



APPLICANT: Mr Daniel Lane - Lane
Homes
36 Point Clear Road
St Osyth
Clacton On Sea
Essex
CO16 8EP

AGENT:

TOWN AND COUNTRY PLANNING ACT 1990

APPLICATION NO: 23/01348/ROC

DATE REGISTERED: 20th October 2023

Proposed Development and Location of the Land:

Application under Section 73 of the Town and Country Planning Act, for removal of condition 4 (Occupation of Dwellings) of 19/00920/FUL to allow properties to be sold to all ages groups.

Car Park Ravensdale 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 **CONDITION:** The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

19/00920/FUL:

Drawing numbers 1923/1, 1923/2, 1923/3, 1923/4, 1923/5, 1923/6, 1923/7, and documents titled 'Location Plan' and 'Planning/Heritage & Design & Access Statement'.

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

- 2 **CONDITION:** The access hereby approved shall have a bound material surface and shall be laid out for a minimum distance of 5 metres from the edge of the carriageway prior to first use. The bound material as implemented shall then be retained thereafter.

REASON: In the interests of highway safety to prevent hazards caused by loose materials on the highway.

- 3 CONDITION: The precise details of the external facing materials shall be in full accordance with those submitted and approved by the Local Planning Authority within planning reference 20/00821/DISCON.

Reason: In the interests of the visual appearance of the area.

- 4 CONDITION: Notwithstanding the provisions of Article 3, Schedule 2 Part 1 Classes A, B, C and E 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), no provision of extensions, roof alterations, buildings, enclosures, swimming or other pools shall be erected except in accordance with drawings showing the design and siting of such building(s) which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

REASON: The site is not of sufficient size to accommodate dwellings of an increased size and the restricted size of the plots is such that any other developments need to be fully assessed.

- 5 CONDITION: The programme of archaeological geophysical evaluation shall be in full accordance with the details as submitted, and approved by the Local Planning Authority, within planning reference 19/01500/DISCON.

REASON: An archaeological evaluation has revealed possible medieval burial remains and structural features which relate to the adjacent Church and/or the manorial site of Great Clacton Hall. There is therefore further potential for below ground archaeological deposits.

- 6 CONDITION: The programme of archaeological excavation and monitoring shall be in full accordance with the details as submitted, and approved by the Local Planning Authority, within planning reference 20/00821/DISCON.

REASON: An archaeological evaluation has revealed possible medieval burial remains and structural features which relate to the adjacent Church and/or the manorial site of Great Clacton Hall. There is therefore further potential for below ground archaeological deposits.

- 7 CONDITION: The details of protective fences for existing trees on site shall be in full accordance with those approved within planning reference 20/00821/DISCON. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the trees to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be agreed in writing with the Local Planning Authority, following the death of, or severe damage to the trees.

REASON: To ensure the protected tree on site is not damaged during the construction of the proposed dwellings.

- 8 CONDITION: The scheme of hard and soft landscaping works shall be in full accordance with the details as submitted, and approved by the Local Planning Authority, within planning reference 20/00821/DISCON.

REASON: To ensure an acceptable visual impact of the proposed works.

- 9 CONDITION: All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out in full 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 - To enhance the visual impact of the proposed works.

- 10 CONDITION: The details of new windows, rooflights, doors and their surrounds shall be in full accordance with those details submitted and approved by the Local Planning Authority within planning reference 20/00821/DISCON.

REASON - The application relates to the curtilage of a listed building and therefore such details are necessary in order to preserve and enhance the historic character and integrity of that building.

DATED: 8th December 2023

SIGNED:



John Pateman-Gee
Head of Planning and Building Control

NATIONAL & LOCAL PLAN POLICIES AND GUIDANCE RELEVANT TO THIS DECISION:

INFORMATIVES:

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.