

<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**

**No Determinations**

**Ardleigh Parish Council**

<i>08/01263/FUL Approval - Full 28.11.2008 Delegated Decision</i>	<i>Mr William Kerry</i>	<i>Change of use of outbuilding to class B1(a) office.</i>	<i>2 Shakespeare Cottages Turnpike Close Ardleigh</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 Prior to first occupation of the hereby permitted office building the vehicular turning space as detailed on drawing number IT892/SK01 shall be constructed, surfaced and made available for use and shall be retained for that sole purpose thereafter.

Reason - To ensure appropriate turning facilities are provided so that vehicles can enter and leave the highway in a safe and controlled manner in the interests of highway safety.

03 The building shall be used for class B1(a) office and for no other purpose including any other purpose in Class B1 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory instrument revoking and re-enacting that Order with or without modification).

Reason - In the interests of highway safety.

04 No machinery shall be operated, no process shall be carried out and no deliveries taken at or dispatched from the site outside the following times 08:00-18:00 Monday to Friday and 08:00-13:00 on Saturdays and not at any time on Sundays or Public Holidays.

Reason - In the interests of residential amenity.

05 No retail sales shall take place on the site at any time.

Reason - In the interests of residential amenity.

**Beaumont Parish Council**

**No Determinations**

**Bradfield Parish Council**

<i>08/01359/FUL Approval - Full 24.11.2008 Delegated Decision</i>	<i>Mr Tim Cooper</i>	<i>Change of use of agricultural land to domestic garden.</i>	<i>Goldenferry Farm Cansey Lane Bradfield</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 Notwithstanding the provisions of Article 3, Schedule 2 Part 1 Classes A, B and E and part 2 class A of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no provision of buildings, enclosures, swimming or other pool shall be erected on the hereby approved garden land except in accordance with drawings showing the design and siting of such building(s) or enclosures which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - To protect the rural character of the locality.

03 Notwithstanding the provisions of Article 3, Schedule 2 Part 2 Class A, of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no provision of gates, fences, walls or other means of enclosure shall be erected, unless otherwise submitted to and approved, in writing, by the Local Planning Authority.

Reason - In the interest of visual amenity.

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: 2005 - Trees in Relation to Construction."

Reason - To protect and preserve the rural 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 - To ensure the effective implementation of the landscaping scheme, in the interests of visual amenity.

### **Brightlingsea Town Council**

<i>08/01384/FUL Approval - Full 26.11.2008 Delegated Decision</i>	<i>Mrs Aldridge</i>	<i>Change of use from agricultural to paddock (for keeping alpacas and chickens), including removal of buildings used as shelters and storage.</i>	<i>Land at rear of Hartismere Church Road Brightlingsea</i>
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01 Within 6 months of the date of this consent the static caravan shall be removed from the site.

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Reason: Due to the unacceptably harmful impact of the caravan on the open nature of the countryside the caravan must be removed.

### **Clacton-on-Sea**

<i>08/01249/ADV Approval - Advertisement Consent 25.11.2008 Delegated Decision</i>	<i>Sainsburys Supermarkets Ltd</i>	<i>Installation of 4 no. internally illuminated building signs and 4 no. non-illuminated free standing car park signs.</i>	<i>Sainsburys Supermarket Ltd High Street Clacton On Sea</i>
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01 All advertisements 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 shall be displayed without the permission of the owner of the site (this includes land or buildings where the advertisement is displayed), or any other person with an interest in the site entitled to give permission.
2. No advertisement shall be sited or displayed that would endanger anyone using any highway, railway, waterway, dock, harbour or aerodrome (civil or military), or would obscure or hinder the ready interpretation of any traffic sign, railway signal, or aid to navigation by water or air. Furthermore, no advertisement shall be sited or displayed that would hinder the operation of any device used for the purpose of security or surveillance (such as closed circuit television cameras) or for measuring the speed of any vehicle (speed cameras or other speed measuring devices).
3. Any advertisements displayed, and any site used for display of advertisements, shall be maintained in a reasonably clean and tidy condition so as not to impair the visual amenity of the site.
4. Any structure or hoarding used for the display of advertisements shall be maintained in a safe condition that does not endanger the public.
5. Where any advertisement is removed, the site shall be left in a safe condition that does not endanger the public and in a reasonably clean and tidy condition so that it does not impair the visual amenity of the site.

Additionally all Advertisement consents are for a fixed term of 5 years required by the said Regulations unless this period is varied on the formal decision notice.

02 The maximum luminance of the proposed signs not exceeding the standards contained in the Institution of Lighting Engineers Technical Report No.5 which in this case is 1000 cd/m<sup>2</sup>, the site being within zone E4.

Reason: To minimise any glare and to reduce discomfort of pedestrians and drivers of vehicles in the main road.

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<i>08/01300/FUL Refusal - Full 25.11.2008 Delegated Decision</i>	<i>Mr Alan Hawkins</i>	<i>Rear extension. (02/01172/FUL lapsed).</i>	<i>15 Triumph Avenue Jaywick Clacton On Sea</i>

- 01 PPS25 seeks to ensure that reasonable flood protection and prevention measures have been taken with respect to development within the flood zone. Applications for development in the flood zone should be accompanied by a Flood Risk Assessment that should detail the measures that have been taken to minimise the impact on and by flooding, with particular regard to the 1 in 200 year tidal flood level and the impact climate change may have on this level. This application does not include an assessment that satisfies these requirements and fails to demonstrate that an adequate standard of safety would be provided with regard to flooding. Therefore, in accordance with the precautionary principle as set out in PPS25, Development and Flood Risk, it is reasonable to conclude that development may contribute to an increased risk of flooding at this site. For this reason, the proposal is contrary to Policy QL3 of the Tendring District Local Plan (2007).

<i>08/01304/FUL Refusal - Full 28.11.2008 Delegated Decision</i>	<i>Mr Anthony Davies</i>	<i>Retrospective permission for retention of rear ground floor extension to form extended bedroom and bathroom.</i>	<i>7 Wolseley Avenue Jaywick Clacton On Sea</i>
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- 01 PPS25 seeks to ensure that reasonable flood protection and prevention measures have been taken with respect to development within the flood zone. Applications for development in the flood zone should be accompanied by a Flood Risk Assessment that should detail the measures that have been taken to minimise the impact on and by flooding, with particular regard to the 1 in 200 year tidal flood level and the impact climate change may have on this level. This application does not include an assessment that satisfies these requirements and fails to demonstrate that an adequate standard of safety would be provided with regard to flooding. Therefore, in accordance with the precautionary principle as set out in PPS25, Development and Flood Risk, it is reasonable to conclude that development may contribute to an increased risk of flooding at this site. For this reason, the proposal is contrary to Policy QL3 of the Tendring District Local Plan (2007).

Policy QL10 point (vi) requires that all development meets functional needs including private amenity space. The extension has used up virtually all of the private amenity space that the bungalow previously benefited from. The new rear wall sits 900mm from the rear boundary of the site. This means that in practice the only space left is the sideways area either side of the dwelling which is very dark and can not be considered to be private amenity space at all. Leaving the dwelling with no rear amenity space is unacceptable, for example if this application was for a new dwelling Policy HG9 would require 75m<sup>2</sup> of usable amenity space. It is accepted that this dwelling is located in close proximity to the beach and the general character of this section of Jaywick is that of small private amenity areas, however this scheme uses up virtually all of the amenity area which leaves no space for hanging washing out or letting children play. This issue is exacerbated as this scheme results in the creation of a bungalow that is significantly more viable for housing a family than the bungalow that existed before. For this reason, the proposal is contrary to Policy QL10 of the Tendring District Local Plan (2007).

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<p>08/01395/FUL Approval - Full 24.11.2008 Delegated Decision</p>	<p>Mr E Caro</p>	<p>Extension and alteration.</p>	<p>5 Kings Road Clacton On Sea</p>
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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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<p>08/01409/FUL Approval - Full 26.11.2008 Delegated Decision</p>	<p>Mr John Storey</p>	<p>Change of use from Carpet unit to Garage workshop.</p>	<p>78 Oxford Road Clacton On Sea</p>
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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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<p>08/01419/FUL Approval - Full 26.11.2008 Delegated Decision</p>	<p>Mrs Lesley Gray</p>	<p>Change of use from A1 to Sui Generis to change from Gift Shop to Taxi Office. Shop address is 8A St Johns Road Clacton-on- Sea (no building work required).</p>	<p>8A St Johns Road Clacton On Sea</p>
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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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<p>08/01429/FUL Refusal - Full 26.11.2008 Delegated Decision</p>	<p>Mr P Cox</p>	<p>Single storey side extension to form disabled WC and beer store.</p>	<p>Ocean Club Hotel 5 Marine Parade East Clacton On Sea</p>
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01 It is the policy of the Local Planning Authority, as contained within Policy QL9 of the Tendring District Local Plan (2007), that new development proposals should be of a high standard of design and not constitute an incongruous form of development in the local street scene. Particular emphasis on quality design is given in conservation areas where Policy EN17 of the Local Plan states that development must preserve or enhance their character or appearance.

Policy ENV7 of The East of England Plan (2008) requires development to be of an appropriate scale,

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founded on clear site analysis and urban design principles. The above policies are given greater emphasis through Planning Policy Statement 1: Delivering Sustainable Development, which seeks to ensure that design is high quality, appropriate in its context, and takes the opportunities available for improving the character and quality of an area.

It is not considered that this flat roofed extension preserves or enhances the character of the conservation area. On the contrary, it is considered that this scheme is detrimental to the streetscene by nature of its very basic flat roofed design and its public visibility. This is the type of extension one would expect to see on the rear of a dwelling house, not on a publicly visible elevation of a hotel in a conservation area. The external wall that is proposed to run along the Orwell Road is bland and it is also unfortunate that this proposal would mask the two existing ground floor openings on the Orwell Road elevation that have attractive period details such as the stone canopies which are replicated at a first floor level. In an attempt to mitigate against this loss of detail a new canopy is proposed over the new doorway. This new canopy will appear completely out of keeping with this obviously new addition and is also not considered to preserve or enhance the conservation area.

The DAS states that the lead roofing will overhang the parapet roof edge and will create "an attractive scalloped edge". This detail is not considered to be acceptable in design terms and it is clearly a rather desperate attempt to give a basic flat roofed extension some form of visual interest. The scheme needs a complete rethink and minor tweaks with the detailing will not make a publicly prominent flat roofed extension acceptable in a conservation area.

<i>08/01440/FUL Refusal - Full 26.11.2008 Delegated Decision</i>	<i>Mr Juan Alcayaga</i>	<i>Proposed change of use from A1 to C3 creating an independent flat from within the existing ground floor shop area (number 76) and alterations to the existing maisonette (number 76a) forming a flat on the first floor.</i>	<i>76 And 76a High Street Clacton On Sea</i>
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01 Policy ER3 of the adopted Tendring District Local Plan (2007) protects the use of this property for employment. It states that; "change of use for non-employment purposes will only be permitted if the applicant can demonstrate that it is no longer viable or suitable for any form of employment use. The applicant should either:

- (i) submit evidence of a sustained but ultimately unsuccessful marketing exercise, undertaken at a realistic asking price: or
- (ii) show that the land (site or premises) is inherently unsuitable and/or not viable for any form of employment use."

Appendix 3a of the Local Plan provides specific details of how a proposal for the non-retention of a site as employment land would need to be justified. This site is on the edge of Clacton town centre and is in a mixed area of commercial and residential uses. These edge-of-centre uses contribute to the overall viability of the town centre. Clacton town centre is a regeneration focus for the district and such commercial premises should normally be retained.

Although various assertions are made within the applicant's DAS, no such evidence has been provided. As such, the proposal has failed to comply with Policy ER3 of the Local Plan and is harmful to the Council's objectives of protecting employment land and uses within the District.



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<i>08/01396/FUL Approval - Full 27.11.2008 Delegated Decision</i>	<i>R &amp; R Developments</i>	<i>Variation of condition 08 attached to planning permission 06/00992/FUL to allow the provision of a 2.4m centre line tangent of the carriageway of Thorpe Road visibility splay to the south east.</i>	<i>98A Thorpe Road Kirby Cross Frinton On Sea</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 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling shall be erected or carried out except in accordance with drawings showing the siting and design of such enlargement, improvement or other alteration which shall previously have been submitted to and approved, in writing, by the Local Planning Authority, upon formal application having been made.

Reason - To ensure than an adequate level of private amenity space is provided and maintained to serve the dwelling.

03 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: 1991 - Trees in Relation to Construction." No development shall take place until full details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. The details shall include: proposed finished levels or contours; means of enclosure and fencing within the site; car parking layouts/manoeuvring areas; hard surfacing materials; minor artefacts and structures (e.g. signs, lighting etc).

Reason - In the interests of visual amenity.

04 Soft landscaping works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and an implementation programme.

Reason - In the interests of visual amenity.

05 Prior to the first use of the access a 1.5m x 1.5m pedestrian visibility sight splay as measured from the highway boundary shall be provided on both sides of the vehicular access. There shall be no obstruction exceeding 0.6m in height at all times within the area of the visibility sight splays thereafter.

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Reason - To provide adequate inter-visibility between the pedestrians and users of the access and the existing public highway for the safety and convenience of users of the highway and of the access.

06 The dwelling shall not be occupied until the area within the site shown on drawing no. RRTR-01 for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

07 There shall be no obstruction exceeding 0.6m in height at all times within the area of the visibility sight splays.

Reason - To ensure a reasonable degree of vehicle/pedestrian inter-visibility in the interests of highway safety.

### **Great Bentley Parish Council**

<i>08/01110/FUL Approval - Full 28.11.2008 Delegated Decision</i>	<i>Mr R Loveday</i>	<i>Erection of timber balcony to caravan (16 Ash Drive).</i>	<i>Bentley Country Park Flag Hill Great Bentley</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.

<i>08/01404/FUL Approval - Full 26.11.2008 Delegated Decision</i>	<i>Mrs D Wren</i>	<i>Conversion of existing attached outbuilding and garden room extension.</i>	<i>Jasmine Place The Green Great Bentley</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.

<i>08/01456/LBC Approval - Listed Building Consent 28.11.2008 Delegated Decision</i>	<i>Mrs D Wren</i>	<i>Conversion of existing outbuilding and new garden room.</i>	<i>Jasmine Place The Green Great Bentley</i>
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<b>Wix Parish Council</b>		<b>No Determinations</b>	
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<b>Wrabness Parish Council</b>		<b>No Determinations</b>	
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