



TENDRING DISTRICT COUNCIL

Planning Services

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

APPLICANT: Ms Sandra James
Inclusion Ventures Ltd
Unit 8 Jaywick Enterprise
Centre
Lotus Way
Jaywick
CO15 2LU

AGENT:

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 19/01753/FUL

DATE REGISTERED: 15th November 2019

Proposed Development and Location of the Land:

**Change of use of No. 1 (retail shop) and No. 3 - 7 (Wonderland Amusement arcade) Broadway, Jaywick to become an office, therapy room, training room within No. 1 and training catering space and dining area, community space for recreational, creative and learning activities for young people and be available for the wider community within No. 3 - 7.
1 - 7 Broadway Jaywick Clacton On Sea Essex**

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 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.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plan: 173_HAT_PL_110 Revision: P1 and 173_HAT_PL_111 Revision: P2.

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

- 3 Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the community hub and office uses hereby approved shall be used solely for the purposes as described within the application form.

Reason - To ensure that the Local Planning Authority retain control over potential alternative uses in the interests of the character of the area and residential amenities.

- 4 The development hereby permitted shall only be open during the following times;

D1 and D2 Uses within No. 3-7 Broadway:

Monday to Friday 9:00 to 21:00
Saturday 10:30 to 18:00
Sunday and Bank Holiday 10:30 to 17:00

B1(a) office within no. 1 Broadway

Monday to Friday 09:00 to 17:00
No Saturday, Sunday or Bank Holiday opening

Reason - To ensure the use of the site is appropriate to the locality and to safeguard the amenities of local residents.

- 5 The development hereby approved shall be carried out in accordance with the Flood Risk Assessment report ref: 2413/RE/11-19/01 dated November 2019.

Reason - In order to minimise and manage flood risk.

- 6 Prior to the occupation of the development hereby approved, a Business Flood Plan shall be submitted to and approved in writing by the Local Planning Authority in accordance with the recommendations for 'reducing vulnerability to the hazard' as set out within section 6.4 of the accompanying Flood Risk Assessment report ref: 2413/RE/11-19/01 dated November 2019. The approved Business Flood Plan shall be adhered to at all times.

Reason - In order to minimise and manage flood risk.

DATED: 10th January 2020

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

QL1 Spatial Strategy

QL3 Minimising and Managing Flood Risk

QL6 Urban Regeneration Areas

QL8 Mixed-Uses

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs
QL11 Environmental Impacts and Compatibility of Uses
ER7 Business, Industrial and Warehouse Proposals
ER26 Conversion of Premises
ER31 Town Centre Hierarchy and Uses
ER32 Town Centre Uses Outside Existing Town Centres
COM4 New Community Facilities (Including Built Sports and Recreation Facilities)
TR7 Vehicle Parking at New Development
CL15a Jaywick Regeneration
Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
SP1 Presumption in Favour of Sustainable Development
SPL1 Managing Growth
SPL3 Sustainable Design
HP2 Community Facilities
PP5 Town Centre Uses
PP14 Priority Areas for Regeneration
PPL1 Development and Flood Risk
CP1 Sustainable Transport and Accessibility
Local Planning Guidance
Essex County Council Car Parking Standards - Design and Good Practice

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways Informatives

1. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway to ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.

2. On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

3. Steps should be taken to ensure that the Developer provides enough turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site

4. 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.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 - Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ

Essex Police Informative

Essex Police would encourage the developer to incorporate Crime Prevention Through Environmental Design (CPTED) into this site by integrating the nationally approved, Police preferred, Secured By Design (SBD) Commercial accreditation into this development. Essex Police provide a free, impartial advice service to any applicant who request this service. Essex Police would be eager to work with the developers in this project to mitigate these risks by employing the principles of Crime Prevention Through Environmental Design using Secured by Design as an enabler. Essex Police is able to support the applicant to achieve appropriate consideration of the Secure By Design requirements and is invited to contact Essex Police via designingoutcrime@essex.police.uk.

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.