



AGENT: Miss Jessica Ferguson -
MRPP
21 Buckingham Street
London
WC2N 6EF

APPLICANT: Britton Developments Ltd
Unit 2
Oakwood Business Park
Stephenson Road West
Clacton-On-Sea
CO15 4TL

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 22/01487/NMA

DATE REGISTERED: 12th September 2022

Proposed Development and Location of the Land:

Non-material amendment sought for application 21/01283/VOC to revise drawings relating to condition 19 to allow slight variations to unit 1 as built. Land West of A133 Brook Park West Roundabout Little Clacton Bypass Clacton On Sea

THE TENDRING DISTRICT COUNCIL AS LOCAL PLANNING AUTHORITY **APPROVE this NON-MATERIAL AMENDMENT** in accordance with the application form, supporting documents and plans submitted, and subject to the following conditions;

- 1 Condition No. 19 of 21/01283/VOC is amended as follows:

The development hereby permitted shall be carried out in accordance with the following approved plans:

Retail Units and Drive-Thru
Proposed Site Plan - 10942-200H
Unit 1 Elevations - CLA001-A-406 P1
Units 2 & 3 Elevations - 10942-302A
Unit 4 Elevations - 10942-303
Unit 1 Ground Floor Plan - 10942/104F
Units 2 & 3 Ground Floor Plan - 10942-402B
Unit 4 Ground Floor Plan - 10942-403A

Reason - For the avoidance of doubt, in order to ensure the development is carried out in accordance with the approved details in the interests of proper planning.

- 2 Condition No. 23 of 21/01283/VOC is amended as follows:

The terrace of Class E retail units as shown on Plan 10942-200H hereby permitted shall not cumulatively exceed 5,240sqm (56, 403sqft) Sales Area, with Gross Internal Area also restricted to this maximum quantum inclusive of any mezzanine floorspace. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), no additional mezzanine or other form of internal floor to

create a first floor level shall be constructed in the terrace of retail units as shown on Plan 10942-200H, other than 1,601sqm (17,233sqft) (GIA) of mezzanine space to serve across Units 2 and 3 inclusive.

Reason - To minimise unnecessary direct competition with the retail and leisure offer in Clacton on Sea town centre to safeguard its continued vitality and viability whilst promoting economic growth in the town as a whole.

3 Condition No. 24 of 21/01283/VOC is amended as follows:

Notwithstanding the provisions of the Use Classes Order 1987 (as amended or re-enacted) no goods shall be sold from the terrace of Class E retail units as shown on Plan 10942-200H other than: materials for maintaining and repairing the dwelling; furniture and furnishings; tiles, carpets and other floor coverings; household textiles; major household appliances; small electrical household appliances; small tools and miscellaneous accessories; major tools and equipment; garden plants and flowers: audio visual, photographic and information processing equipment; motor and cycle goods; and pets, pet food and pet related products and services (including the provision of ancillary pet care and treatment services) except with respect of Unit 1 which may alternatively be used for the sale of convenience goods together with the sale of any other comparison goods subject to its sales area not exceeding 1,394sqm (15,000sqft) of which no more than 150sqm (1,615sqft) shall be used for the sale of comparison goods. The terrace of retail units shall be used for no other purpose, including any other use in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended or re-enacted).

Reason - To minimise unnecessary direct competition with the retail and leisure offer in Clacton on Sea town centre to safeguard its continued vitality and viability whilst promoting economic growth in the town as a whole.

4 Condition No. 25 of 21/01283/VOC is amended as follows:

None of the three units shown within the retail terrace identified on Plan 10942-200H shall be amalgamated with other units or subdivided to form separate units.

Reason - To enable the Local Planning Authority to retain control over the uses on the site in the interest of safeguarding the vitality and viability of Clacton on Sea town centre.

5 Condition No. 29 of 21/01283/VOC is amended as follows:

Prior to first occupation details of the 2.5m high fence along the rear of the service yards (along the western boundary) as indicated on drawing 10942-200H shall be submitted to and approved in writing by the Local Planning Authority. The fence shall be installed in accordance with the approved details prior to first occupation.

Reason - To protect amenities of the occupiers of nearby residential properties.

DATED: 31st March 2023

SIGNED:



John Pateman-Gee
Planning Manager

IMPORTANT INFORMATION :-

This is a Non Material Amendment to planning permission 21/01283/VOC

This decision should be read in conjunction with that permission.