

<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>09/00194/AGRIC Determination prior approval not reqred 03.04.2009 Delegated Decision</i>	<i>Mr C Barrett</i>	<i>Erection of cart shed.</i>	<i>Land Adj. The Ford Ford Lane Alresford Colchester Essex CO7 8BB</i>
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Ardleigh Parish Council

No determinations

Baumont Parish Council

No determinations

Bradfield Parish Council

No determinations

Brightlingsea Town Council

<i>09/00065/FUL Refusal - Full 01.04.2009 Delegated Decision</i>	<i>Governors of Colne Community School</i>	<i>Proposed changing pavilion to replace existing, conversion of existing changing rooms to store and formation of car park.</i>	<i>Playing Field at Strangers Corner Church Road Brightlingsea Essex CO7 7QU</i>
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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 EN3 seeks to ensure that development in the coastal protection belt should not harm the landscape character and quality of the coastal areas.

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".

The design proposed is unattractive, bulky and bland. The scheme will be publicly visible as there is only a chain link fence between it and the Public Right of Way. A 26.4 metre long flank wall is proposed to run along this boundary that only has one fire escape door to break up the monotony of the elevation. There has been no attempt to break up this long flank wall with detailing, fenestration or articulation. The overcomplicated roof form does not work in visual terms as flat roofed sections are interspersed with pitches which appear to be visible from the ground. The barrel vault rooflights could have been a design feature but appear mean and incidental. This building appears to have been designed from the inside out to enable the required amount of space to be provided. This design approach has not been adequately justified in the Design and Access Statement which fails to address the opportunity a good

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design could achieve on this site.

- 02 Policy TR1a of the Tendring District Local Plan (2007) requires that development that affects highways will be considered in relation to the road hierarchy and aims to reduce the likelihood of possible traffic hazards and inconvenience to all road users.

The proposal would intensify the use of the existing access off the B1029 at Strangers Corner. This stretch of the B1029 has a history of accidents and has been previously treated by the Highway Authority to try to reduce the number and severity of accidents. The proposal would also intensify the use of the existing single lane track. Restricted forward visibility means vehicles do not have enough advance warning of oncoming vehicles plus the restricted width means vehicles are unable to pass each other. Both these concerns are likely to lead to vehicles backing up and/or reversing into the public highway to the detriment of highway safety.

- 03 Policy TR4 of the adopted Tendring District Local Plan (2007) seeks to safeguard and improve Public Rights of Way. The adopted Essex Design Guide (2005) states that it is essential that Public Rights of Way are considered from the start of development. Public Rights of Way are significant recreational assets and it is important to incorporate high quality landscaping into schemes that have an impact on Public Rights of Way. This application does not demonstrate any form of landscaping and ignores the implications on the public domain that this development will create. The existing boundary treatment that forms the northern boundary of the site and sits adjacent to this section of the Public Right of Way is a chain link fence. What is proposed along this boundary is a 26.4 metre long blank wall that is only punctuated by a fire escape door. This will create a section of Public Right of Way that is hemmed in and unattractive and the provision of the fire escape means there is no opportunity for planting between the building and fence. This proposed hard urban edge fails to treat this section of Public Right of Way sensitively which results in a loss of its rural character. The Design and Access Statement makes no attempt to justify the lack of landscaping and it is clear the impact on the public domain has not been assessed. The scheme as proposed will not encourage people to use the Public Right of Way. This harm is exacerbated as the proposal would also intensify the vehicular use of Public Footpath 3: Brightlingsea which runs along the single lane track. This intensification by vehicular traffic is unacceptable as clearly the primary and proper function of the Public Footpath is to provide a route for use by pedestrians.

Clacton-on-Sea

<i>09/00037/FUL Approval - Full 01.04.2009 Delegated Decision</i>	<i>A 2 B Taxis</i>	<i>Proposed change of use of ground floor only to taxi office and aerial receiver.</i>	<i>87 Old Road Clacton On Sea Essex CO15 1HW</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 the commencement of the use as hereby approved, the bollards as shown on amended plan drawing no. 1:A received on 16th March 2009 shall be installed on the front forecourt of the premises and retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

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Reason - To avoid vehicles reversing into and out of the highway in the interests of highway safety.

03 The use shall be solely for the purpose of a taxi control/booking office and no public waiting areas or pick up/drop off areas shall be provided.

Reason - In the interests of highway safety, as the site is on a road junction and taxis parking or stopping in front of the premises would cause dangers to other traffic.

<i>09/00077/FUL Approval - Full 03.04.2009 Delegated Decision</i>	<i>Mr Brian Inwood</i>	<i>Extension to rear conservatory (amendment to original roof design).</i>	<i>33 Stonham Avenue Clacton On Sea Essex CO16 7EH</i>
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01 No conditions.

<i>09/00088/FUL Approval - Full 01.04.2009 Delegated Decision</i>	<i>Mr M Hurling</i>	<i>Extension and alterations.</i>	<i>3 Dovedale Gardens Holland On Sea Clacton On Sea Essex CO15 4BL</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 external facing and roofing 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.

<i>09/00093/FUL Refusal - Full 03.04.2009 Delegated Decision</i>	<i>Mr P Saunders</i>	<i>Erection of new dwelling (resubmission of 08/01496/FUL).</i>	<i>51 Cliff Road Holland On Sea Clacton On Sea Essex CO15 5QG</i>
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01 It is the policy of the Local Planning Authority, as contained within Policies HG3, QL9 and QL10 of the adopted Tendring District Local Plan (2007), that development must be of a high standard of design, meet functional needs, make a positive contribution to the local environment and not form an incongruous feature within the local street scene. Policy ENV7 of The East of England Plan (2008) requires development to be of an appropriate scale, founded on clear site analysis and urban design principles. These policies are given greater emphasis through Planning Policy Statement 1: Delivering Sustainable Development, which seeks to ensure that design is of high quality, appropriate in its context, and takes the opportunities available for improving the character and quality of an area. Policy HG9 of the Local Plan requires a minimum private amenity space provision of 75 square metres for two-bedroom dwellings.

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The proposal presents an overdevelopment of the site resulting in a cramped appearance. Amenity space provision is inadequate in size and in its usability - both for the new and for the donor property. The donor property in particular would have the majority of its small area of amenity space sited between the dwelling and the highway where there is currently no boundary treatment sufficient to offer any privacy. The proposed creation of a 1.8 metre wall along the highway boundary so as to create such privacy would be an unattractive and oppressive feature that would be out of keeping with the surrounding area where low walls and hedges are the predominant character along property boundaries with the highway. A further contributing factor to the wall's incongruous appearance would be its building materials described on plans as being brickwork to match the bungalow. In fact the bungalow's primary facing material is render. Without this wall, the donor property would have just 20 square metres of private amenity space. Even with this wall, the usability of the amenity space would be severely compromised by its division into two parcels and the poor accessibility to the front area of amenity space from the bungalow's back door. Although 74 Square metres is claimed for the new bungalow, this can only be achieved by a very contrived arrangement and by including in the calculation areas of space at the front of the dwelling and a 2 metre wide strip of land to the side of it. In reality the area of usable private amenity space is closer to 50 square metres. For these reasons, the proposal is harmful to the appearance of the site and the street scene, and fails to meet functional needs in the inadequate nature of its amenity space provision. As such, it is in conflict with the afore-mentioned policies.

- 02 It is the policy of the Local Planning Authority, as contained within Policies HG3 and QL11 of the adopted Tendring District Local Plan (2007) that new dwellings should not have a materially damaging impact on the amenities of nearby properties.

In this case, the two proposed rear-facing roof light windows would present a material intensification in actual and perceived overlooking to the garden of 53 Cliff Road that would amount to an unacceptable loss of amenity to the occupiers of that property. This overlooking would be worse than would appear from the submitted rear elevation drawing that inaccurately shows the rear-facing roof lights as being considerably smaller than the floor plan drawing demonstrates them to be.

<i>09/00094/FUL Approval - Full 01.04.2009 Delegated Decision</i>	<i>Mr A Chapman - Alliance Boots</i>	<i>Retention of 2 no. external wall mounted air conditioning condenser units.</i>	<i>75 Frinton Road Holland On Sea Clacton On Sea Essex CO15 5UH</i>
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- 01 No conditions.

<i>09/00102/FUL Approval - Full 01.04.2009 Delegated Decision</i>	<i>Mr T Dearsley</i>	<i>Rear extension.</i>	<i>5 Crome Road Clacton On Sea Essex CO16 8YG</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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<i>09/00111/FUL Approval - Full 01.04.2009 Delegated Decision</i>	<i>Rom Capital Ltd.</i>	<i>Proposed part enclosure of east and west malls with stretched fabric canopy's including amendments to lighting, bins, seating and planters.</i>	<i>Clacton Factory Shopping Village Stephenson Road West Clacton On Sea Essex CO15 4TL</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>09/00108/FUL Refusal - Full 01.04.2009 Committee Decision</i>	<i>Mr C Judd</i>	<i>New dwelling.</i>	<i>Land at 65 Gorse Way Jaywick Essex CO15 2HU</i>
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- 01 Planning Policy Statement 25 (PPS 25) requires that as part of a Sequential Test, development sites are appropriate to the type of development or land use proposed. This proposal is for a 'more vulnerable' development situated within Flood Zone 3a – an area at high probability of flooding. Sequential testing requires that developers first consider whether there are available sites within Flood Zone 1. If there is no reasonably available site in Flood Zone 1, the flood vulnerability of the proposed development can be taken into account in locating development in Flood Zone 2 and then Flood Zone 3. No such sequential test has been undertaken. PPS25 also requires that applications for development in the areas of flood risk should be accompanied by a Flood Risk Assessment that should detail the measures that should demonstrate that the development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. The Flood Risk Assessment submitted as part of this application does not satisfy these requirements, failing 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. Further harm to flood safety is caused by the failure of the proposal to incorporate a full plan for urban drainage systems into the design of the proposal. The possibilities for infiltrating surface water within the boundaries are not fully assessed and neither is the rate at which the site will discharge its water shown or justified. For these reasons, the proposal is contrary to the afore-mentioned government guidance and to Policy QL3 of the adopted Tendring District Local Plan (2007) and is harmful to their objectives of minimising and managing flood risk.
- 02 It is the policy of the Local Planning Authority, as contained within Policies HG3, QL9 and QL10 of the adopted Tendring District Local Plan (2007), that development should be of a high standard of design, and should meet functional needs in relation to ensuring adequate daylight and outlook is received. It should make a positive contribution to the local environment and not form an incongruous feature within the local street scene. Policy ENV7 of The East of England Plan (2008) requires development to be of an appropriate scale, founded on clear site analysis and urban design principles. These policies are given greater emphasis through Planning Policy Statement 1: Delivering Sustainable Development, which seeks to ensure that design is of high quality, appropriate in its context, and takes the opportunities available for improving the character and quality of an area.

This attempt to develop a two-storey dwelling within a backland site with so many constraints has resulted in a design that includes no windows on three of its four elevations, leading to a bland and bulky appearance to the dwelling and a master bedroom and bathroom that receives very little light and has no outlook. The different angles of the roof pitches and the contrived roof form that includes a vertical wall on the other side of a mono-pitched roof further contribute towards an unattractive and bulky appearance. Although the site is largely surrounded by other residential development, there are gaps through which the proposal will be visible and due to the predominantly single-storey character of the surrounding development, parts of the proposed dwelling will be publicly visible from significant distances. For these reasons, the proposal would be harmful to visual amenity and would fail to meet functional needs. As such it conflicts with the afore-mentioned policies.

- 03 It is the policy of the Local Planning Authority, as contained within Policies HG3 and QL11 of the adopted Tendring District Local Plan (2007) that new dwellings should not have a materially damaging impact on the amenities of nearby properties.

In this case, the majority of the back gardens of 71, 73 and 75 Gorse Way and to a lesser extent 6, 7 and 8 Sea Way, 69 Gorse Way and 17 Lake Way will suffer a material loss of sunlight and the rear facing windows as well as back gardens of those properties will suffer a loss of outlook. This is of particular concern as many of these back gardens are so small. 11 Sea Crescent would suffer direct overlooking of its back garden, and its rear-facing bedroom, kitchen and lounge windows caused by the proposed balcony, lounge/kitchen and bedroom patio doors. The rear-facing windows and gardens of 12, 14 and 16 Lake Way, 12 Sea Crescent and 3 and 5 Sea Way will all suffer overlooking from the balcony, as someone sitting at one end of the balcony could face directly towards these properties at a dwelling-to-dwelling distance that ranged from 18 metres to 34 metres. Overlooking would also occur from the east-facing balcony area where the lifeboat is annotated. Nothing would prevent this area being used as a sitting out area or for other purposes ancillary to the dwelling, and the balcony directly faces the garden and rear-facing windows of 17 Lake Way at a distance of just 17 metres.

For these reasons, the proposal presents an unacceptable loss of sunlight, outlook and privacy to the occupiers of numerous properties and as such is in conflict with the afore-mentioned policies.

<i>09/00185/TPO Approval - Full 30.03.2009 Delegated Decision</i>	<i>Mr A S Barkham</i>	<i>3 No. Sycamore - re- pollard</i>	<i>55 Lancaster Gardens West Clacton On Sea Essex CO15 6QG</i>
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- 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 (1989) or with any similar replacement standard.

Elmstead Market Parish Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
<i>08/01426/FUL Approval - Full 31.03.2009 Delegated Decision</i>	<i>Clarkfield Partnership</i>	<i>Erection of 4 no. buildings to be occupied as B1, B2 and B8 business units including ancillary A1 and A3 units (existing buildings to be demolished); and construction of new vehicular and pedestrian accesses.</i>	<i>Rolts Nursery and Garden Centre Clacton Road Elmstead Colchester Essex CO7 7DA</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 The tree protection measures as detailed in the Arboricultural Impact Assessment dated 19th September 2008 shall be provided and retained throughout the duration of building works within the vicinity of the trees to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be agreed in writing with the Local Planning Authority, following the death of, or severe damage to the trees.

Reason - To enable existing landscaping to be protected and retained in the interests of visual amenity.

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 - The site lies in the open countryside and it is considered an essential part of the development to retain and reinforce landscaping of the site to safeguard the countryside character.

04 All changes in hard landscaping, planting, seeding or turfing shown on the landscaping details approved pursuant to Condition 3 of this planning permission shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other planting season as shall first have been 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, except insofar as the Local Planning Authority shall first have agreed, in writing, to a variation of the previously approved species details.

Reason - To ensure that the approved landscaping scheme is provided and maintained for an appropriate period in the interests of visual amenity and the character and appearance of the countryside.

05 No development shall take place until details of a scheme for the provision and

implementation of surface water drainage for the lifetime of the development, incorporating sustainable drainage principles, has been submitted to and agreed, in writing, by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans and prior to the occupancy of any part of the proposed development.

Reason - To ensure a satisfactory method of surface water drainage.

06 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until sections 1 to 4 below have been complied with. If it is identified that further investigation/ remediation is required then sections 2, 3, and 4 must be complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section 4 has been complied with in relation to that contamination.

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - . human health,
 - . property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - . adjoining land,
 - . groundwaters and surface waters,
 - . ecological systems,
 - . archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report

(referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with section 3.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

07 Prior to development commencing on site the proposed mitigation measures as detailed in Section 5 of the Reptile Survey dated 22nd October 2008 shall be carried out.

Reason - To enable existing reptiles on the site to be protected.

08 No occupation of the development shall take place until such time as the following have been provided and/or completed to the satisfaction of the Local Planning Authority and a completion certificate issued by the Highway Authority for the highway works:

- i) Minimum 7.3 metre wide access road with minimum 215 x 4.5 x 215 metre visibility splay and maintained to include no obstruction exceeding a height of 0.6 metres above ground level at all times.
- ii) A protected right hand turn lane facility with pedestrian central islands is provided following plans to be submitted to and agreed in writing by the Local Planning Authority.
- iii) The submission of a Travel Plan in the form of a dedicated on-demand passenger transport service provided by a vehicle to be stored/parked on site. Such details to be submitted to and agreed by the Local Planning Authority (including arrangements for on-going monitoring).
- iv) The provision of a two metre minimum width footpath between the northern most pedestrian island required under (ii) above and the bus stop on the south side of Elmstead Road.
- v) The permanent closure to all vehicular traffic of the 2 no. existing accesses to the site off the A133 Clacton Road.
- vi) Notwithstanding the submitted drawings, drawings shall be submitted to and approved in writing by the Local Planning Authority to show the provision of a minimum 7.3 metre wide access road with minimum 15 metre kerbed radii and parking/turning facilities sufficient to accommodate articulated heavy goods vehicles. The approved details shall be implemented to the satisfaction of the Local Planning Authority prior to occupation of the hereby approved development and retained thereafter for that sole purpose.
- vii) Measures shall be provided to ensure no mud and/or debris is deposited on the public highway by any vehicle associated with construction of the proposal. Details to have been previously agreed in writing by the Local Planning Authority.

Reason - To ensure the development complies with the County Council's Highways and Transportation Development Control Policies, as originally contained in Appendix G of the Local Transport Plan 2006/2011 and refreshed by Cabinet Member Decision dated 19 October 2007 in the interests of highway safety and sustainable development objectives.

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09 No street lighting, floodlighting, or other means of illuminating any part of the site outside any of the buildings hereby approved shall be erected or installed until written details of the illumination works have been submitted to, and approved in writing by, the Local Planning Authority. The works concerned shall only be carried out in accordance with the approved details.

Reason - To minimise the impact of light pollution on the character of the area and countryside in the interests of amenity.

10 Development shall not begin until samples and 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 approved in writing by, the Local Planning Authority. The materials as so approved shall be those used in the development unless otherwise first approved, in writing, at a later date by the Local Planning Authority.

Reason - In order to secure appropriate materials and colours in the interests of visual amenity and the character and appearance of the countryside.

11 No goods, materials or containers shall be stored, stacked or deposited on the site outside the buildings, nor shall any commercial/manufacturing activities or processes (except for the loading and unloading of vehicles) be carried on outside the buildings, unless otherwise agreed in writing with the Local Planning Authority.

Reason - To protect the character and appearance of the countryside in the interests of visual amenity and the amenity of residents in the locality.

12 The storage of refuse and/or waste shall be provided within the bin stores shown on drawing no. 4055/01F and shall be provided before the first occupation of any building or buildings to which they relate and shall thereafter be retained as such at all times.

Reason - In the interests of visual amenity and to prevent pollution.

13 Notwithstanding the provisions of Article 3, Schedule 2, part 8 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 or other alteration to the hereby permitted buildings shall be erected or carried out except in accordance with details which shall first have been submitted to and approved, in writing, by the Local Planning Authority upon prior application having first been made.

Reason - To enable the Local Planning Authority to retain control over the buildings in the interests of amenity and highway safety.

14 Before any work is commenced, a timetable of works pursuant to those buildings shown to be demolished (including the methods of demolition and a date of completion), shall be submitted to and approved, in writing by the Local Planning Authority. The buildings shall be demolished in accordance with the approved scheme unless the Local Planning Authority first gives written approval to any variation.

Reason - To ensure satisfactory development of the site and in the interests of amenity.

15 The cycle stores as shown on drawing no. 4055/01F shall be provided before the first occupation of any building or buildings to which they relate and shall thereafter be retained as such at all times.

Reason - To encourage the use of sustainable modes of transport.

- 16 Notwithstanding the provisions of Article 3, Schedule 2, Part 3, Class B of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) Unit 2 as shown on drawing number 4055/01F shall not be used for any purpose in Class B1 (business) 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 and re-enacting that Order with or without modification) unless otherwise agreed in writing by the Local Planning Authority following the submission of a planning application.

Reason - To retain control over the potential Class B1 business use of the buildings in accordance with PPS6 'Planning for Town Centres' in the interests of sustainability.

- 17 No retail sales shall take place on the site at any time except from units 3.1, 3.4 and 3.6 as detailed on drawing number 4055/01F.

Reason - To retain control over the potential retail use of the buildings in accordance with PPS6 'Planning for Town Centres' in the interests of sustainability.

- 18 The hereby permitted uses shall only operate between the hours of 7:30am and 20:00pm Mondays to Saturdays and between the hours of 10.00am and 16.00pm on Sundays and Bank Holidays.

Reason - To enable the Local Planning Authority to retain control over the development in the interests of amenity.

Frating Parish Council

No determinations

Frinton & Walton Town Council

<i>09/00089/FUL Approval - Full 01.04.2009 Delegated Decision</i>	<i>Mr G Hemmings</i>	<i>Extension to front dormer windows, pitched roof to existing rear dormer, insertion of 2 No. Velux windows to rear and modifications to roof of porch area (variation to planning permission 08/01128/FUL - to reflect pitched roofs over dormer windows).</i>	<i>22 Elm Tree Avenue Frinton On Sea Essex CO13 0BE</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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<i>09/00181/TCA Approval - Full 30.03.2009 Delegated Decision</i>	<i>Christopher Miller</i>	<i>Fell mature Leylandii</i>	<i>12 Holland Road Frinton On Sea Essex CO13 9DH</i>

Great Bentley Parish Council

No determinations

Great Bromley Parish Council

<i>08/01685/FUL Approval - Full 03.04.2009 Delegated Decision</i>	<i>2000 Construction</i>	<i>Continued use of redundant agricultural buildings as groundwork contractors workshop, storage and distribution depot (Class B2 and B8).</i>	<i>Greshams Farm Harwich Road Great Bromley Colchester Essex CO7 7UH</i>
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01 Notwithstanding the submitted drawing number A/36650/4, within three months of the date of this planning permission the existing access shall be remodelled and re-positioned as detailed on drawing no IT816/HS/04, and as described on a detailed plan to have previously been submitted to and agreed in writing by the Local Planning Authority.

Reason - To ensure that the largest type of vehicle likely to be generated by or attracted to the proposed development may enter and leave the site access in a controlled manner, in the interests of highway safety.

02 No unbound materials shall be used in the surface treatment of the proposed access within 15 metres of the highway boundary.

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

03 No access whatsoever, either vehicular or pedestrian shall be permitted from or onto the definitive right of way CFR10, known locally as Chapel Lane, to the east of the subject site.

Reason - Chapel Lane is unsuitable to cater in safety for the size, type and volume of traffic likely to be attracted to or generated by the proposed development, whilst maintaining a reasonable degree of safety for existing users of the lane.

04 Within three months of the date of this planning permission the access shall be provided with vehicular splays of 110m (west) x 2.4m x 95m (east) as measured along, from and along the nearside edge of the carriageway on both sides of the centre line of the remodelled access. These splays shall be maintained in perpetuity free from obstruction exceeding a height of 600mm.

Reason - To ensure adequate intervisibility between drivers of vehicles using the proposed access and those in the adjoining highway, in the interests of highway safety.

05 Within three months of the date of this planning permission a loading, off-loading and manoeuvring area as shown on drawing IT816/HS/05 shall have been provided within the site and this area shall be maintained free from obstruction at all times for that sole purpose.

<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 ensure that the adjoining highway is not obstructed by servicing activity and to ensure that the largest type of vehicle visiting the subject site may enter and leave the highway in a forward gear, in the interests of highway safety.

06 Within three months of the date of this planning permission a car parking area, details of which shall have been previously agreed in writing by the Local Planning Authority, shall be provided within the site clear of the required loading, off-loading and manoeuvring area and retained for that sole purpose thereafter.

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

07 The mitigation measures as detailed in the Bat Survey report dated 1st October 2008 in relation to breeding birds shall be adhered to and any removal of existing contents should be scheduled for outside the bird nesting season (normally April-August inclusive for swallows).

Reason - In the interests of preservation of protected species and their habitats.

08 Within three months of the date of this planning permission a scheme of hard and soft landscaping works for the site shall have been submitted to and approved, in writing, by the Local Planning Authority. The scheme 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 site where an appropriate landscaping scheme is a visually essential requirement.

09 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 date of this planning permission 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.

10 No goods or materials shall be stored, stacked or deposited on the site outside any building.

Reason - The external storage of goods would cause visual harm to the character of the surrounding countryside.

Great Oakley Parish Council

No determinations

Harwich Town Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
<i>07/00909/OUT Refusal - Outline 30.03.2009 Delegated Decision</i>	<i>M C C Developments Ltd.</i>	<i>37 dwellings together with new access road parking courts and service areas</i>	<i>Land To Rear Of Pound Farm 548 Main Road Harwich Essex CO12 4HJ</i>

- 01 The proposal is considered contrary to policies QL9, QL11 and HG3 of the Tendring District Local Plan (2007). PPS1 requires high standards of design and states that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions should not be accepted. Policy QL9 states that permission will only be granted if, amongst other things, the development relates well to its site and surroundings particularly in relation to its siting, height, scale, massing, form, design and materials. Policy QL11 requires all developments to be compatible with surrounding land uses and states, inter alia, that development will only be permitted if the scale and nature of the development is appropriate to the locality. Policy HG3 relates to residential development within defined settlements and states, amongst other things, that residential development will be permitted provided it can take place without material harm to the character of the local area.

In this instance the proposed service road to the rear of the properties in Clarkes Road is considered to be unacceptable. No space has been allowed for landscaping and therefore the hard surfacing of the adjacent car parking courts will merge into the road providing no relief. Furthermore, the road has been designed to be completely straight with no means of traffic calming. The service road would therefore detract from the overall character of the scheme due to its form and over-engineered nature.

Policy COM6 of the Adopted Tendring District Local Plan (2007) states that residential development below 1.5 hectares in size, where existing public open space facilities are inadequate, shall provide a financial contribution towards the provision of new or improved off-site facilities to meet the projected needs of the future occupiers of the development. Harwich is identified within the Supplementary Planning Document for Policy COM6 (May 2008) as a Parish with a current deficit in public open space. No such contribution has been included within this application and it is therefore contrary to policy COM6 of the Adopted Tendring District Local Plan (2007).

Policy HG4 of the adopted Local Plan requires affordable housing contributions in developments comprising 15 or more dwellings. The proposed development would therefore require a 40% affordable housing provision. The affordable housing provision would need to be secured by way of a section 106 legal agreement with a registered social landlord and the land owner. This agreement has not been forthcoming. The application is therefore in conflict with policy HG4 of the adopted Tendring District Local Plan (2007).

- 02 It is the policy of the Local Planning Authority, as set out in the Development Plan for the area, to require that all new development relates satisfactorily to its surroundings in terms of its siting, appearance in the locality, relationship with neighbouring properties and highway safety objectives.

It is the opinion of the Local Planning Authority that the applicants do not appear to either own or control sufficient land to provide the proposed new junction with adequate visibility. Furthermore, the proposed estate road junction fails to afford the minimum required same side junction separation with Pound Farm Drive and also fails to afford the minimum required junction stagger with Dockfield Avenue and therefore the proposal would accordingly give rise to confusing and conflicting slowing, turning and manoeuvring of vehicles within Clarkes Road. In addition, the applicants do not appear to either own or control sufficient land to form an estate road junction to modern requirements, together with appropriate kerb radii and

<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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footways, therefore the proposal would be liable to result in hazardous access manoeuvres, contrary to the interests of highway safety.

The proposed layout plan also fails to indicate a transition between the footways and the proposed shared surface at the junction with Clarkes Road, contrary to the interests of highway safety.

The proposal would, therefore, be contrary to policies QL10, HG3 and TR1a of the adopted Tendring District Local Plan 2007.

<i>08/00677/FUL Approval - Full 31.03.2009 Delegated Decision</i>	<i>Eastward Properties</i>	<i>New vehicular access and 39 residential flats.</i>	<i>Site of Old Harwich County Primary School 66 Main Road Harwich Essex CO12 3LP</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 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. All 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 - This is a site in a prominent public location where appropriate landscaping is a visually essential requirement.

03 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 - This is a site in a prominent public location where appropriate landscaping is a visually essential requirement.

04 No development shall commence until details of all boundary treatments have been submitted to and approved by the Local Planning Authority and shall include a screen wall along the western boundary of the site. Any boundary treatment as may be approved shall be erected prior to the first occupation of any flat and thereafter retained as such, unless otherwise agreed in writing by the Local Planning Authority.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
		Reason - To protect the amenities of existing residential dwellings in terms of providing security for the dwellings to the west of the site and to help mitigate any potential noise from the car park.	
05		No development shall take place until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used have been submitted to and approved 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 - The site is publicly visible and therefore suitable materials are required in order to protect and enhance the character and appearance of the area.	
06		The finished floor level for block B shall be no lower than 3.6m AODN.	
		Reason - To ensure an appropriate level of protection from flood risk for the development and its occupants, over the lifetime of the development.	
07		Prior to the commencement of the development visibility splays with dimensions of 2.4 metres by 90 metres as measured along the nearside edge of the carriageway shall be provided on both sides of the access. The area within each sight splay shall be kept clear of any obstruction exceeding 600mm in height at all times.	
		Reason - To provide adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway.	
08		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 600mm in height at all times within the area of the visibility sight splays thereafter.	
		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.	
09		The use shall not commence until the area within the site shown on drawing no. 4836-06 Revision B 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.	
10		The gradient of the vehicular access shall be no steeper than 4% for at least the first 6m from the nearside edge of the carriageway of Main Road and not steeper than 8% thereafter.	
		Reason - To ensure that vehicles using the site access enter and leave the highway in a controlled manner, in the interests of highway safety.	
11		No development shall take place until details of surface water drainage have been submitted to and agreed, in writing, by the Local Planning Authority. No part of the development shall be first occupied or brought into use until the agreed method of surface water drainage has been fully installed and is available for use.	

Reason - To minimise the risk of flooding and to ensure satisfactory drainage of the site.

- 12 No development shall take place until details of foul water drainage have been submitted to and agreed, in writing, by the Local Planning Authority. No part of the development shall be first occupied or brought into use until the agreed method of foul water drainage has been fully installed and is available for use.

Reason - To ensure satisfactory drainage of the site.

- 13 Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions (1) to (4) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 4) below has been complied with in relation to that contamination.

(1) Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(2) Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(3) Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report

(referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(4) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (3).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy COM 19 of the Tendring District Local Plan (2007).

14 The construction of the development hereby permitted shall only take place between the following hours 07:00- 19:00 Mondays to Fridays and 08:00 -13:00 Saturdays. No construction shall take place on Sundays, Bank or Public holidays.

Reason - In the interests of amenity.

15 The development hereby permitted shall not commence until an emergency flood evacuation plan for the site has been submitted to and approved in writing by the local planning authority. A copy of the evacuation plan shall be included in the Home Owner Packs which shall be provided to all occupiers of the residential units upon first occupation.

Reason - The site is at risk from flooding and an evacuation plan is essential to safeguard future occupiers of the development.

<i>09/00090/FUL Approval - Full 03.04.2009 Committee Decision</i>	<i>Tendring District Council</i>	<i>Public w.c block incorporating 9 w.c's, baby changing facilities and sales kiosk.</i>	<i>Cliff Park High Street Harwich Essex CO12 3AT</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 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 unless otherwise agreed, in writing, at a later date with the Local Planning Authority.

Reason - To ensure the use of appropriate external building materials in the interests of visual

<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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amenity and the character and appearance of the conservation 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 ensure the provision of an adequate and suitable scheme of hard and soft landscaping for the site and building in the interests of visual amenity and the character and appearance of the conservation 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 approved scheme of hard and soft landscaping for the site and building is provided and thereafter maintained for a period in the interests of visual amenity and the character and appearance of the conservation area.

- 05 No development shall be commenced until precise details showing the location of where the building compound and materials will be stored during the construction phase are submitted to and agreed, in writing, by the Local Planning Authority.

Reason - As there are several trees located within the vicinity of the site, it is necessary for this information to avoid damage to the root zones of these trees.

<i>09/00096/FUL Application Withdrawn 01.04.2009 Delegated Decision</i>	<i>Speedmade Ltd</i>	<i>Twelve two bedroom apartments and two one bedroom apartments.</i>	<i>57/59 Ingestre Street Harwich Essex CO12 3JG</i>
<i>09/00110/FUL Approval - Full 03.04.2009 Delegated Decision</i>	<i>Mr & Mrs M F Tibbles</i>	<i>Single storey detached outbuilding for storage purposes.</i>	<i>Dovercourt House 23 - 25 Fronks Road Dovercourt Harwich Essex CO12 3RJ</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>
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Lawford Parish Council

No determinations

Little Bentley Parish Council

No determinations

Little Bromley Parish Council

No determinations

Little Clacton Parish Council

No determinations

Little Oakley Parish Council

No determinations

Manningtree Town Council

No determinations

Mistley Parish Council

<i>09/00288/CON Application Not Required 30.03.2009 Delegated Decision</i>	<i>Mistley Cricket Club</i>	<i>Partial demolition.</i>	<i>Mistley Cricket Club New Road Mistley Essex CO11 1ER</i>
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<i>09/00292/CON Application Not Required 31.03.2009 Delegated Decision</i>	<i>Mr & Mrs M Daniel</i>	<i>Erection of two storey rear extension following demolition of existing lean-to.</i>	<i>43 Oxford Road Mistley Manningtree Essex CO11 1BT</i>
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Ramsey & Parkeston Parish Council

<i>08/00650/FUL Approval - Full 30.03.2009 Delegated Decision</i>	<i>Mr Jim Macaulay</i>	<i>Continued use of former agricultural building for coach storage, cleaning and maintenance.</i>	<i>Poplar Hall Primrose Lane Ramsey Harwich Essex CO12 5NB</i>
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01 The use hereby permitted shall relate solely to the storage, cleaning and maintenance of motor coaches. No more than 10 motor coaches shall be stored at the site at any one time.

<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 safeguard the amenity of the locality.

02 All maintenance work and cleaning of motor coaches shall only be undertaken within the building as indicated upon the plan attached to and forming part of this permission.

Reason - To safeguard the amenity of the locality.

03 The parking of motor coaches shall only be undertaken within the building as shown upon the plan attached to and forming part of this permission.

Reason - To safeguard the amenity of the locality.

04 No goods or materials shall be stored, stacked or deposited outside of the building unless otherwise agreed in writing by the local planning authority.

Reason - To enable the local planning authority to retain control over external storage in the interests of preserving the character and appearance of the countryside.

05 No floodlighting or other external illumination of the site or building shall be installed until details of the illumination scheme have been submitted to and approved in writing by the Local Planning Authority. Development shall only be carried out in accordance with the approved details.

Reason - In the interests of amenity to reduce the impact of night time illumination on the character of the area.

06 The junction onto Primrose Lane shall be provided with 4.5m x 23m vehicular visibility splays as shown on drawing no. A/35494/2, and shall contain no obstruction exceeding a height of 0.6 metres.

Reason - To ensure the provision of a reasonable degree of intervisibility between drivers of the vehicles using the site access and those in the adjoining highway in the interests of highway safety.

07 The vehicle turning areas as shown hatched blue on drawing no. A/35494/1 shall be provided and maintained free from obstruction at all times for that sole purpose.

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

08 The sole means of access to the development shall be by way of the section of the former A 120 which comes off Primrose Lane. Within three months of the date of this permission, or such other period as may be agreed in writing with the local planning authority, works to the public highway shall be undertaken and completed for the improvement of this access affording a 7.5m. radius connection of the carriageway with Primrose Lane on the southwest side only, the dropped kerb on the northeast side remaining un-altered, as shown on drawing no. A/35494/2.

Reason - In the interests of highway safety.

09 No unbound materials shall be used in the surface finish of the hereby approved vehicular access.

Reason - To avoid displacement of loose material on to the highway in the interests of highway

<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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safety.

<i>09/00074/FUL Approval - Full 03.04.2009 Delegated Decision</i>	<i>Mr B R Appleby</i>	<i>Erection of two storey side extension.</i>	<i>53 Una Road Parkeston Harwich Essex CO12 4PS</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.

St Osyth Parish Council

<i>08/00718/FUL Approval - Full 03.04.2009 Delegated Decision</i>	<i>Messrs Sargeant</i>	<i>Alterations and extension; change of use to a house.</i>	<i>The Brewhouse St Osyth Priory The Bury St Osyth Clacton On Sea Essex CO16 8NY</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 the commencement of development full details consisting of sections at a scale of 1:20 or 1:10 of the fenestration details on the south elevation shall be submitted to and approved in writing by the Local Planning Authority. No fenestration details shall be installed except in accordance with the approved details.

Reason: In order to preserve the character and appearance of this important Listed Building.

- 03 No development shall take place within the application site until the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason - To allow proper investigation and recording of the site which is potentially of archaeological and historic significance.

- 04 Prior to the commencement of development a full bat survey shall be undertaken complying with the terms and conditions, as described in Part 4 B of Circular 06/2005. The bat survey together with details of any works or requirements shall be submitted to and approved in writing by the Local Planning Authority. Any recommendations made in the survey report shall be implemented in full as specified in the survey report.

Reason: The application contains insufficient survey information to demonstrate whether or not the development would have an adverse effect on legally protected species. A bat survey is essential to determine the level of bat usage.

<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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<p>09/00127/FUL Approval - Full 01.04.2009 Delegated Decision</p>	<p>Mr J Lonsdale</p>	<p>Amenity building.</p>	<p>252 Point Clear Road St Osyth Clacton On Sea Essex CO16 8JL</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.

<p>09/00139/FUL Refusal - Full 01.04.2009 Delegated Decision</p>	<p>Mr P Robinson</p>	<p>Rear extension to provide garden room with balcony over and detached double garage.</p>	<p>57 Dumont Avenue St Osyth Clacton On Sea Essex CO16 8JP</p>
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01 Policies QL9 and QL11 of the adopted Tendring District Local Plan (2007) seek to ensure that all new development makes a positive contribution to the quality of the local environment, that development relates well to its site and surroundings and will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

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".

In this instance, it is considered that the siting of the proposed garage forward of the dwellinghouse would result in a development which is unduly prominent in the street scene. The visual prominence and impact is exacerbated by the predominant character of this part of Dumont Avenue being dwellings set back from the highway by approximately 20 metres with open frontages or low boundary treatments.

The existing balcony has a limited depth of approximately 1 metre, constraining its potential use. The proposed rear garden room with the roof top balcony extending rearward by approximately 5 metres will add to the overlooking of the windows and the garden areas of Number 59 Dumont Avenue to the detriment of the amenity if its occupiers.

<p>09/00179/TPO Approval - Full 30.03.2009 Delegated Decision</p>	<p>Mr C Kavanagh</p>	<p>1 No. Oak - reduce crown by 25%</p>	<p>211 Point Clear Road St Osyth Clacton On Sea Essex CO16 8JJ</p>
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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 (1989) or with any similar replacement standard.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
<i>09/00284/ADV Deemed Consent 03.04.2009 Delegated Decision</i>	<i>Alliance Boots</i>	<i>Replacement fascia sign.</i>	<i>Village Pharmacy 19 Clacton Road St Osyth Clacton On Sea Essex CO16 8PA</i>

Tendring Parish Council

No determinations

Thorpe-le-Soken Parish Council

<i>09/00079/FUL Refusal - Full 31.03.2009 Delegated Decision</i>	<i>Mr & Mrs M Cunningham</i>	<i>Erection of two storey side and rear extensions, and single storey rear extension.</i>	<i>184 Thorpe Road Kirby Cross Frinton On Sea Essex CO13 0NJ</i>
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- 01 The proposed two-storey and single-storey extensions are considered contrary to policies QL9, QL11 and HG12 of the adopted Tendring District Local Plan (2007), which seek to ensure that extensions to dwellings in the countryside reflect and respect the relationship of the site and its setting, and those of adjoining dwellings in an acceptable manner. Furthermore, extensions to dwellings are required to be of an appropriate scale, form and detailed design.

The proposed extensions, by virtue of their excessive bulk, unbalanced widths, over-dominant roof slopes (to the front, south elevation), incongruous mix of window types (to the front, south elevation) and differing heights to the ridge of the gable ends to the rear (north elevation) would fail to respect the scale and proportions of the host dwelling and surrounding development.

Policies QL9 and QL11 of the adopted Tendring District Local Plan (2007) seek to ensure that residential development would not detract from the visual character of the street scene to which it relates.

In the opinion of the Local Planning Authority the proposal, by reason of the increased prominence of the two storey element and incongruous design fails to respect the spatial characteristics of the locality. Accordingly it is considered that, if approved, the proposal would be detrimental to visual amenity.

<i>09/00080/FUL Refusal - Full 31.03.2009 Delegated Decision</i>	<i>Mr & Mrs Cunningham</i>	<i>Erection of two storey side and rear extensions, and single storey rear extension.</i>	<i>186 Thorpe Road Kirby Cross Frinton On Sea Essex CO13 0NJ</i>
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- 01 The proposed two-storey and single-storey extensions are considered contrary to policies QL9, QL11 and HG12 of the adopted Tendring District Local Plan (2007), which seek to ensure that extensions to dwellings in the countryside reflect and respect the relationship of the site and its setting, and those of adjoining dwellings in an acceptable manner. Furthermore, extensions to dwellings are required to be of an appropriate scale, form and detailed design.

The proposed extensions, by virtue of their excessive bulk, unbalanced widths, over-dominant roof slopes (to the front, south elevation), incongruous mix of window types (to the front, south elevation) and differing heights to the ridge of the gable ends to the rear (north elevation) would fail to respect the scale and proportions of the host dwelling and surrounding development.

Policies QL9 and QL11 of the adopted Tendring District Local Plan (2007) seek to ensure that residential development would not detract from the visual character of the street scene to which it relates.

In the opinion of the Local Planning Authority the proposal, by reason of the increased prominence of the two storey element and incongruous design fails to respect the spatial characteristics of the locality. Accordingly it is considered that, if approved, the proposal would be detrimental to visual amenity.

Thorrington Parish Council

No determinations

Weeley Parish Council

No determinations

Wix Parish Council

No determinations

Wrabness Parish Council

<i>09/00073/FUL Approval - Full 03.04.2009 Delegated Decision</i>	<i>K I Developments</i>	<i>Conversion, alterations and extensions of barn to form 2 no. dwellings and associated works.</i>	<i>Lower Farm Barns Wheatsheaf Lane Wrabness Essex CO11 2TF</i>
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01 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A, B, C and D 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, rooflights or other alteration to the hereby approved dwellings 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.

Reason - To preserve the unique character of the barns in relation to their setting within the countryside.

02 The means of foul and surface water disposal as approved by the Local Planning Authority under condition 4 of planning permission 04/01578/FUL and conditions 5 and 9 of planning permission 05/01998/FUL shall be installed, completed and be operational before the buildings are first occupied as dwellings.

Reason - The site lies in an unsewered area of the district and on a hillside where the Council needs to ensure that adequate foul sewerage is provided without pollution to the environment.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
03		Notwithstanding the provisions of Article 3, Schedule 2 Part 1 Class 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, walls, fences or other enclosures, swimming or other pool shall be erected except in accordance with drawings showing the design and siting of such structures which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.	
		Reason - The site is set on rising ground in a sensitive landscape area and adjacent to other buildings where the uncontrolled exercise of such rights could cause harm to the visual appearance of the area.	
04		The external facing and roofing materials (including timber cladding) to be used in construction shall be as approved by the Local Planning Authority under condition 7 of planning permission 05/01998/FUL unless otherwise agreed, in writing, at a later date with the Local Planning Authority.	
		Reason - In order to protect the integrity and agricultural character of the barn complex and in the interests of the character and appearance of the countryside.	
05		Notwithstanding the provision of Article 3, Schedule 2 Part 2 Class C of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), the external timber cladding of the buildings shall only be repainted in black, unless the Local Planning Authority has agreed otherwise, in writing.	
		Reason - To enable the Local Planning Authority to retain control over such works in order to ensure that the essential character of the building and the approved scheme is retained and that the barn retains a traditional Essex appearance.	
06		The screen walls, fences and gates shall be as approved by the Local Planning Authority under condition 6 of planning permission 05/01998/FUL unless otherwise agreed, in writing, at a later date with the Local Planning Authority. The approved screen walls and fences shall be erected prior to the dwelling being first occupied and thereafter be retained in the approved form.	
		Reason - In the interests of residential amenity (privacy) and to safeguard the character and appearance of the countryside.	
07		The rainwater goods shall be as approved by the Local Planning Authority under condition 4 of planning permission 05/01998/FUL unless otherwise agreed, in writing, at a later date with the Local Planning Authority. The approved rainwater goods shall thereafter be retained in the approved form.	
		Reason - In the interests of visual amenity and to safeguard the character and appearance of the countryside.	
08		All window and door joinery shall be as approved under condition 4 of planning permission 05/01998/FUL unless otherwise agreed in writing by the Local Planning Authority. The approved windows and doors shall thereafter be retained in the approved form.	
		Reason: To preserve the special character of the converted barns.	
09		No unbound materials are permitted to be used in the surface treatment of the site access within 6 metres of the highway boundary.	

<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 ensure that no loose materials are brought out onto the highway, in the interests of highway safety.

10 Any gates erected at the site access shall be inward opening only and recessed a minimum of 4.8 metres from the nearside edge of the carriageway of Wheatsheaf Lane.

Reason - To ensure that vehicles using the site access may stand clear of the carriageway whilst those gates are opened and closed.

11 The vehicular turning spaces as shown on drawing number 813/07/B received 18/03/2009 shall be provided prior to occupation of the dwelling to which they relate and shall be maintained free from obstruction at all times for that sole purpose.

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

12 Notwithstanding the submitted protected species survey, details relating to the number, design and position of bat and owl boxes shall be submitted to and approved in writing by the Local Planning Authority. The approved boxes shall be installed prior to occupation of the hereby approved dwellings and retained in the approved form thereafter.

Reason - In the interests of preserving biodiversity in the area as the protected species survey has confirmed the presence of barn owls and bats in the vicinity of the site.