



TENDRING DISTRICT COUNCIL

Planning Services

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

AGENT:

Mr D Baker
Summer House
Upper Court Road
Woldingham
CR3 7BF

APPLICANT:

Mr Chappell - Lungo
Developments Ltd
10 Riverdale Road
Bexley
DA5 1QZ

Herts
AL9 7QX

TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION NO: 18/00768/FUL

DATE REGISTERED: 15th May 2018

Proposed Development and Location of the Land:

**Variation of condition 7 of approved application 12/01114/FUL, to provide new drawings to change some internal and external details of the construction.
47 The Parade Walton On The Naze Essex CO14 8AS**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **HEREBY GRANT PLANNING PERMISSION** in accordance with the application form, supporting documents and plans submitted, subject to the following conditions;

- 1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on drawing numbers 2017-16-01 B, 2017-16-02 A, 2018-17-04 and 2017-16-05-B.

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

- 2 All materials to be used in the construction of the external surfaces of the building hereby permitted must be in accordance with the details as approved under planning reference 15/01846/DISCON, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that materials of an acceptable quality appropriate to the area are used.

- 3 Cycle parking shall be in accordance with the details as approved under planning reference 15/01846/DISCON, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that adequate cycle storage facilities are provided in order to reduce the reliance of on street parking.

- 4 All hard landscaping works, including means of enclosure, pedestrian access, circulation areas and hard surfacing materials, shall be in accordance with the details as approved under planning reference 15/01846/DISCON, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that the development provides a satisfactory setting having regard to its location within a conservation area.

- 5 All hard landscape works shall be carried out in accordance with the approved details within 12/01114/FUL, unless otherwise agreed in writing by the Local Planning Authority. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed with the local planning authority.

Reason - To ensure that the development provides a satisfactory setting having regard to its location within a conservation area.

- 6 Before the first occupation of the building hereby permitted the glazing on the westward facing elevation shall be fitted with non-opening obscured glass and shall be permanently retained in that condition.

Reason - To preserve the privacy of the neighbouring residents.

DATED: 11th October 2018

SIGNED:



Catherine Bicknell
Head of Planning

IMPORTANT INFORMATION :-

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

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL2 Promoting Transport Choice

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

ER3 Protection of Employment Land

ER31 Town Centre Hierarchy and Uses

HG1 Housing Provision

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

COM1 Access for All

COM2 Community Safety

COM6 Provision of Recreational Open Space for New Residential Development

COM21 Light Pollution

COM23 General Pollution

COM26 Contributions to Education Provision

COM31A Sewerage and Sewage Disposal

EN13 Sustainable Drainage Systems

EN17 Conservation Areas

TR1A Development Affecting Highways

TR5 Provision for Cycling

TR7 Vehicle Parking at New Development

TR8 Public Car Parking

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PP5 Town Centre Uses

PPL5 Water Conservation, Drainage and Sewerage

PPL8 Conservation Areas

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Essex Design Guide

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

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

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

The attached notes explain the rights of appeal.

NOTES FOR GUIDANCE

WHEN PLANNING PERMISSION IS REFUSED OR GRANTED SUBJECT TO CONDITIONS

APPEALS TO THE SECRETARY OF STATE

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

ENFORCEMENT

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