



# TENDRING DISTRICT COUNCIL

## Planning Services

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

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|---------------|--|-------------------|--|
| <b>AGENT:</b> | Mr Matt Leeves - Curtis Leeves<br>Technical Ltd<br>Unit 2A Sindles Farm<br>Aldsworth<br>PO10 8QS | <b>APPLICANT:</b> | Mr C/O Agent<br>11 St Clair Close<br>Clacton On Sea<br>Essex<br>CO15 4UH |
|---------------|--|-------------------|--|

### TOWN AND COUNTRY PLANNING ACT 1990

**APPLICATION NO:** 20/00217/DETAIL      **DATE REGISTERED:** 14th February 2020

Proposed Development and Location of Land:

**Approval of reserved matters (conditions 1-4) for outline approval  
17/01847/OUT.  
11 St Clair Close Clacton On Sea Essex**

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **GRANT**  
**APPROVAL OF RESERVED MATTERS** pursuant to Outline Planning Permission No.  
17/01847/OUT 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;  
Drawing No - P002 Rev 01 - Proposed Site Plan  
Drawing No - P111 Rev 01 - Proposed Floor Plans  
Drawing No - P112 Rev 01 - Proposed Elevations  
  
Reason - For the avoidance of doubt and in the interests of proper planning.
- 2      No unbound material shall be used in the surface treatment of either vehicular access within 6 metres of the highway boundary.  
  
Reason - To avoid displacement of loose material onto the highway in the interests of highway safety.
- 3      Notwithstanding the provisions of Article 3, Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), other than those shown on the approved drawings, no provision of fences, walls or other enclosures shall be erected along the eastern or southern boundaries or forward of the front elevation of the dwelling hereby approved except in accordance with details that shall previously be approved in writing by the Local Planning Authority.  
  
Reason - In the interests of visual amenity.

- 4 Prior to occupation of the dwelling a new vehicular access shall be constructed for No. 11 at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be more than 4.5 metres (5 low kerbs), shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the highway verge.

Reason - To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.

- 5 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved Drawing No. P002 - Rev 01 - Proposed Site Plan 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.

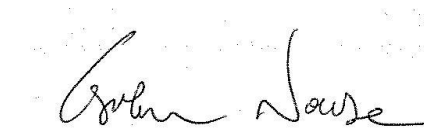
Reason - In the interests of the character and quality of the development.

- 6 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), the window proposed serving the en-suite bathroom and the master en-suite bathroom on the eastern side elevation shown on Drawing No - P112 Rev 01 - Proposed Elevations shall be non opening and glazed in obscure glass and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjoining property.

**DATED:** 22nd May 2020

**SIGNED:**




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Graham Nourse  
Acting Assistant Director  
Planning Service

**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

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

|       |  |
|-------|--|
| QL11  | Environmental Impacts and Compatibility of Uses                      |
| HG1   | Housing Provision  |
| HG3   | Residential Development Within Defined Settlements                   |
| HG6   | Dwelling Size and Type   |
| HG7   | Residential Densities  |
| HG9   | Private Amenity Space  |
| TR1A  | Development Affecting Highways                                       |
| TR7   | Vehicle Parking at New Development                                   |
| COM6  | Provision of Recreational Open Space for New Residential Development |
| EN6   | Biodiversity   |
| EN11A | Protection of International Sites European Sites and RAMSAR Sites    |

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

|      |  |
|------|--|
| SP1  | Presumption in Favour of Sustainable Development |
| SPL1 | Managing Growth                                  |
| SPL2 | Settlement Development Boundaries                |
| SPL3 | Sustainable Design                               |
| LP1  | Housing Supply                                   |
| LP2  | Housing Choice                                   |
| LP3  | Housing Density and Standards                    |
| LP4  | Housing Layout                                   |
| HP5  | Open Space, Sports & Recreation Facilities       |
| PPL4 | Biodiversity and Geodiversity                    |

#### 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 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.

## Highways

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.

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](mailto:development.management@essexhighways.org) or by post to:

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

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 at <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](mailto: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.