

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

Alresford Parish Council

No Determinations

Ardleigh Parish Council

<i>09/00020/FUL Approval - Full 13.03.2009 Delegated Decision</i>	<i>Mr S Fox & Mr A Fox</i>	<i>Demolition of existing bungalow and erection of chalet bungalow.</i>	<i>Ellenward Green Lane Crockleford Heath</i>
---	------------------------------------	---	---

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 Within 3 months of the hereby approved dwelling being first occupied, the existing bungalow, as shown in a hashed outline on the 1:200 scale Site Plan (drawing no. EGC/3A) shall be demolished and all materials resulting therefrom shall be cleared from the site in accordance with a scheme to be agreed in writing by the Local Planning Authority.

Reason - The site lies outside any defined settlement limits where strict policies of constraint apply to new dwellings.

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: 2005 - Trees in Relation to Construction."

Reason - This is a publicly visible building where an appropriate landscaping scheme is a visually essential requirement.

04 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 adequate maintenance of the approved landscaping scheme for a period of five years in the interests of the character of the surrounding area.

05 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 hereby approved dwelling being occupied and thereafter be retained in the approved form.

Reason - In the interests of visual and residential amenity.

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

06 No development shall be commenced until samples of the manufacturer and types and colours of the external facing and roofing materials to be used in construction of the development 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 unless otherwise agreed, in writing, at a later date with the Local Planning Authority.

Reason – In the interest of visual amenity.

07 Prior to the occupation of the hereby approved dwelling, a single shared access constructed to 5.5m in width for at least the first 6m within the site, as per drawing no. EGC/4A received on 6th March 2009 shall be provided with an appropriate dropped kerb connecting to Green Lane.

Reason - To ensure that vehicles using the site access enter and leave the highway in a forward gear, in the interests of highway safety.

08 Prior to the occupation of the hereby approved dwelling, a vehicular turning space shall be provided within the site, as per drawing no. EGC/4A received on 6th March 2009. The approved vehicular turning space will thereafter be retained in the approved form, free of obstruction at all times unless otherwise agreed in writing with the Local Planning Authority.

Reason - To ensure that vehicles using the site access enter and leave the highway in a forward gear, in the interests of highway safety.

09 Any gates shall be inward opening and shall be set back a minimum of 4.8m from the nearside of the carriageway unless otherwise agreed, in writing by the Local Planning Authority.

Reason - To ensure that vehicles are kept clear of the highway whilst gates are being opened/closed, in the interests of highway safety.

10 No unbound materials shall be used in the surface treatment of the hereby permitted site access within 6.0m of the highway boundary.

Reason - To ensure that loose materials are not brought out onto the highway in the interests of highway safety.

<i>09/00112/TCA Approval - Full 09.03.2009 Delegated Decision</i>	<i>Mr D Wright</i>	<i>1 x Holly Tree in side garden - fell. Acacia in middle of lawn - remove small branch in middle of tree - to shorten branch spur on side of tree.</i>	<i>Holmesdale The Street Ardleigh</i>
<i>09/00114/TPO Approval - Full 09.03.2009 Delegated Decision</i>		<i>Avenue of Limes at old entrance - pollard where previously pollarded. 2 x dead sycamores and 1 x dead Pine and 1 x Chestnut - to be felled.</i>	<i>Elm Park Station Road Ardleigh</i>

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

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

permission.

- 02 All work authorised by this consent shall be undertaken in a manner consistent with British Standard 3998 (1989) or with any similar replacement standard.

Beaumont Parish Council

No Determinations

Bradfield Parish Council

<i>09/00038/FUL Approval - Full 12.03.2009 Delegated Decision</i>	<i>Mr Jamie Cundall / Mr & Mrs Sutherland</i>	<i>Change of use of agricultural land to residential garden land for Fern Cottage and The Birches.</i>	<i>Fern Cottage & The Birches Mill Lane Bradfield</i>
---	---	--	---

- 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 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, fencing or other enclosures, swimming or other pool shall be erected except in accordance with drawings showing the design and siting of such building(s) or enclosure(s) which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

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

- 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: 2005 - Trees in Relation to Construction."

Reason - To protect and preserve the rural character of the area.

- 04 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.

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

Brightlingsea Town Council

<i>08/01688/FUL Refusal - Full 10.03.2009 Delegated Decision</i>	<i>Edward Gittins & Associates</i>	<i>Use of units for permanent residential occupancy (Units 1, 2, 6, 10, 12, 22, 28, 31, 39, 40, 42, 43, 47, 48, 49, 50, 52, 58, 59, 60, 62, 65, 112, 114, 117, 122, 125, 144)</i>	<i>Brightlingsea Leisure Village Promenade Way Brightlingsea</i>
--	--	---	--

- 01 Policy ER18 of the adopted Tendring District Local Plan (2007) states that 'The Council will seek to safeguard existing caravan and chalet parks from redevelopment for alternative uses'. Policy ER20 of the adopted Tendring District Local Plan (2007) restricts occupancy at caravan parks, preventing occupancy between the period of 14th January to 1st March in any one year. The policy goes on to state that where a site is at flood risk, occupancy may be further restricted to be only during the period 1st March-31st October in any one year.

Being situated outside the settlement limits, permanently occupied domestic dwellings would not normally be allowed (Policies QL1, HG1 and HG3 of the Local Plan) and the existing caravan park use is only acceptable in these terms because of its tourism focus. This proposal would result in the loss of holiday accommodation to permanently occupied residential dwellings. As such, it displaces accommodation intended for tourism use and harms the council's objectives of safeguarding such sites for holiday use and of directing dwellings for permanent occupancy towards the settlement limits. The proposal also presents an intensification in the occupancy of high-risk caravan units in the flood zone, resulting in an increased flood risk that is contrary to the afore-mentioned requirements of Policy ER20 as well as the requirements of Policy QL3 of the Local Plan and government guidance within Planning Policy Statement 25: Development and Flood Risk (PPS25), both of which require development to minimise and manage flood risk.

The proposed removal of an occupancy condition fundamentally changes the character of the caravans from holiday use to permanent dwellings. PPS25 requires that as part of a Sequential Test, development sites are appropriate to the type of development or land use proposed. Whilst 'sites used for holiday or short let caravans' fall under the category of 'more vulnerable' within Table D.2. of Annex D to PPS25, 'caravans, mobile homes and park homes intended for permanent residential use' are classified within the 'highly vulnerable' category. The application site falls within Flood Zone 3a, defined as having a high probability of flooding. Table D1 of Annex D to PPS25 states that the 'Highly Vulnerable uses in Table D2 should not be permitted in this zone'. As this proposal intensifies occupancy of a site within Flood Zone 3a from a use that is 'More Vulnerable' to a use that is 'Highly Vulnerable', the proposal is inherently unsafe. Furthermore, although a Flood Risk Assessment has been submitted with the application, that Flood Risk Assessment fails to comply with the requirements set out in paragraph E3 in Annex E to PPS25 and does not provide a satisfactory assessment of the flood risks arising from the proposed development.

Although described as relating to 28 specific units, no material planning consideration has been provided that would justify a condition to differentiate between those specific units and the remaining 71 units on the site. As such the afore-mentioned harm caused by the loss of tourist accommodation and by the increase in flood risk would go beyond that which is caused by the 28 units specified within the application description.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
<i>08/01690/FUL Refusal - Full 10.03.2009 Delegated Decision</i>	<i>Edward Gittins & Associates</i>	<i>Variation of condition 1 of planning appeal Ref: T/APP/P1560/A/94/2414 37/P5 to allow occupation of all caravans from 0800 - 2200 hours daily throughout the year.</i>	<i>Brightlingsea Leisure Village Promenade Way Brightlingsea</i>

- 01 Policy ER20 of the adopted Tendring District Local Plan (2007) restricts occupancy at caravan parks, preventing occupancy between the period of 14th January to 1st March in any one year. The policy goes on to state that where a site is at flood risk, occupancy may be further restricted to be only during the period 1st March-31st October in any one year. This application proposes extending occupancy beyond the range permitted by Policy ER20 leaving the remaining disparate times of restricted occupancy difficult to enforce. The proposal therefore erodes the holiday character of the site and contributes towards a displacement of accommodation intended for holiday use in conflict with policy ER20 and with Policy ER18 that seeks to safeguard existing caravan parks for tourism uses. The proposal also presents an intensification in the occupancy of high-risk caravan units in the flood zone, resulting in an increased flood risk that is contrary to the afore-mentioned requirements of Policy ER20 as well as the requirements of Policy QL3 of the Local Plan and government guidance within Planning Policy Statement 25: Development and Flood Risk, both of which require development to minimise and manage flood risk. Although a Flood Risk Assessment has been submitted with the application, that Flood Risk Assessment fails to comply with the requirements set out in paragraph E3 in Annex E to PPS25 and does not provide a satisfactory assessment of the flood risks arising from the proposed development.

Clacton-on-Sea

<i>08/01668/FUL Approval - Full 11.03.2009 Delegated Decision</i>	<i>Alton Park Junior School</i>	<i>Construction of full height extension to north west side of the site and further internal re- modelling to existing main hall providing 2 No. new class bases and staff room. Erection of small wind turbine to side of the new building.</i>	<i>Alton Park County Primary School Leas Road Clacton On Sea</i>
---	-------------------------------------	--	--

- 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>08/01686/FUL Refusal - Full 11.03.2009 Committee Decision</i>	<i>Mr R Gibbons</i>	<i>To remove condition 2 to give additional amenities to clients. Referring to application 07/00772/FUL.</i>	<i>Jenny's Resource Centre Ltd. 220 St Johns Road Clacton On Sea</i>
--	---------------------	--	--

- 01 It is the policy of the Local Planning Authority, as contained within Policies QL9, QL10 and

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

QL11 of the adopted Tendring District Local Plan (2007) that new development should not have a materially damaging impact on the amenities of nearby properties. These sentiments are also reflected in policy ENV7 of the East of England Plan (2008) and national policies set out in Planning Policy Statement 1 (PPS1) and PPG4. PPS1 states that the condition of our surroundings has a direct impact on the quality of life and that planning should seek to maintain and improve the local environment and help mitigate the effects of declining environmental quality.

It is considered that this proposal would have a materially damaging impact on neighbouring amenity by virtue of noise and disturbance. This section of St. John's Road is a residential area and what is proposed is the evening and weekend operation of a business use adjacent to neighbouring residential dwellings. This proposal would result in an increase in the intensity of use of the garden area and therefore an increase in the associated noise and disturbance associated with play, at a time of the week when the residents of neighbouring residential dwellings expect to be able to use their gardens for relaxation purposes. This intensification in business use does not sit comfortably with the residential character of the area and it is therefore considered that this application is contrary to the aforementioned policies and that this harm is not outweighed by the additional acknowledged benefits which would result to users of the service.

<i>08/01698/FUL Refusal - Full 10.03.2009 Delegated Decision</i>	<i>Mr R Beazley</i>	<i>Extension to existing property to create 2 bed ground floor flat and 2 bed 1st floor flat.</i>	<i>35 Beaumont Avenue Clacton On Sea</i>
--	---------------------	---	--

01 Policies QL9, QL10 and QL11 of the adopted Tendring District Local Plan (2007) state that all development should make a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. Policy HG3 requires development to be in harmony with the scale, design and intensity of the existing surrounding area.

Policy ENV7 of the approved East of England Plan (2008), requires development to be of an appropriate scale, founded on clear site analysis and urban design principles. In addition, Planning Policy Statement 1 says that "design that is inappropriate in its context, or that fails to improve the character and quality of an area should not be accepted" and that "it is proper to seek to promote or reinforce local distinctiveness".

It is considered that the proposed addition is poor in design terms and would be harmful in the streetscene. There is a lack of articulation between the two elements as the new gabled addition is proposed to sit almost flush with the front elevation and therefore the extension to form two new flats is not considered to be sufficiently subservient to the original dwelling. The proposed 'walk through' corridor serving the amenity areas to the rear also results in an awkwardly placed hole at a ground floor level which will appear dominant on the front elevation. This proposal is considered to be a contrived attempt to gain extra accommodation and is not considered to be good enough to approve. Furthermore, the DAS is poor and does not demonstrate where the design concept has originated from. When addressing the issues of design the DAS mentions policies TD1 and TD2 which come from a local plan that was superseded in December 2007. This poor preparation may explain why the plans have failed to produce an acceptable solution.

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

<p>09/00025/FUL Approval - Full 10.03.2009 Delegated Decision</p>	<p>Mr Andy Ruffle</p>	<p>Proposed side and rear extension.</p>	<p>7 Thoroughgood Road Clacton On Sea</p>
---	-----------------------	--	---

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 external facing materials to be used shall match in colour, texture and form those used on the existing building.

Reason - This is a publicly visible building where matching materials are a visually essential requirement.

<p>09/00027/FUL Approval - Full 11.03.2009 Delegated Decision</p>	<p>Mr Janek Kratke</p>	<p>Conversion to form four apartments.</p>	<p>11 Edith Road Clacton On Sea</p>
---	------------------------	--	---

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 None of the units hereby consented shall be occupied until the bin store and cycle/amenity store as shown in amended plans received on the 9th of March 2009 are erected and shall be retained thereafter.

Reason - The cycle/amenity store is required to reduce the reliance of on street parking in the vicinity. The bin store is required to provide an enclosed area in which residents can store their refuse in a manner that will limit the impact on the neighbouring properties.

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 front garden, 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 - One of the benefits of this scheme is the improvements to the publicly visible front garden including the removal of the concrete hardstanding that currently exists. Therefore a high quality planting scheme is considered to be essential in the interests of visual amenity and the indicative scheme shown on the plans is not detailed enough.

04 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

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

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 that the approved planting scheme is implemented and to ensure that any plants that die are replaced in the interests of visual amenity.

05 Prior to occupation of the development hereby permitted the existing crossover shall be removed and the footpath resurfaced and kerb reinstated for use.

Reason: In the interests of pedestrian safety.

Elmstead Market Parish Council **No Determinations**

Frating Parish Council **No Determinations**

Frinton & Walton Town Council **No Determinations**

<i>09/00033/FUL Approval - Full 12.03.2009 Delegated Decision</i>	<i>Mr Hare</i>	<i>Erection of side extension, front dormer window and insertion of two roof lights to rear.</i>	<i>38 Easton Way Frinton On Sea</i>
---	----------------	--	---

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>09/00201/FUL Permitted development 12.03.2009 Delegated Decision</i>	<i>Mr R Orriss</i>	<i>Increase roof height to rear extension.</i>	<i>22 Waltham Way Frinton On Sea</i>
---	--------------------	--	--

Great Bentley Parish Council

<i>09/00011/FUL Approval - Full 12.03.2009 Delegated Decision</i>	<i>Lady Prince- Smith</i>	<i>Demolition of existing sun lounge and erection of rear single storey conservatory extension.</i>	<i>Parkfields The Green Great Bentley</i>
---	-------------------------------	---	---

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

Thorpe-le-Soken Parish Council

<i>09/00030/FUL Approval - Full 11.03.2009 Delegated Decision</i>	<i>Beech Hill Property Development LLP</i>	<i>Enlargement of rear dormer window.</i>	<i>The Olive Branch High Street Thorpe Le Soken</i>
---	--	---	---

- 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.

Thorrington Parish Council

<i>08/01661/DETAI L Refusal - Reserved Matters/Detailed 11.03.2009 Delegated Decision</i>	<i>Mr Sloggett</i>	<i>Erection of two storey dwelling.</i>	<i>Abbey View Church Road Thorrington</i>
---	--------------------	---	---

- 01 The proposed development is considered contrary to policies HG3 and TR1a of the adopted Tendring District Local Plan (2007). Policy TR1a states that development affecting highways will be considered in relation to the road hierarchy to reducing and preventing inconvenience to traffic and to the effects on the transport system including the physical and environmental capacity to accommodate the traffic generated. Policy HG3 permits residential development provided, amongst other criteria, that it satisfies highway criteria.

As far as can be determined from the submitted plans, the applicant does not appear to either own or control sufficient land to provide the proposed access with adequate visibility and the proposal would therefore be contrary to the interests of highway safety. The application site also appears to include, within its bounds, land which forms part of the public highway and the proposal would accordingly be prejudicial to the integrity of the highway and contrary to the interests of safe passage for all users of the highway.

<i>09/00029/FUL Approval - Full 11.03.2009 Delegated Decision</i>	<i>Mrs M Khunti</i>	<i>Proposed rear extension to residential accommodation.</i>	<i>Royal Mail Thorrington Delivery Office Clacton Road Thorrington</i>
---	---------------------	--	--

- 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>Application No.</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
------------------------	-------------------------	-----------------	-----------------

	Weeley Parish Council	No Determinations	
--	------------------------------	--------------------------	--

	Wix Parish Council	No Determinations	
--	---------------------------	--------------------------	--

	Wrabness Parish Council	No Determinations	
--	--------------------------------	--------------------------	--