as affordable housing, or as an alternative, the Council will accept a minimum of 10% if new dwellings are to be made available alongside a financial contribution toward the construction or acquisition of property for use as affordable housing (either on the site or elsewhere in the district) equivalent to delivering the remainder of the 30% requirement. A completed Section 106 has not been provided prior to the application determination date and the application is therefore contrary to the above policy.

Policy COM26 of the adopted Local Plan states where necessary planning permission will only be granted for residential developments of 12 or more dwellings if land and/or financial contributions are made to provide the additional school places that will be needed to service the development. Policy PP2 of the emerging Local Plan states planning permission will not be granted for new residential development unless the individual or cumulative impacts of development on education provision can be addressed, at the developer's cost, either on-site or through financial contributions towards off-site improvements. Essex County Council Education Services have identified the need for financial contributions toward early years and

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childcare, primary, secondary and school transport provision. A completed Section 106 obligation to secure these contributions has not been provided prior to the application determination date and the application is therefore contrary to the above policies.

Policy HP1 in the emerging Local Plan states that the Council will seek contributions towards new or enhanced health facilities from developers where new housing development would result in a shortfall or worsening of health provision. NHS England has identified the need for financial contributions toward local health services. A completed Section 106 obligation to secure these contributions has not been provided prior to the application determination date and the application is therefore contrary to the above policy.

<i>17/01098/OUT Refusal - Outline 31.08.2017 Delegated Decision</i>	<i>Mr Sam Bampton - City & Country Ltd</i>	<i>Outline planning application with all matters reserved other than strategic access point onto Thorrington Road, for a Health Centre, up to 40 dwellings, additional land for Great Bentley Primary School and associated foul pumping station, infrastructure and public open space.</i>	<i>Land to The South of Thorrington Road Great Bentley Essex CO7 8QE</i>
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01 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 require applications for planning permission to be determined in accordance with the 'development plan' unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is material planning consideration in the determination of planning applications and one of its core principles is that planning should be genuinely 'plan-led'. Another core planning principle is to actively manage patterns of growth to make fullest use of public transport, walking and cycling, and to focus significant development in locations which are or can be made sustainable. The Council's adopted and emerging Local Plans seek to achieve this aim by defining 'settlement development boundaries' and by directing the majority of new development towards locations within those boundaries.

The development plan for this area is the Tendring District Local Plan 2007 (the 'adopted Local Plan') which is 'saved' beyond its intended timescale of 2011 under a direction from the Secretary of State. The application site lies outside of the settlement development boundary as depicted on the Local Plan's proposals maps. Policy QL1 in the adopted Local Plan states that development will be concentrated with the settlement development boundaries and that outside of the defined boundary and other specific land allocations in the plan, only development which is consistent with countryside policies will be permitted. Whilst the adopted Local Plan was only intended to cover the period to 2011, the NPPF in paragraph 215 allows Councils to give weight to existing plans according to their degree of consistency with the NPPF.

The application site also lies outside of the settlement development boundary as shown in Tendring District Local Plan 2013-2033 and Beyond - Publication Draft 2017 (the 'emerging Local Plan') which has been extended, as necessary, to meet longer-term objectively assessed housing and other development needs in the district, in line with the requirements of the NPPF. Policy SPL2 in the emerging Local Plan explains that settlement boundaries are defined to

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encourage sustainable patterns of growth and carefully control urban sprawl and that within the boundaries, there will be a general presumption in favour of new development. Paragraph 216 in the NPPF allows Councils to give weight to emerging plans according to their stage of preparation, the extent of unresolved objections and the degree of consistency with the NPPF.

Paragraph 47 of the NPPF requires Councils to identify and update annually a supply of specific deliverable sites to provide five years worth of housing against their housing requirements with an appropriate buffer to ensure choice and competition in the market for land. Paragraph 49 of the NPPF then states that relevant policies for the supply of housing should not be considered up to date if a five year supply cannot be demonstrated and that, as per paragraph 14 of the NPPF, the 'presumption in favour of sustainable development' is engaged - requiring applications to be approved unless the adverse impacts would significantly and demonstrably outweigh the benefits or other policies in the NPPF indicate that development should be restricted. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites and there is consequently no requirement for the Council to consider an exceptional departure from the Local Plan on housing supply grounds.

Because the application site lies outside of the defined settlement development boundaries, the proposed development is contrary to Policy QL1 in the Council's adopted Local Plan, Policy SPL2 in the emerging Local Plan and the core principle of the NPPF which advocates a planned system that actively directs development towards the most sustainable locations.

The Council has also considered the potential public benefits of the proposed health centre and primary school land which the applicants seek to tie, through a s106 legal agreement, to this proposal and separate applications 17/01096/OUT and 17/01097/OUT. In respect of the health centre in particular, the draft Heads of Terms for a s106 agreement submitted by the applicants offer no guarantee of delivering the facility and the weight that can be attached to it as a public benefit is therefore limited and cannot justify such a significant departure from the Local Plan.

02 The Planning (Listed Buildings and Conservation Areas) Act 1990 S. 66 imposes a general duty in respects of listed buildings in the exercise of planning functions. It requires the decision maker to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 128 in the National Planning Policy Framework (NPPF) requires applicants to describe the significance of any heritage asset affected by their development including any contribution made by their setting, with the level of detail being proportionate to the asset's importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Paragraph 132 states that as heritage assets are irreplaceable, any harm or loss (which can include harm to its setting) should require clear and convincing justification.

Paragraph 133 guards against substantial harm other than in very exceptional circumstances, but paragraph 134 determines that where a development proposal will lead to 'less than substantial harm' to a heritage asset, this harm should be weighed against the public benefits of the proposal. Policy EN23 in the Tendring District Local Plan 2007 (the 'adopted Local Plan') states that development that would adversely affect the setting of a Listing Building, including group value and long distance views will not be permitted. Policy PPL9 in the Tendring District Local Plan 2013-2033 and Beyond - Publication Draft 2017 (the 'emerging Local Plan') broadly reflects the requirements of current national planning policy.

The development is likely to have a 'less than substantial' adverse impact on the setting of two listed buildings - the Grade I St. Mary's Church in the centre of the village and the Grade II Field House in Thorrington Road. Views to and from St. Mary's Church along Thorrington Road would be obscured by the development and the village-edge character and rural setting of the

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Field House would be reduced. There is no clear and convincing justification for the proposed development as a departure from the Local Plan, or for the harm to heritage assets that would be caused and it is therefore contrary to paragraph 132 of the NPPF. Furthermore, the public benefits of the proposal do not outweigh the less than substantial harm and the proposal is therefore contrary to paragraph 134 of the NPPF. The proposal is also contrary to Policy EN23 in the adopted Local Plan and Policy PPL9 in the emerging Local Plan.

- 03 The National Planning Policy Framework (2012) states Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be sought where they meet all of the following tests: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

Policy HG4 of the Tendring District Local Plan (2007) (the 'adopted Local Plan') requires up to 40% of new dwellings on residential schemes of 5 or more units to be provided in the form of affordable housing to meet the needs of people that are unable to access property on the open market. Policy LP5 of the Tendring District Local Plan 2013-2033 and Beyond - Publication Draft 2017 (the 'emerging Local Plan'), which is based on more up-to-date evidence of housing need and viability, requires for developments of 10 or more dwellings, the Council expect 30% of new dwellings to be made available to Tendring District Council or alternative provider to acquire at a discounted value for use as affordable housing, or as an alternative, the Council will accept a minimum of 10% if new dwellings are to be made available alongside a financial contribution toward the construction or acquisition of property for use as affordable housing (either on the site or elsewhere in the district) equivalent to delivering the remainder of the 30% requirement. A completed Section 106 has not been provided prior to the application determination date and the application is therefore contrary to the above policy.

Policy COM26 of the adopted Local Plan states where necessary planning permission will only be granted for residential developments of 12 or more dwellings if land and/or financial contributions are made to provide the additional school places that will be needed to service the development. Policy PP2 of the emerging Local Plan states planning permission will not be granted for new residential development unless the individual or cumulative impacts of development on education provision can be addressed, at the developer's cost, either on-site or through financial contributions towards off-site improvements. Essex County Council Education Services have identified the need for financial contributions toward early years and childcare, primary and secondary education provision. A completed Section 106 obligation to secure these contributions has not been provided prior to the application determination date and the application is therefore contrary to the above policies.

Great Bromley Parish Council

<i>17/00787/FUL Approval - Full 01.09.2017 Delegated Decision</i>	<i>Mr & Mrs Johnson</i>	<i>Proposed extensions and alterations to main dwelling. Proposed detached carport to the side of main dwelling. Proposed detached garage with workshop and office above to the rear.</i>	<i>The Nook Colchester Road Great Bromley Colchester Essex CO7 7TN</i>
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<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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01 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.

02 The development hereby permitted shall be carried out in accordance with the following approved plans: 108 Revision C, 110 Revision B, 107 Revision B, 103 Revision H, 104 Revision C, Proposed Garage Elevations, 102 Revision H and 109 Revision A.

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

03 All new driveways and parking areas shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling.

Reason - In the interests of sustainable development and to ensure that run-off water is avoided to minimise the risk of surface water flooding.

04 No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, 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 interest of visual amenity and the character of the area.

05 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details 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. 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 the interest of visual amenity and the character of the area.

<i>17/01158/COUN OT Determination prior approval not required 31.08.2017 Delegated Decision</i>	<i>Mr R Moss</i>	<i>Change of use of an agricultural building to a flexible commercial use.</i>	<i>Primrose Farm Hall Road Great Bromley Colchester Essex CO7 7TR</i>
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<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
<i>17/01303/TPO Approval - Full 29.08.2017 Delegated Decision</i>	<i>Mr Richard Peperell</i>	<i>T28 T29 T30 - Willows Hard Pollard back 50- 60% T53 - Field Maple cut back overhanging branches 20-30% 5 metres clear from ground</i>	<i>Land at Springhill Close Great Bromley Essex CO7 7HU</i>

01 The work should be undertaken before the expiration of 2 years from the date of this permission.

02 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (2010) :-Tree Work - Recommendations or with any similar replacement standard.

Great Oakley Parish Council

<i>17/01109/OUT Refusal - Outline 31.08.2017 Delegated Decision</i>	<i>Burfoot Construction Ltd</i>	<i>Erection of 5 no. four bedroom dwellings.</i>	<i>Land to The rear of Mill House High Street Great Oakley Harwich Essex CO12 5AQ</i>
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01 The application site is located outside of the defined Development Boundary as defined by the Saved Tendring District Local Plan 2007 and the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017). Outside Development Boundaries, the Local Plan seeks to conserve and enhance the countryside for its own sake by not allowing new housing unless it is consistent with countryside policies. Saved Tendring District Local Plan (2007) Policy QL1 sets out that development should be focussed towards the larger urban areas and to within development boundaries as defined within the Local Plan.

The Council is in a position where it can now identify a 5 year housing supply and as such there is no requirement for the 'skewed' approach to the presumption in favour of sustainable development, under paragraph 14 of the National Planning Policy Framework (NPPF), to be engaged. Furthermore, with the emerging Local Plan progressing well, it is considered that greater weight can be given to the core planning principles under paragraph 17 of the NPPF that development should be genuinely plan-led and that the Council should actively manage patterns of growth and should make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

With this in mind, the emerging Local Plan includes a 'settlement hierarchy' aimed at categorising the district's towns and villages and providing a framework for directing development toward the most sustainable locations. Great Oakley is categorised in emerging Policy SPL1, along with seventeen other settlements, as a 'Smaller Rural Settlement' in recognition of its size and relatively small range of local services. Great Oakley and other smaller villages are considered to be the least sustainable settlements for growth and development should normally be restricted to small-scale development only, respecting the existing character and form of the village.

The application site is located at the eastern end of the settlement adjacent to but outside of the Great Oakley Settlement Development Boundary both within the existing and the emerging Local Plans. The boundary aims to restrict new development to the most sustainable sites and

outside of the boundary the Local Plan seeks to conserve and enhance the countryside for its own sake by not allowing new housing unless it is consistent with countryside policies.

The NPPF advocates a plan-led approach that actively seeks to achieve sustainable patterns of growth, but this development, due to its siting outside of any defined development boundary, is not considered sustainable. In applying the NPPF's presumption in favour of sustainable development, the adverse impacts of the proposal, both on the undeveloped character of the locality and on the Council's ability to manage growth through the plan-led approach, are not outweighed by the benefits. The development is unnecessary and there are no public benefits that might warrant the proposal being considered in an exceptional light.

02 The site is currently open countryside and is designated as part of the Coastal Protection Belt in both the saved and emerging Local Plans. Saved policy EN3 of the Tendring District Local Plan (2007) and emerging policy PPL2 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) states that within a Coastal Protection Belt development which does not have a compelling functional need will not be permitted. The undeveloped coast of Tendring District has an important role in terms of quality of life for residents and visitors in terms of visual amenity and access to the natural environment. As such Coastal Protection Belts play a crucial role in protecting the open character of the undeveloped coastline within the district. Saved policies QL9 and EN1 of the Tendring District Local Plan 2007 (Saved Plan) and Emerging Policy PPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) seek to ensure that development is appropriate in its locality and does not harm the character and appearance of the rural landscape.

The indicative plans show the development extending southwards from Harwich Road to reflect the pattern of development in Maltings Farm to the west. The application site is currently open countryside and due to its undeveloped nature is important in providing a soft transition from the countryside to the south and east into the built form of Great Oakley, and in particular the Conservation Area around Harwich Road. The development of this visually prominent area of agricultural land would have a materially detrimental effect on the setting of the village, leading to a marked extension of the settlement and an intrusion of built development into the open countryside, within this important coastal landscape. Consequently, it is considered that the proposed residential development would set a harmful precedent as it would cause harm to the local landscape character and the resultant dwellings would have a significant urbanising effect on the character of the area and result in the unplanned advance of urbanisation into this area of open countryside eroding the rural character of this section of Great Oakley and the locality resulting in a significant detrimental impact upon the rural appearance of the area.

It is therefore, considered that the residential development of this site would result in an overriding harm to the rural character of the surrounding area.

03 The proposal is contrary to Saved policies EN6 'Biodiversity' and EN6a 'Protected Species', which state that development proposals will not be granted planning permission unless existing local biodiversity and protected species are protected. A similar approach is taken in emerging Policy PPL4 'Biodiversity and Geodiversity'. Paragraph 118 of the National Planning Policy Framework requires that Local Planning Authorities "conserve and enhance biodiversity", whilst paragraph 109 requires Local Planning Authorities to minimise impacts on biodiversity.

Paragraph 99 of Circular 06/2005 states that "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision". It goes on to state "The need to ensure ecological surveys are carried out should therefore only be left to coverage

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under planning conditions in exceptional circumstances". Paragraph 5.3 of government document 'Planning for Biodiversity and Geological Conservation: A Guide To Good Practice', states that "In the development control process, the onus falls on the applicant to provide enough information to enable the Local Planning Authority to assess the impacts on biodiversity and geological conservation. Planning applications must be supported by adequate information". Standing advice from Natural England recommends that an initial scoping or extended Phase 1 habitat survey should be conducted to assess the site and the results of this used to inform (the need for) subsequent species specific surveys.

No such information has been provided with this application and as the site lies within close proximity of an established pond with considerable potential for protected species to be present. Neither is evidence provided to outweigh the need to protect such species in accordance with the tests outlined in Article 16 of the EC Habitats Directive. As such, the proposal is in conflict with the afore-mentioned policies, guidance, directive and the Framework.

As the applicant has not provided an ecology survey, the Local Planning Authority is unable to say with confidence that the proposal will not have an adverse impact on a species protected by Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 and would therefore be contrary to saved policies EN6 and EN6a as well as emerging plan policy PPL4. It would also be contrary to Paragraphs 109 and 118 of the National Planning Policy Framework, which requires that biodiversity should be protected and that significant harm should be avoided. In this case it is unknown whether significant harm will be caused.

<i>17/01128/FUL Approval - Full 30.08.2017 Delegated Decision</i>	<i>Mr & Mrs Pryer</i>	<i>Extension, alterations, and outbuildings.</i>	<i>Stonehall Farm Stonehall Lane Great Oakley Harwich Essex CO12 5DD</i>
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01 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.

02 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing 367.102, Drawing 367.104 and Drawing 367.105.

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

Harwich Town Council

<i>17/00677/FUL Approval - Full 31.08.2017 Delegated Decision</i>	<i>Mr Jamie Croll - WM Morrisons Supermarkets PLC</i>	<i>Extensions to main entrance lobby and cafeteria.</i>	<i>Morrisons Supermarket Freshfields Road Harwich Essex CO12 4EN</i>
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01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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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.

02 The development hereby authorised shall be carried out in complete accordance with the plans and specifications submitted to, and approved in writing by, the Local Planning Authority as follows: 11502-285-PP-01, 11502-285-PP-02, 11502-285-PP-03, 11502-285-PP-04, 11502-285-PP-05, 11502-285-PP-06, 11502-285-PP-07, 11502-285-PP-08 and 11502-285-PP-09.

Reason - In order to ensure the development is carried out in accordance with the approved details.

03 The development shall be carried out in accordance with the Flood Risk and Drainage Assessment Document LS1747/FRA 01 produced by Birkett Stevens Colman Partnership Ltd unless otherwise agreed in writing by the Local Planning Authority.

Reason - In order to minimise and mitigate against the risk of flooding.

Lawford Parish Council

<i>16/02110/FUL Approval - Full 01.09.2017 Delegated Decision</i>	<i>Mr A Gamblin</i>	<i>New single dwelling</i>	<i>Aldhams Farm Dead Lane Lawford Manningtree Essex CO11 2NF</i>
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01 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.

02 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; PA-10 and PA-11B.

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

03 Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres to the east and west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

Reason - To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety

04 Prior to occupation of the development the vehicular parking and turning facility, as shown on the submitted plan shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason - To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

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05 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason - To avoid displacement of loose material onto the highway in the interests of highway safety.

06 No development shall take place until precise details of the provision, siting, design and materials of screen walls and fences have been submitted to and approved in writing by the Local Planning Authority. The approved screen walls and fences shall be erected prior to the dwelling being occupied and thereafter be retained in the approved form.

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

07 All new driveways and parking areas shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling.

Reason - In the interests of sustainable development and to ensure that run-off water is avoided to minimise the risk of surface water flooding.

08 No development shall be commenced until samples of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.

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

09 No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, 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 interest of visual amenity and the character of the area.

10 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details 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. 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 the interest of visual amenity and the character of the area.

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<i>17/01180/FUL Approval - Full 30.08.2017 Delegated Decision</i>	<i>Mr T Willis</i>	<i>Change of use to dwelling (modifications to elevations approved under 16/00971/FUL).</i>	<i>Former Telephone Exchange Bromley Road Lawford Essex CO11 2JE</i>

01 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing numbers TEL/17/2 and TEL/17/3.

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

Little Bentley Parish Council

No Determinations

Little Bromley Parish Council

No Determinations

Little Clacton Parish Council

<i>17/00748/FUL Approval - Full 31.08.2017 Delegated Decision</i>	<i>Mrs C Buckland</i>	<i>Proposed detached house, garage and parking for host dwelling.</i>	<i>Plough Cottages 18 Weeley Road Little Clacton Clacton On Sea Essex CO16 9EX</i>
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01 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.

02 The development hereby permitted shall be carried out in accordance with the following approved plans: -

Drawing Number - Un-numbered Location Plan received on 09 June 2017;

Drawing Number 03 Rev C - Proposed Block Plan, Floor Plans and Elevations, received on 14 August 2017, and;

Drawing Number - Un-numbered - Construction Method Statement, received on 08 May 2017.

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

03 No development shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.

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Reason - In the interest of the visual amenity of the locality. Due to the prominent site location, it is essential that the details be submitted prior to commencement of the development.

04 Before development starts, the following shall be submitted to and approved in writing by the Local Planning Authority:

- a) a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, the details of any trees and hedgerows to be retained, together with measures for their protection during development,
- b) a schedule of proposed plant species, size and density and planting locations,
- c) detailed design of the plot boundaries, and
- d) an implementation programme.

The development shall be carried out in accordance with the agreed implementation programme, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason - In the interest of the appearance of the area and as the landscaping/boundary treatment is an important element of the overall design, it needs to be agreed prior to commencement of the development.

05 Prior to occupation of the development, the frontage boundary feature shall be amended in accordance with the submitted plan thereby improving the vehicle visibility splays of and for traffic in the existing highway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

Reason - To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

06 Prior to occupation of the development the vehicular parking and turning facility, as shown on the submitted plan shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason - To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

07 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason -To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

08 At no point shall gates be provided at the vehicular access. The access shall remain open and free for use in perpetuity.

Reason - To give vehicles using the access free and unhindered access to and from the highway in the interest of highway safety and in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

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09 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 adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

10 Any single garages should have a minimum internal measurement of 7m x 3m. All garages shall be retained for the purposes of vehicle parking in perpetuity.

Reason - To encourage the use of garages for their intended purpose and to discourage on-street parking, in the interests of highway safety and in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

11 Notwithstanding the provisions of Article 3 (of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking and re-enacting that Order) no extensions, dormer windows, alterations to the roof, porches or curtilage buildings, shall be erected/constructed without first obtaining planning permission.

Reason - To prevent the over intensive development of the site in the interest of the visual amenity of the locality, and to ensure a satisfactory standard of residential amenity

12 Other than the door and window openings shown on the approved plans and notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order), no new window or door openings shall be installed in the building.

Reason - In order to protect the amenity of the occupants of adjacent residential property.

13 No construction in relation to the permission hereby granted shall occur outside of the following times, namely:

07:00am to 07:00pm in any one day, on Monday - Friday;
Saturday 08:00am to 01:00pm, and;
At no time at all on a Sunday or Bank Holiday.

Reason - In the interests of protecting the amenity of the occupants of the nearest noise sensitive premises.

<i>17/01101/FUL Refusal - Full 30.08.2017 Delegated Decision</i>	<i>Mr M Sorrell</i>	<i>Demolition of existing dwelling and erection of 2no. dwellings.</i>	<i>Amida Betts Green Road Little Clacton Clacton On Sea Essex CO16 9NH</i>
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01 Saved Policies QL9 and EN1 and emerging policy PPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) seek to ensure that development is appropriate to its locality and does not harm the appearance of the landscape and important woodland, hedges and trees. Saved Policies QL9, QL10 and QL11 aim to ensure that all new

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development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design and does not have a materially damaging impact on the amenities of occupiers of nearby properties. Emerging policy PPL3 carries forward the sentiments of these saved policies stating that all new development must make a positive contribution to the quality of the local environment, protect or enhance local character and incorporate or enhance features of landscape/amenity value such as trees and hedges.

To the west of the site is an Horse Chestnut tree, afforded formal legal protection by Tree Preservation Order TPO/88/12. The tree is a mature healthy specimen that makes a positive contribution to the character and appearance of the area. A Tree Survey and Report has been carried out, and whilst it demonstrates that it is possible for construction works to be carried out within the Root Protection Area of a tree, it is also necessary to consider the implications of the juxtaposition of the tree and the proposed dwelling. It is considered that the incursion into the Root Protection Area of the protected tree and the reduction in the existing separation distance from approximately 7m to 4.5m would not result in a satisfactory relationship between the tree and the proposed new dwelling.

In the context of the policies of the Framework, taken as a whole, it has not been demonstrated that a satisfactory relationship between the proposed dwelling and the retained tree can be achieved. Accordingly, the proposal is considered contrary to the above policies and therefore the presumption in favour of sustainable development at paragraph 14 of the Framework does not apply.

Little Oakley Parish Council

No Determinations

Manningtree Town Council

<i>17/01145/FUL Approval - Full 30.08.2017 Delegated Decision</i>	<i>Wendy Osborne</i>	<i>Removal of 2 No. large existing windows and replace with 3 No. slightly smaller windows with some removal and replacement to some existing brickwork, removal of existing door and replace with a 'horsebox' design door adjacent to windows and removal of 1 No. large existing window and replace with a larger 'barn design' window with removal of some brickwork below sill level.</i>	<i>20 High Street Manningtree Essex CO11 1AD</i>
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01 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.

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02 The development hereby permitted shall be carried out in accordance with the following approved plans, titled 'Site Location Plan', 'Block/Site Plan' and the untitled documents that show the floor plan and existing and proposed elevational drawings.

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

<i>17/01146/LBC Approval - Listed Building Consent 30.08.2017 Delegated Decision</i>	<i>Wendy Osborne</i>	<i>Removal of 2 No. large existing windows and replace with 3 No. slightly smaller windows with some removal and replacement to some existing brickwork, removal of existing door and replace with a 'horsebox' design door adjacent to windows and removal of 1 No. large existing window and replace with a larger 'barn design' window with removal of some brickwork below sill level.</i>	<i>20 High Street Manningtree Essex CO11 1AD</i>
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01 The works hereby permitted shall begin before the expiration of three years from the date of this consent.

Reason - To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

02 The development hereby permitted shall be carried out in accordance with the following approved plans, titled 'Site Location Plan', 'Block/Site Plan' and the untitled documents that show the floor plan and existing and proposed elevational drawings.

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

Mistley Parish Council

<i>17/01124/OUT Refusal - Outline 30.08.2017 Delegated Decision</i>	<i>Mrs C Reidy</i>	<i>Erection of one detached dwelling.</i>	<i>Land adjacent Fairview Heath Road Mistley Essex CO11 2QH</i>
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01 The application site is located outside of a defined Settlement Development Boundary as defined by the Saved Tendring District Local Plan 2007 and the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017). Outside Development Boundaries, the Local Plan seeks to conserve and enhance the countryside for its own sake by not allowing new housing unless it is consistent with countryside policies. Saved Tendring District Local

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Plan (2007) Policy QL1 sets out that development should be focussed towards the larger urban areas and to within development boundaries as defined within the Local Plan.

The Council is in a position where it can now identify a 5 year housing supply and as such there is no requirement for the 'skewed' approach to the presumption in favour of sustainable development, under paragraph 14 of the National Planning Policy Framework (NPPF), to be engaged. Furthermore, with the emerging Local Plan progressing well, officers consider that greater weight can be given to the core planning principles under paragraph 17 of the NPPF that development should be genuinely plan-led and that the Council should actively manage patterns of growth and should make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

With this in mind, the emerging Local Plan includes a 'settlement hierarchy' aimed at categorising the district's towns and villages and providing a framework for directing development toward the most sustainable locations. Mistley is categorised in emerging Policy SPL1, along with six other villages, as a 'Smaller Urban Settlement' in recognition of its population size and relatively large range of local services. With this in mind, the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) settlement development boundary for Mistley has been extended. The growth envisaged for Mistley over the plan period has already been allowed for within the extended defined boundary, but does not include this site. As such the location is not considered to be within a sustainable location for growth, and development will only serve to increase the number of people having to rely on cars to go about their everyday lives, thereby failing to meet the socially sustainable strand of sustainability.

The site is located adjacent to, but outside of a Settlement Development Boundary and consequently is located in an isolated rural location. The nearest settlement is Mistley which within the Established Settlement Hierarchy (2016) performs poorly, with no GP Surgery, defined village centre, defined employment area or railway station. Therefore, it is considered that the majority of trips, including those for day-to-day needs, would need to be made by car to access essential services and facilities.

The NPPF advocates a plan-led approach that actively seeks to achieve sustainable patterns of growth, but this development, due to its siting outside of any defined settlement development boundary, is not considered sustainable. In applying the NPPF's presumption in favour of sustainable development, the adverse impacts of the proposal on the Council's ability to manage growth through the plan-led approach, are not outweighed by the benefits. The development is unnecessary and there are no public benefits that might warrant the proposal being considered in an exceptional light.

Ramsey & Parkeston Parish Council

No Determinations

St Osyth Parish Council

No Determinations

Tendring Parish Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
17/01304/TCA Approval - Full 29.08.2017 Delegated Decision	Tendring Village Hall Management Committee	Raise canopy of trees adjacent to and overhanging Tendring Village Hall car park to 5.3 metres	Tendring Village Hall The Street Tendring Essex CO16 0BL

Thorpe-le-Soken Parish Council

No Determinations

Thorrington Parish Council

No Determinations

Weeley Parish Council

No Determinations

Wix Parish Council

No Determinations

Wrabness Parish Council

17/00954/FUL Approval - Full 30.08.2017 Delegated Decision	Mr and Mrs Bowett	Demolition of existing garage/workshop, and erection of replacement workshop/garden store, with upper floor ancillary accommodation (Annex),	The Gate House Harwich Road Wrabness Manningtree Essex CO11 2UD
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01 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.

02 The development hereby permitted shall be carried out in accordance with the following approved plans: _

Drawing Number - 3273 - PA- LOC - Location Plan;
Drawing Number - 3273 - PA -01 - Existing Garage Plans and Elevations;
Drawing Number - 3273 - PA -15 Rev A - Site Plans and Street Elevations, and
Drawing Number - 3273 - PA -10 Rev A - Proposed Plans and Elevations.

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

03 The annex hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as The Gatehouse, Harwich Road, Wrabness.

Reason - The site is unsuitable for an independent residential unit because it is a countryside location

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where new dwellings are not normally permitted, and the development shares garden and parking facilities with the main dwellings and amenity issues and loss of privacy would arise if the building was used as an independent dwelling.

- 04 The ground floor workshop/store shall not be incorporated in to the habitable accommodation (Annex) hereby approved.

Reason - The enlarged accommodation created would not constitute an ancillary annex due to the increased floor area, and the site is unsuitable for an independent residential unit because it is a countryside location where new dwellings are not normally permitted, and the development shares garden and parking facilities with the main dwellings and amenity issues and loss of privacy would arise if the building was used as an independent dwelling.