



TENDRING DISTRICT COUNCIL

Planning Services

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

AGENT: Miss Jessica Ferguson
MRPP
21 Buckingham Street
London
WC2N 6EF

APPLICANT: Persimmon Homes Ltd &
Britton Developments Ltd
C/o Agent

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 18/01800/DETAIL

DATE REGISTERED: 2nd November 2018

Proposed Development and Location of Land:

Approval of reserved matters (relating to appearance, access, landscaping, layout and scale) for 250 dwellings pursuant to Condition 1 of planning permission 12/01262/OUT (as varied by planning permission 15/01781/OUT).

Oakwood Park Land to The East of Thorpe Road Clacton On Sea

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **GRANT**
APPROVAL OF RESERVED MATTERS pursuant to Outline Planning Permission No.
15/01781/OUT in accordance with the application form, supporting documents and plans
submitted subject to the following conditions

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

Drawing numbers:

1232/AL/702 F

6054/1001 B

OPC/101 REV C

PH-144-002 REV C; 003 REV B; 004 REV B; 005 REV B; 006 REV B; 007 REV B;
010 REV B; 011 REV B; 012 REV B; 013 REV B; 014 REV B; 015 REV C; 017 REV
B; 018 REV B; 019 REV B; 020 REV B; 021 REV B; 022 REV B; 023 REV B; 025
REV B; 027 REV A; 028 REV B; 029 REV B; 031 REV B; 031 REV B (Alternative
External); 032 REV B; 033 REV C; 034 REV C; 035 REV A; 040 REV A; 041 REV A;
050 REV B; 051 REV B; 052 REV B; 053 REV B; 054 REV B; 055 REV B; 056 REV
B; 057 REV A; 058 REV A and 059 REV A.

JBA 18/263-SK01 REV B

JBA 18/263-01 REV B; 02 REV B; 03 REV B; 04 REV B; 05 REV B; 06 REV B; 07
REV B; 08 REV B and 09 REV B.

HYBRID 1 - Plan illustrating circular walk

Documents:

Shadow Habitat Regulations Assessment 09/05/2019 ref 3022/HRA/vf

Amenity Space Breakdown dated 15th March 2019

Measured Works Schedule: Detailed Soft Landscape Proposals for Plots JBA 18/263-
03-09

Aboricultural Implications Assessment: Addendum October 2018

Utilities Statement October 2018 Version 1.0

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

- 2 The internal roads and footways shall be delivered in line with the Phasing in PH-144-050 Rev B. No individual dwelling shall be occupied until such time as the estate road(s) providing means of vehicular and pedestrian access to and from the roundabout in Thorpe Road to that dwelling has been provided in accordance with the approved plans.

Reason - To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety.

- 3 Prior to the commencement of any above ground works, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason - To ensure that roads and footways are constructed to an acceptable standard, in the interests of highway safety.

- 4 No dwelling shall be occupied until such time as its car parking and turning area to serve that dwelling and a means of access to Thorpe Road has been provided in accordance with the approved plans. The car parking and turning area shall be retained in this form at all times and shall not be used for any purpose other than the parking and turning of vehicles related to the use of the development thereafter.

Reason - To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety.

- 5 Prior to occupation details of covered and secure provision for the storage of bicycles for each dwelling without a garage shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be provided before the dwelling to which they relate is occupied and shall thereafter be retained.

Reason - To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

- 6 Prior to commencement of any above ground works a scheme for the on-site mitigation of the recreational impact of the development on protected Essex Coast European sites shall have been submitted to and approved in writing by the Local Planning Authority. This mitigation scheme shall comprise;
- a) a circular walking route; dog off lead area; dog waste bins; and residents' information leaflets as indicated within the Shadow Habitat Regulations Assessment and plan titled Hybrid 1;
 - b) full details of the long-term maintenance and management of the green space;
 - c) a program for implementation

Development shall be undertaken in strict accordance with the approved mitigation scheme and program and thereafter managed and retained as approved. Any approved information leaflet shall be included within the new residents welcome pack to every dwelling.

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

Avoidance and Mitigation Strategy.

DATED: 5th July 2019

SIGNED:



Catherine Bicknell
Head of Planning

IMPORTANT INFORMATION :-

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

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL2 Promoting Transport Choice

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

QL12 Planning Obligations

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG3A Mixed Communities

HG4 Affordable Housing in New Developments

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

COM1 Access for All

COM2 Community Safety

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

COM6 Provision of Recreational Open Space for New Residential Development

- COM21 Light Pollution
 - COM22 Noise Pollution
 - COM23 General Pollution
 - COM24 Health Care Provision
 - COM26 Contributions to Education Provision
 - COM29 Utilities
 - COM31A Sewerage and Sewage Disposal
 - EN1 Landscape Character
 - EN4 Protection of the Best and Most Versatile Agricultural Land
 - EN6 Biodiversity
 - EN6A Protected Species
 - EN6B Habitat Creation
 - EN12 Design and Access Statements
 - EN13 Sustainable Drainage Systems
 - EN29 Archaeology
 - TR1A Development Affecting Highways
 - TR1 Transport Assessment
 - TR2 Travel Plans
 - TR3A Provision for Walking
 - TR4 Safeguarding and Improving Public Rights of Way
 - TR5 Provision for Cycling
 - TR6 Provision for Public Transport Use
 - TR7 Vehicle Parking at New Development
- Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
- SP1 Presumption in Favour of Sustainable Development
 - SP2 Spatial Strategy for North Essex
 - SP3 Meeting Housing Needs
 - SP5 Infrastructure & Connectivity
 - SP6 Place Shaping Principles

- SPL1 Managing Growth
- SPL2 Settlement Development Boundaries
- SPL3 Sustainable Design
- HP1 Improving Health and Wellbeing
- HP2 Community Facilities
- HP3 Green Infrastructure
- HP5 Open Space, Sports & Recreation Facilities
- LP1 Housing Supply
- LP2 Housing Choice
- LP3 Housing Density and Standards
- LP4 Housing Layout
- LP5 Affordable and Council Housing
- PP12 Improving Education and Skills
- PPL1 Development and Flood Risk
- PPL3 The Rural Landscape
- PPL4 Biodiversity and Geodiversity
- PPL5 Water Conservation, Drainage and Sewerage
- PPL7 Archaeology
- CP1 Sustainable Transport and Accessibility
- CP2 Improving the Transport Network
- CP3 Improving the Telecommunications Network

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Essex Design Guide

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways Informatives

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

2: The temporary bus route shall conform to drawing no. PH-144-059 Rev A (Temporary bus route) until such time as the eastern development joins up with Oakwood Park in accordance with the bus service obligation from the s106 Agreement.

3: Prior to occupation, the development shall be served by a system of operational street lighting of a design approved from the Highway Authority along the Primary route, which shall thereafter be maintained in good repair.

4: The areas directly adjacent to the carriageways in which the trees are to be planted should not be less than 3 metres wide, exclusive of the footway and the trunks of the trees should be no nearer than 2 metres to the channel line of the road. The same dimensions should be used in situations where the footway is located adjacent to the carriageway.

In paved areas, whether or not the planted areas are to be adopted highway, trees should be sited no closer than 2 metres to the defined (or undefined) edge of the carriageway. Where the adopted highway is to be an independent path, trees should be planted no closer than 1 metre from the edge of the highway. In all cases, trees should be provided with root barriers to prevent damage to underground services.

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

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

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

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Legal Agreement Informative - Recreational Impact Mitigation

This application is the subject of a legal agreement and this decision should only be read in conjunction with this agreement. The agreement addresses the following issues: mitigation against any recreational impact from residential developments in accordance with Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

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

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

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

The attached notes explain the rights of appeal.

NOTES FOR GUIDANCE

WHEN PLANNING PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

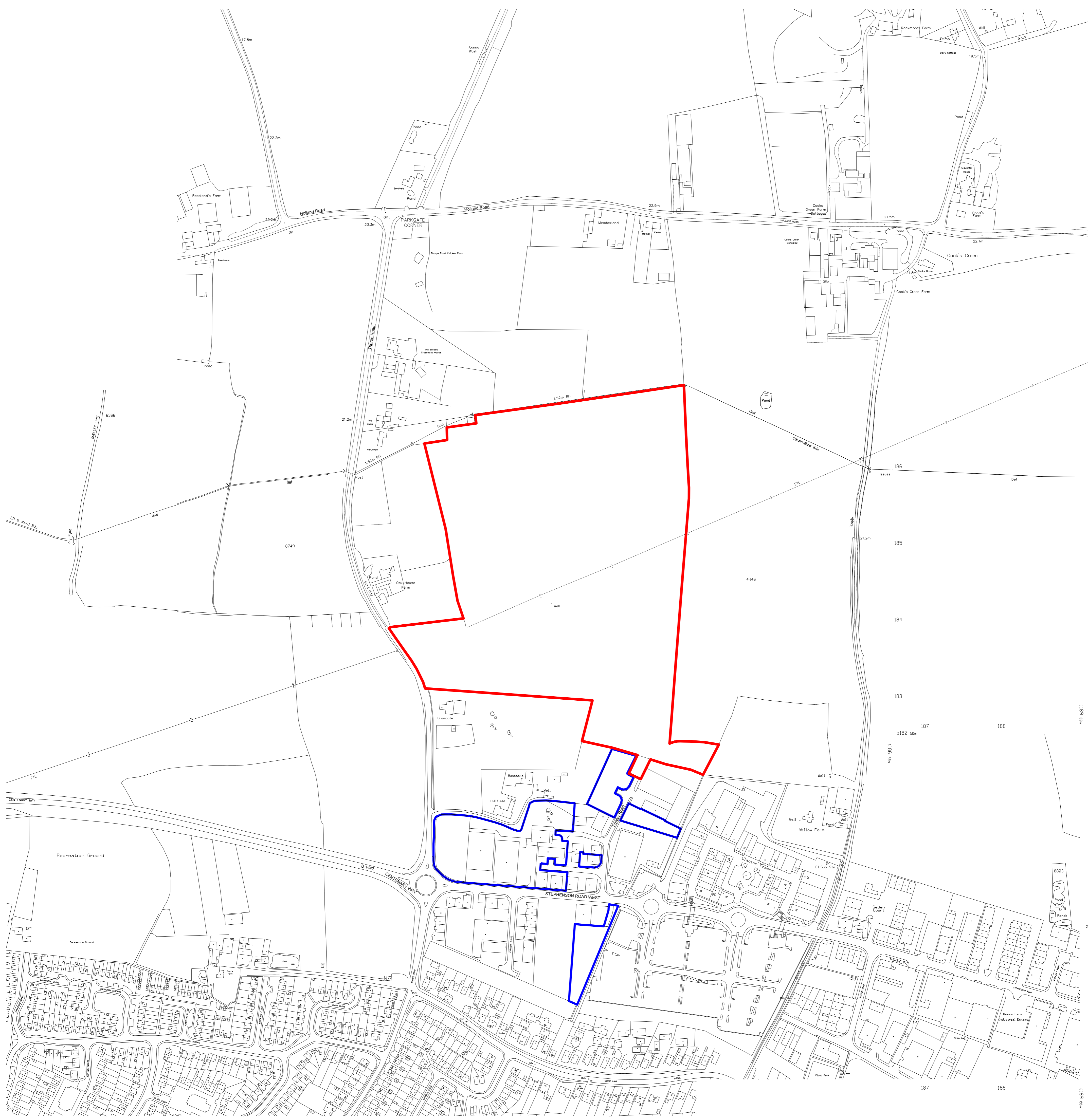
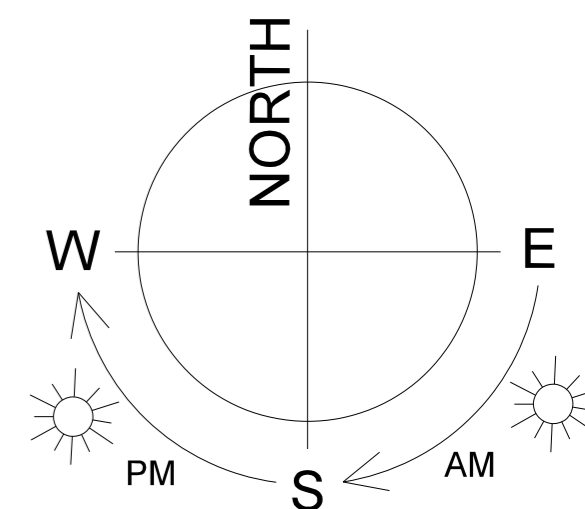
APPEALS TO THE SECRETARY OF STATE

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within the set time frame as outlined below:
 - a. If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Householder Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>.
 - b. If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>.
 - c. If you want to appeal against your local planning authority's decision on a development which is not caught by a. and b. above then you must do so within **6 months** of the date of this notice. A **Planning Appeal Form** is required, available online at <https://www.gov.uk/planning-inspectorate>.
- Appeals must be made using the relevant form (as detailed above) which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/planning-inspectorate>. **Please note, only the applicant possesses the right of appeal.**
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted permission for the proposed development or could not have granted it without the conditions imposed having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

ENFORCEMENT

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

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



| | | | |
|---|---------------|------------------------|----------|
| B | 08.11.2012 | Land Ownership Amended | RW |
| A | 06.11.2012 | Land Ownership Amended | RW |
| | revision date | amendment | initials |

Project / Client:
Oakwood Park, Land East of Thorpe Road, Clacton
 On behalf of Kevin Britton

Drawing Title: **Site Location Plan** North:

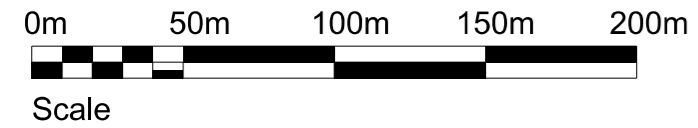
STANLEY BRAGG ARCHITECTS LIMITED
 Abbeygate One, 8 Whitewell Road, Colchester, Essex CO2 7DF
 Telephone (01206) 571371 Fax (01206) 766497
 email: architects@stanleybragg.co.uk

For Planning Submission

Stanley Bragg
 ARCHITECTS

Project Ref / Drawing No.: **6054 / 1001 Rev.B**

Drawn: RW Checked: IM
 Scale: 1:2500@A1 Date: JULY 2012

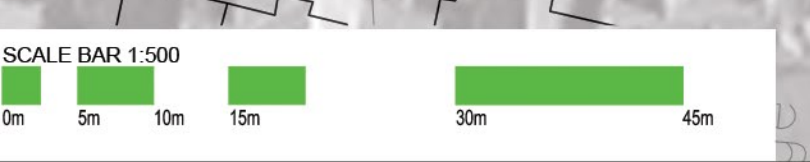


Do not scale this drawing. Work to figured dimensions only. This drawing is copyright of Stanley Bragg Architects Ltd and should only be reproduced with their express permission.



Key

- Outline Consent
- Phase 1 & 2 Reserved Matters



| | |
|---|-----------------|
| C 10.06.18 Incorporating Landscape Architect's design | |
| B 16.05.19 Revised to comply with SANS requirements | |
| A 25.02.19 Revised following comments from Essex Highways | |
| REV | DATE |
| PROJECT DESCRIPTION | |
| Oakwood Park, Clacton-on-Sea | |
| TITLE | |
| Masterplan | |
| DRAWING NUMBER | REVISION |
| PH-144-002 | C |
| DATE | SCALE @ A3 SIZE |
| Oct 2018 | 1:500 |
| <p>PERSIMMON Persimmon Homes (Essex) plc Persimmon House, Dairy Road, Witham, Essex, CM8 1PQ Tel: 01376 518811 Fax: 01376 521140 Web: www.persimmonhomes.com</p> | |
| <small>THE PROPERTY OF THIS DRAWING AND DESIGN IS VESTED IN PERSIMMON HOMES LIMITED AND MUST NOT BE COPIED OR REPRODUCED IN ANY WAY WITHOUT THEIR WRITTEN CONSENT</small> | |