



AGENT: Mr Mike French
Glebe Cottage
Kelvedon Road
Little Braxted
Essex
CM8 3ES

APPLICANT: Mr Stuart Grant
Acacia House
Brightlingsea Road
Thorrington
Colchester
Essex
CO7 8JJ

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 22/00992/VOC

DATE REGISTERED: 7th June 2022

Proposed Development and Location of the Land:

**Variation of condition 2 (Approved Plans) of application 21/01609/FUL to substitute approved plans to introduce a veranda.
Acacia House Brightlingsea Road Thorrington Colchester**

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 24th January 2025.

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 plans and document:

21/01609/FUL:

Drawing Number 976/RAN/20

22/00992/VOC:

Drawing Numbers 976/RAN/21 B and 976/RAN/22 B.

Reason - For the avoidance of doubt and in the interest of proper planning.
- 3 The development hereby permitted shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up-to-date register of the names of all occupiers of the holiday let accommodation and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

Reason - The site of the permission is outside any area where planning permission would normally be forthcoming for residential development and is permitted only as accommodation for holiday purposes in the interests of contributing to tourism and the economy of the area.

- 4 No person shall occupy the site for more than 28 consecutive days and shall not be permitted to return to the site within less than 14 days of vacating the site.

Reason - To prevent the use of the site for permanent accommodation in the interests of the tourism economy and local community infrastructure.

- 5 Prior to first occupation of the proposed holiday homes the fence post to the right of the existing vehicular access should be moved back a minimum distance of 0.2 metres from the back of verge and the last fence panel shall not exceed 1 metre in height. There should be no obstruction above ground level within a 2.4 m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided before the road access is first used by the development and retained free of any obstruction at all times.

Reason- To provide adequate inter-visibility between users of the access and the public highway in the interests of highway safety.

- 6 Prior to the occupation of the holiday homes, the private drive shall be retained at a minimum width of 5.5 metres for at least the first 6 metres from the back of the Highway Boundary and provided with an appropriate dropped kerb crossing of the footway.

Reason- To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety.

- 7 The proposed holiday homes shall not be occupied until such time as the car parking and turning area has been provided in principle with drawing no. 976/RAN/22 B. These facilities shall be retained in this form at all times and shall not be used for any purpose other than the parking and turning of vehicles related to the use of the development thereafter.

Reason- To ensure that on-street parking of vehicles in the adjoining streets does not occur, and to ensure that vehicles can enter and leave the highway in a forward gear, in the interests of highway safety.

- 8 No unbound material shall be used in the surface treatment of the 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.

DATED: 1ST August 2022

SIGNED:



Graham Nourse
Assistant Director

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 2021

National Planning Practice Guidance

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL3 Sustainable Design

PPL2 Coastal Protection Belt

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.

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.