

ESSEX COUNTY COUNCIL

**Town and Country Planning Act 1990 (as amended)
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
ORDER 2015**

Town and Country Planning General Regulations 1992

In exercise of its power under Regulation 3 of the Town and Country Planning General Regulations 1992, Essex County Council has considered an application to carry out the following development:

Provision of 50 car parking spaces and 130 security bollards at Tendring Education Centre, Jaywick Lane, Clacton On Sea, CO16 8BE

and in accordance with the said application and the plan(s) accompanying it, hereby gives notice of its decision to GRANT PERMISSION FOR the said development subject to compliance with the following conditions and reasons:

1. The development hereby permitted shall be begun before the expiry of 3 years from the date of this permission.

Reason: To comply with section 91 of the Town and Country Planning Act 1990 [as amended].

2. The development hereby permitted shall be carried out in accordance with the details of the application dated 30 March 2021, together with the following documents:

- Drawing No. TECCPK-IWD-XX-XX-DR-A-1000 Rev P02, dated 23 March 2021;
- Drawing No. TECCPK-IWD-XX-XX-DR-A-1100 Rev P01, dated 23 March 2021;
- Drawing No. TECCPK-IWD-XX-XX-DR-A-1200 Rev P01, dated 23 March 2021;
- Drawing No. TECCPK-IWD-XX-XX-DR-A-2000 Rev P05, dated 23 March 2021;
- Document titled 'Heavy Duty Security Bollard. BX14-037, no date.

And in accordance with any non-material amendment(s) as may be subsequently approved in writing by the County Planning Authority, except as varied by the following condition.

Reason: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment and in accordance with Tendring Local Plan policies QL9, QL10, QL11, COM21, EN2, EN13 and TR7.

3. No development shall take place until a site-specific Arboricultural Impact Assessment, Method Statement, Tree Protection Plan and Replacement Planting Scheme has been submitted to and approved in writing by the County Planning Authority. The development shall be implemented in accordance with the approved scheme.

Reason: To ensure that retained trees are protected from damage, in the interests of visual amenity and to comply with Tendring Local Plan policies QL11 and EN2.

4. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the County Planning Authority. The Plan shall provide for:
- (i) The parking of vehicles or site operatives and visitors;
 - (ii) Loading and unloading of plant and materials;
 - (iii) Storage of any plant and materials used in constructing the development;
 - (iv) Wheel and underbody washing facilities.

The development shall be implemented in accordance with the approved scheme.

Reason: In the interests of highway safety, safeguarding local amenity and to comply with Tendring Local Plan policies QL11 and TR7.

Reason for Approval

Subject to the imposition of the attached conditions, the proposal is acceptable having been assessed in the light of all material considerations, including weighting against the following policies of the development plan:

TENDRING DISTRICT LOCAL PLAN 2007 (TLP)

Policy QL9 – Design of New Development
Policy QL10 – Designing New Development to Meet Functional Needs
Policy QL11 – Environmental Impacts and Compatibility of Uses
Policy COM21 – Light Pollution
Policy EN2 – Local Green Gaps
Policy EN13 – Sustainable Drainage Systems
Policy TR7 – Vehicle Parking at New Development

Statement of Reasons

The proposal seeks the provision of 50 no. car parking spaces and 130 security bollards at Tendring Education Centre. It is considered that the development would not cause unacceptable harm to the amenity of the surrounding area or the Local Green Gap.

It is considered necessary and appropriate to require an arboricultural impact assessment, method statement, tree protection plan and replacement planting schedule prior to commencement of development in order to ensure protection for retained trees and replacement of those removed.

It is considered that the proposal conforms with Tendring Local Plan policies QL9, QL10, QL11, COM21, EN2, EN13 and TR7.

There are no other policies or other material considerations which are overriding or warrant the withholding of permissions.

THE CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2017 (AS AMENDED)

The proposed development would not be located within distance to a European site.

Therefore, it is considered that an Appropriate Assessment under Regulation 63 of The Conservation of Habitats and Species Regulations 2017 (as amended) is not required.


STATEMENT OF HOW THE LOCAL AUTHORITY HAS WORKED WITH THE APPLICANT IN A POSITIVE AND PROACTIVE MANNER

In determining this planning application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement in the NPPF, as set out in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Dated: 14 June 2021

COUNTY HALL
CHELMSFORD

Signed


Graham Thomas - Head of Planning Service

IMPORTANT - ATTENTION IS DRAWN TO THE NOTES ON THE NEXT PAGE

NOTES

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT 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 (as amended).
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision that relates 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.
- Alternatively, 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 of the date of this notice, whichever period expires earlier.
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate> .If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000
- 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 planning permission for the proposed development or could not have granted it without the conditions they 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.