



TENDRING DISTRICT COUNCIL

Planning Services

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

AGENT: Mr Tim Rainbird - Quod
17 Broadwick Street
Soho
London
W1F 0DE

APPLICANT: Travis Perkins (Properties)
Limited
C/O Agent

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 19/00883/FUL

DATE REGISTERED: 13th June 2019

Proposed Development and Location of the Land:

**Variation of conditions 2 and 3 of planning application 11/01352/FUL for regularisation of permitted external storage heights, installation of storage containers and fencing; and associated works.
101 Oxford Road Clacton On Sea Essex CO15 3TH**

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 be carried out in accordance with the following approved plans:

11/01352/FUL - Drawing numbers P06 Rev. C, PO7 Rev. B, P08 Rev. A.

19/00883/FUL - Drawing numbers 219000-10-PL01, 1.0.2 received on 18 July 2019, 219000-10-PL03 Revision A, the submitted Planning Statement dated 5 June 2019, and the additional plans submitted 25 July 2019 showing photographs and a floor layout of the proposed storage containers.

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

- 2 No goods or materials shall be stored, stacked or deposited on the site except in the designated areas and to the heights shown on plan 1.0.2 received on 18 July 2019.

Reason - External storage of heights greater than those shown on the plan would cause unacceptable harm to neighbouring amenity to the dwellings to the south. The other areas of the site must be left clear for vehicle circulation, turning and parking.

- 3 The parking areas and turning spaces shall be laid out as shown on the plan 219000-10-PL01, and shall be retained as such permanently.

Reason - To ensure that sufficient parking and turning facilities are provided on site to prevent on street parking and unloading.

- 4 The buildings and site shall only be used for storage and distribution of timber, building and plumbing materials together with ancillary retail sales of the following items, as set

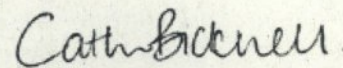
out in the letter of the 16/03/1982 that accompanied the original consent (TEN/80/82);

Bathroom furniture and fittings,
Floor coverings,
General building and decorating materials,
Heavy side building materials,
Insulation materials,
Kitchen furniture and fittings,
Plastic systems,
Plumbing products,
Roof tiles and roofing materials,
Timber, joinery and accessories.

Reason - In view of the site changes and the superseded order referred to in condition 7 of consent TEN/80/82, it is necessary to impose this condition to prevent additional retail from the site that would be harmful to the interests of the town centre.

DATED: 8th August 2019

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 February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

ER7 Business, Industrial and Warehouse Proposals

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR1A Development Affecting Highways

TR4 Safeguarding and Improving Public Rights of Way

TR7 Vehicle Parking at New Development

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

CP1 Sustainable Transport and Accessibility

SP4 Providing for Employment & Retail

SPL3 Sustainable Design

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

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.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

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.