

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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Alresford Parish Council

No Determination

Ardleigh Parish Council

<u>23/01555/COUN OT</u> <i>Determination prior approval not reqred 24.01.2024 Delegated Decision</i>	<i>Mr D Bailey</i>	<i>Prior Approval Application under Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for conversion of agricultural building into one dwelling.</i>	<i>The Barn Chapel Lane Ardleigh Colchester Essex CO7 7BJ</i>
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01 COMPLIANCE: TIME LIMIT

CONDITION: Development under Class Q is permitted subject to the condition that development under Class Q(a), and under Class Q(b), if any, must be completed within a period of 3 years starting with the prior approval date.

REASON: In order to comply Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

02 COMPLIANCE: APPROVED PLANS AND DOCUMENTS

CONDITION: The development must be carried out (b) where prior approval is not required, or where sub-paragraph (11)(c) applies, in accordance with the details provided in the application referred to in sub-paragraph (1), unless the local planning authority and the developer agree otherwise in writing, as follows:

- Drawing No. Dtb-01- Proposed and existing floor plans and elevations
- Construction Method Statement - received 02.11.2023
- Klargester BioDisc Domestic Sewage Treatment Plant Details - received 02.11.2023
- Site Plan - received 02.11.2023
- Block Plan - received 02.11.2023
- Planning Statement - received 02.11.2023

REASON: In order to comply Schedule 2, Part 3, Class Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

03 COMPLIANCE: CONSTRUCTION MANAGEMENT PLAN

CONDITION: The submitted Construction Method Statement - received 02.11.2023 shall be adhered to throughout the construction phase of development, unless otherwise agreed in writing by the Local Planning Authority in consultation with The Highway Authority.

REASON: To ensure that on-street parking of construction vehicles in the adjoining streets does not occur, to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and to ensure working conditions are sympathetic to residential amenities.

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04 COMPLIANCE

CONDITION: The public's rights and ease of passage over public footpath nos. 35 and 37 (Ardleigh_158) shall be maintained free and unobstructed at all times.

REASON: To ensure the continued safe passage of the public on the definitive right of way and accessibility

<u>23/01710/FULH</u> <i>H Application Withdrawn 24.01.2024 Delegated Decision</i>	<i>Mr Sam Garnham</i>	<i>Proposed alterations and conversion of existing outbuilding to residential annexe for the ancillary use of the existing residential dwelling at Kalm Oaks.</i>	<i>Kalm Oak Nursery Hunters Chase Ardleigh Colchester Essex CO7 7LW</i>
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<u>24/00047/CMTR</u> <i>Determination approved by another Authty 25.01.2024</i>	<i>Terry Burns</i>	<i>Continued use of the site for landfilling without compliance with Condition 1 (Duration) and 2 (Approved Details) of planning permission ref: ESS/30/16//TEN that was for the continued restoration of former quarry void by means of landfill to now allow for an extended time scale to complete reinstatement.</i>	<i>Martells Landfill Site Slough Lane Ardleigh Essex CO7 7RU</i>
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Beaumont Parish Council

No Determination

Bradfield Parish Council

<u>23/01208/FUL</u> <i>Approval - Full 26.01.2024 Delegated Decision</i>		<i>Proposed construction of 1no. family dwelling with provision for private amenity and off-street parking following extant approval ref: 21/01845/FUL.</i>	<i>Stour Lodge Cottage Station Road Bradfield Manningtree Essex CO11 2UP</i>
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

02 APPROVED PLANS & DOCUMENTS

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.

The approved red line plan drawing is DWG No. 001 received 24 August 2024

DWG NO. 003

DWG NO. 301

DWG NO. 302

DWG NO. 303

DWG NO. 304

Design and Access Statement

Planning Statement

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

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be

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considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

03 ACTION REQUIRED: HIGHWAYS PROVISION OF VISIBILITY SPLAYS

CONDITION: Before the access is first used clear visibility shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point and a distance of 129 metres in a westerly direction along the edge of the metalled carriageway from the centre of the access and a distance of 90 metres in an easterly direction along the edge of the metalled carriageway from the centre of the access. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

REASON: To ensure vehicles exiting the drive would have sufficient visibility to enter the public highway safely, and vehicles on the public highway would have sufficient warning of a vehicle emerging to take avoiding action.

NOTE/S FOR CONDITION:

Carriageway is the part of a road intended for vehicles rather than pedestrians normally define by kerb if available or edge of a bound surface.

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the ECC Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Essex County Council or its agents at the applicant's expense.

04 ACTION REQUIRED: HIGHWAYS PEDESTRIAN VISIBILITY SPLAYS

CONDITION: Prior to first use of the access pedestrian visibility splays shall be provided, a minimum of 1.5 metre x 1.5 metre as measured from and along the highway boundary on both sides of the vehicular access and shall then be retained in its approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays. These visibility splays must not form part of the vehicular surface of the access

REASON: To ensure vehicles exiting the access would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

NOTE/S FOR CONDITION:

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the ECC Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Essex County Council or its agents at the applicant's expense.

05 SPECIFIC RESTRICTION: ACCESS WIDTH

CONDITION: Prior to first use, the access shall be constructed to a minimum width of 4.5 metres for a distance of 6 metres measured from the nearby edge of the carriageway and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge and shall then thereafter be retained.

REASON: In the interests of highway safety to ensure vehicles can enter and leave the site in a safe manner.

NOTE/S FOR CONDITION:

Carriageway is the part of a road intended for vehicles rather than pedestrians normally define by kerb if available or edge of a bound surface.

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the ECC Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Essex County Council or its agents at the applicant's expense.

06 ACTION: SURFACE WATER DISCHARGE PREVENTION

CONDITION: Prior to the commencement of any works to the access, details of the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved scheme shall be carried out in its entirety prior to the first use of the access and shall then be retained in the approved form.

REASON: To prevent hazards caused by flowing water or ice on the highway.

NOTE/S FOR CONDITION:

None

07 ACCESS SURFACE

CONDITION: The access hereby approved shall have a bound material surface and shall be laid out for a minimum distance of 6 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.

NOTE/S FOR CONDITION:

Carriageway is the part of a road intended for vehicles rather than pedestrians normally define by kerb if available or edge of a bound surface.

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the ECC Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Essex County Council or its agents at the applicant's expense.

08 ACTION REQUIRED: HIGHWAYS PARKING PROVISION

CONDITION: The building shall not be occupied until the area within the site shown on approved drawings for the purposes of manoeuvring and parking of vehicles has been provided and made functionally available. The parking area shall then be retained and remain free of obstruction.

REASON: To ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would otherwise be detrimental to highway safety.

09 FURTHER APPROVAL - CONSTRUCTION MANAGEMENT TO BE AGREED (PRE COMMENCEMENT)

CONDITION: Prior to the commencement of development details of the construction methodology and timetable shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate the following information:-

- a) Details of the hours of work/construction of the development within which such operations shall take place and the hours within which delivery/collection of materials for the said construction shall take place at the site.
- b) Details of the storage of construction materials on site, including details of their siting and maximum storage height.
- c) Details of how construction and worker traffic and parking shall be managed. This shall include routing of all traffic and any directional signs to be installed and where.
- d) Details of any protection measures for footpaths and trees surrounding the site.
- e) Details of any means of access to the site during construction.
- f) Details of the scheduled timing/phasing of development for the overall construction period.
- g) Details of any wheel washing to be undertaken, management and location it is intended to take place.
- h) Details of the siting of any on site compounds and portaloos.
- i) Details of the method of any demolition to take place, including the recycling and disposal of said materials resulting from demolition.
- j) Site waste management plan (that shall include reuse and recycling of materials)
- k) Scheme for sustainable construction management to ensure effective water and energy use.
- l) Scheme of review of complaints from neighbours.
- m) Registration and details of a Considerate Constructors Scheme
- n) Details on the provision, location and management of any show home/s or reception, including opening times, parking and advertisements (including flags and directional signs).

The said methodology as may be approved shall be implemented in its entirety and shall operate as may be approved at all times during construction.

REASON: To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, by reason of the location and scale of development may result adverse harm on amenity.

NOTE/S FOR CONDITION:

You are strongly advised to discuss this condition with the Local Planning Authority and if possible/available local residents likely to be affected by this development prior to submission of details.

10 APPROVAL REQUIRED: LANDSCAPING SCHEME

CONDITION: No development above slab level shall take place until there has been submitted to and

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approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site, which shall include any proposed changes in ground levels.

REASON: In the interests of visual amenity and the character and appearance of the area.

NOTE/S FOR CONDITION:

Slab level is normally refers to the concrete slab supported on foundations or directly on the subsoil and is used to construct the ground floor of the development. In any other case, please assume slab level to be the point before any walls and/or development can be visually above ground level or seek confirmation from the Local Planning Authority for your development.

Should the landscape works include any new hedgerow, please consider the following planting for a native hedge. Native hedge: 50% hawthorn, 25% blackthorn (but beware - this can spread into adjacent fields), 15% field maple, 2% holly, 2% wild privet, 2% guelder rose, 2% dog rose, 2% buckthorn.

11 COMPLIANCE WITH DETAILS AND TIMESCALE REQUIRED - LANDSCAPING SCHEME

CONDITION: All changes in ground levels, soft/hard landscaping 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 approved, in writing, by the Local Planning Authority up to the first use/first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted, or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and same species unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the approved landscaping scheme has sufficient time to establish, in the interests of visual amenity and the character and appearance of the area.

12 AGREEMENT OF MEASURES TO IMPROVE SUSTAINABILITY OF DEVELOPMENT

CONDITION: No development shall commence above slab level until a scheme for the provision and implementation of water, energy and resource efficiency measures for the lifetime of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include as a minimum:-

- Agreement of scheme for waste reduction
- Provision of a fibre optic broadband connection to the best possible speed installed on an open access basis and directly accessed from the nearest exchange, incorporating the use of resistant tubing. (If the applicant is unable to achieve this standard of connection, and can evidence through consultation that this would not be possible, practical or economically viable an alternative superfast (i.e. will provide speeds greater than 30mbps) wireless service will be considered.)

The scheme shall be fully implemented prior to the first occupancy of the development unless otherwise agreed in writing by the Local Planning Authority. The scheme shall be constructed and the measures provided and made available for use as may be agreed and thereafter shall be maintained.

REASON: To enhance the sustainability of the development through reduced need, better use or

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savings in the use of water, energy and resources; reduced harm to the environment; and result in wider public benefit in accordance with the NPPF.

NOTES FOR CONDITION:

Slab level normally refers to the concrete slab supported on foundations or directly on the subsoil and is used to construct the ground floor of the development. In any other case, please assume slab level to be the point before any walls and/or development can be visualised above ground level or seek confirmation from the Local Planning Authority for your development.

Broadband provision is included to ensure the development is able to be equipped with high speed broadband to enable opportunities for web-based communication and homeworking reducing the need for unsustainable travel.

A water consumption rate of not more than 110 litres, per person, per day adopted as Planning Policy and as imposed by this condition will directly change the building regulations water consumption rate to match as a result of this policy. The introduction of effective utilities, rainwater capture for watering plants, aerators to taps and other water saving options can be considered.

13 MEASURES TO IMPROVE SUSTAINABILITY OF DEVELOPMENT

CONDITION: The scheme of heating via solar panels and an air source heat pump and approach to water conservation, including the potential for the re-use of 'greywater' and rainwater 'capture and use' and a scheme to achieve as far as possible a water consumption rate of not more than 110 litres, per person, per day for the new dwelling, as well as an electric vehicle car charging point for each car parking space as detailed in the documents titled Design and Access Statement, and the Planning Statement both received 24 August 2023 shall be implemented prior to first occupation of the dwelling hereby approved unless otherwise agreed in writing by the Local Planning Authority. The scheme shall be constructed and the measures provided and made available for use as may be agreed and thereafter shall be maintained.

REASON: To enhance the sustainability of the development through reduced need, better use or savings in the use of water, energy and resources; reduced harm to the environment; and result in wider public benefit in accordance with the NPPF.

NOTES FOR CONDITION:

A water consumption rate of not more than 110 litres, per person, per day adopted as Planning Policy and as imposed by this condition will directly change the building regulations water consumption rate to match as a result of this policy. The introduction of effective utilities, rainwater capture for watering plants, aerators to taps and other water saving options can be considered.

14 SPECIFIC RESTRICTION ON DEVELOPMENT: PROVISION OF OBSCURE GLASS

CONDITION: Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the south east side facing first floor window serving the rear bedroom shall be glazed in obscured glass before the development hereby permitted is first occupied/used and shall thereafter be permanently retained in this approved form. The obscured glass shall be designed as equal or higher than Pilkington Textured Glass Level 5 Standard as published January 2010 (as amended).

REASON: To protect the privacy and amenities of the occupiers of neighbouring property.

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NOTE/S FOR CONDITION

Level 5 is also referred to as Privacy Level 5 and this web site may be of use, the Council accepts no responsibility for content.

<https://www.pilkington.com/en-gb/uk/householders/decorative-glazing>

If you are in any doubt as to the level referred, please contact the Local Planning Authority to discuss.

Brightlingsea Town Council

<u>23/01742/FUL</u> Approval - Full 25.01.2024 Delegated Decision	Mr and Mrs Barber	Change of use of part of existing paddock to garden associated with the dwelling Jackdaw.	Jackdaw Folkards Lane Brightlingsea Colchester Essex CO7 0SP
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

02 APPROVED PLANS & DOCUMENTS

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.

FLB/23/4A

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

NOTE/S FOR CONDITION:

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The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

03 SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS BUILDINGS, STRUCTURES AND ENCLOSURES

CONDITION: Notwithstanding the proposed fencing shown on drawing no FLB/23/4A and Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification):- no garage, car port, fence, gate, wall or any other means of enclosure, building or structure shall be erected on the application site except pursuant to the grant of planning permission on an application made in that regard.

REASON: To enable the Local Planning Authority to retain control over the development in the interests of the amenity of the locality and to safeguard local distinctiveness.

Clacton-on-Sea

<u>23/01596/OUT</u> Refusal - Outline 22.01.2024 Delegated Decision	TNH Properties Limited	Outline Planning Application (with all matters reserved except access) for a garden centre including new vehicular access, external plant sales area, and car park.	Land South of Centenary Way London Road Clacton On Sea Essex CO16 9RA
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01 Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

The application site lies outside of any settlement development boundary, beyond the out of centre retail area, and is not considered to be an accessible site which is well connected to Clacton

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Town Centre or Great Clacton District Centre. The provision of a retail use in this strategic green gap location is therefore contrary to Chapter 2 and paragraphs 91 and 92 of the National Planning Policy Framework (2023), Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Policy SP3, and Tendring District Local Plan 2013-2033 and Beyond Section 2 Policy PP1.

- 02 The site lies outside of any settlement development boundary, within the Strategic Green Gap and currently comprises open grassland. The Tendring District Council Landscape Character Assessment describes the importance of retaining the strategic gaps between settlements to maintain their individual identities. The open character of the locality contributes to the softening of the urban edge of Clacton on Sea and provides good separation between the settlements of Clacton on Sea and Little Clacton. The proposal would result in the permanent loss of part of an area of unimproved grassland and its replacement with permanent built development and extensive hard surfacing for car parking. It is not considered that planting within the limited confines of the application site would mitigate this harm and the proposal would compromise the undeveloped character of the site and diminish the role of the land as an important green gap. The proposal would therefore be contrary to paragraph 180 of the National Planning Policy Framework (2023), and Tendring District Local Plan 2013-2033 and Beyond Section 2 Policies PPL3 and PPL6.
- 03 The site is a designated Local Wildlife Site (Burcart's Meadow). The previous residential proposals on the enlarged site also confirmed the likely presence of numerous protected species. It is therefore considered that there is reasonable likelihood of protected species being present on the site, or affected by the development. The application fails to demonstrate no harm to protected species and is therefore contrary to paragraphs 180 and 185 of the National Planning Policy Framework (2023), Tendring District Local Plan 2013-2033 and Beyond Section 2 Policy PPL4, and Paragraph 99 of the ODPM Circular 06/2005.
- 04 The proposal includes a new vehicular access onto the B1441 London Road serving a proposed garden centre and associated parking area. However, insufficient supporting information has been provided to demonstrate that the proposal would be acceptable in terms of highway safety and efficiency.

The visibility splay based on the signed speed limit (40 mph) should be 2.4m x 120m in both directions, however the application does not demonstrate that this can be achieved over land in the applicant's control and/or land within the publicly maintainable highway.

The proposal is therefore contrary to paragraph 114 of the National Planning Policy Framework (2023), and Tendring District Local Plan 2013-2033 and Beyond Section 2 Policies SPL3 and CP1.

23/01646/FULH H Approval - Full 22.01.2024 Delegated Decision	Mr Neil Wicks	Single storey rear extension with flat roof finished with weatherboard cladding.	83 Douglas Road Clacton On Sea Essex CO15 3JY
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

02 APPROVED PLANS & DOCUMENTS

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).

- 0143-A-001 00 Proposed Outline Plan
- 0143-A-001 00 Location and Block Plan
- 0143-A-100 00 Existing and Proposed Details

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

NOTE/S FOR CONDITION:

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Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

Elmstead Market Parish Council No Determination

Frating Parish Council No Determination

Frinton & Walton Town Council

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23/01263/LBC Approval - Listed Building Consent 22.01.2024 Delegated Decision	Wendi Ross	Retrospective consent for replacement windows.	Flat 1 6 East Terrace Walton On The Naze Essex CO14 8PX
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01 No Conditions.

23/01380/FUL Approval - Full 22.01.2024 Delegated Decision	Mrs Tracy Hide	Proposed change of use to C3 and proposed use of the outbuilding as a holiday let.	19 Ashes Close Walton On The Naze Essex CO14 8TZ
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

02 APPROVED PLANS & DOCUMENTS

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.

The approved red line plan drawing is Site Location Plan 1:1250 received 12 October 2023
Drawing No: 19_Ash_003 titled External Building Elevations
Drawing No: 19_Ash_001 titled External Building Floor Plan
Drawing No: 19_Ash_004 titled External Building Site Location Plan

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

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

03 SPECIFIC RESTRICTION ON DEVELOPMENT: HOLIDAY OCCUPATION

CONDITION: The outbuilding as shown outlined in blue and hatched on Drawing No: 19_Ash_004 titled External Building Site Location Plan shall be used only for holiday purposes of occupiers only or for a use incidental to the occupation of 19 Ashes Close, Walton-on-the-Naze and shall not be utilised as a person's sole or main place of residence nor permanent residential dwelling of individuals not engaged in such holiday purpose at any time, including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended. Furthermore, the following holiday use restrictions shall apply:-

1. Occupation Period: Occupiers shall not occupy the development for more than 100 days in any given year and no continuous occupation period shall exceed 28 days.
2. Primary Residence Prohibition: The approved development site shall only be occupied by occupiers who have available an alternative primary residential address.
3. Register of Occupants: A comprehensive register containing the names, full details of permanent home addresses, and vehicle registrations if traveling by car of occupants shall be maintained for all periods of occupation each year. This register must be made available to the Local Planning Authority for inspection at any time in a form that can be digitally provided, and all records shall be retained for a minimum of ten years.

REASON: Planning permission would not normally be forthcoming for residential development without either harm or conflict with planning policies. The development is expressly permitted for holiday use to contribute significantly to local tourism and the economic well-being of the area. This contribution is considered paramount, justifying the exceptional approval of this development that would otherwise not be acceptable as an independent unit of residential accommodation.

04 FURTHER APPROVAL: DETAILS OF ILLUMINATION

CONDITION: Prior to the erection/installation of any floodlighting or other means of external lighting at the site, details to include position, height, aiming points, lighting levels and a polar luminance diagram shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall be carried out and retained as may be approved. There shall be

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no other means of external lighting installed and/or operated on/at the site except that approved.

REASON: In the interests of amenity to reduce the impact of night time illumination on the character of the area and in the interests of biodiversity.

23/01695/LUPR OP Lawful Use Certificate Granted 22.01.2024 Delegated Decision	Mr David Ketley	Single storey rear extension.	Turpins Oak Turpins Lane Kirby Cross Frinton On Sea Essex CO13 0PB
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00 The proposed development constitutes permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015.

23/01705/FUL Approval - Full 22.01.2024 Delegated Decision	Mr Caro - DF Homes	Construction of four new bungalows with garages and new access road.	Montrose Pork Lane Great Holland Frinton On Sea Essex CO13 0JE
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

02 APPROVED PLANS & DOCUMENTS

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

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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.

Drawing Numbers 987/01 A, 987/02 A, 987/03 A, 987/04 B, 987/05 B, 987/06, 987/07 A, 987/01 A, 987/loc A, and the documents titled 'Arboricultural Impact Assessment' and 'Preliminary Ecological Appraisal'.

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

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

03 CONDITION: No development shall commence above slab level until a scheme for the provision and implementation of water, energy and resource efficiency measures for the lifetime of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include as a minimum:-

- An electric car charging point per dwelling;
- Agreement of a scheme for water conservation including greywater recycling and rainwater capture/re-use for new dwellings;
- Agreement of a scheme to achieve as far as possible a water consumption rate of not more than 110 litres, per person, per day;
- Agreement of heating of each dwelling/building;
- Agreement of scheme for waste reduction; and
- Provision of a fibre optic broadband connection to the best possible speed installed on an open access basis and directly accessed from the nearest exchange, incorporating the use of resistant tubing. (If the applicant is unable to achieve this standard of connection, and can evidence through consultation that this would not be possible, practical or economically viable an alternative superfast (i.e. will provide speeds greater than 30mbps) wireless service will be considered.)

The scheme shall be fully implemented prior to the first occupancy of the development unless otherwise agreed in writing by the Local Planning Authority. The scheme shall be constructed

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and the measures provided and made available for use as may be agreed and thereafter shall be maintained.

REASON: To enhance the sustainability of the development through reduce need, better use or savings in the use of water, energy and resources; reduce harm to the environment; and result in wider public benefit in accordance with the NPPF.

NOTE/S FOR CONDITION:

Slab level is normally refers to the concrete slab supported on foundations or directly on the subsoil and is used to construct the ground floor of the development. In any other case, please assume slab level to be the point before any walls and/or development can be visually above ground level or seek confirmation from the Local Planning Authority for your development.

The greatest threat to our planet is the belief that someone else will save it and also forgetting that small acts, when multiplied by millions of people, can transform the world. Developments will provide buildings/homes to thousands/millions of people over their lifetime. A well designed sustainable development in the beginning will restrict the contribution each person makes to that threat and help enable them to transform the world.

04 CONDITION: Prior to first use of the access, visibility splays shall be provided with a minimum clear to ground visibility splay with dimensions of 2.4 metres by 43 metres in both directions, as measured from and along the nearside edge of the carriageway, and shall then be retained in its approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

REASON: To ensure vehicles exiting the access would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

NOTE/S FOR CONDITION:

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the ECC Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Essex County Council or its agents at the applicant's expense.

05 CONDITION: Prior to first occupation of the development, a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the hereby permitted vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

REASON: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety.

06 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.

NOTE/S FOR CONDITION:

Carriageway is the part of a road intended for vehicles rather than pedestrians normally define by kerb if available or edge of a bound surface. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the ECC Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Essex County Council or its agents at the applicant's expense.

07 CONDITION: Prior to first use the access and drive shall be constructed to a minimum width of 5.5 metres for a distance of at least 6 metres measured from the nearby edge of the carriageway and shall then thereafter be retained.

REASON: In the interests of highway safety to ensure vehicles can enter and leave the site in a safe manner ensuring opposing vehicles can pass in the interest of highway safety.

NOTE/S FOR CONDITION:

Carriageway is the part of a road intended for vehicles rather than pedestrians normally define by kerb if available or edge of a bound surface. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the ECC Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Essex County Council or its agents at the applicant's expense.

08 CONDITION: Prior to the commencement of any works to the access, details of the means to prevent the discharge of surface water from the development onto the public highway shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved scheme shall be carried out in its entirety prior to the first use of the access and shall then be retained in the approved form.

REASON: To prevent hazards caused by flowing water or ice on the highway.

09 CONDITION: Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

REASON: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety.

10 CONDITION: Prior to first occupation of each dwelling, a Residential Travel Information Pack (travel pack) shall be provided to each dwelling for use of its first occupiers. The travel pack shall be agreed, in writing, by the Local planning authority prior to provision and shall include a minimum of six one day travel vouchers for use with a local transport operator.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

11 CONDITION: Prior to the first occupation of the development the areas within the site identified for the purpose of loading/unloading/reception and storage of materials and manoeuvring shall be retained thereafter and remain free of obstruction except for the

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purpose of loading/unloading/reception and storage of materials and manoeuvring and used for no other purpose. Any other area within the site outlined in red not identified shall not be used as loading/unloading/reception and storage of materials and manoeuvring areas.

REASON: To ensure that appropriate loading / unloading facilities are available in the interest of highway safety.

12 CONDITION: Prior to the first occupation of the hereby approved development, all mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal ((Abrehart Ecology, November 2023).

REASON: In order to safeguard protected wildlife species and their habitats in accordance with the NPPF and Habitats Regulations.

13 CONDITION: Prior to first occupation of the hereby approved development, a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
- d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- e) persons responsible for implementing the enhancement measures;
- f) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

REASON: To enhance protected and Priority species and habitats.

14 CONDITION: Prior to the commencement of development details of the construction methodology and timetable shall be submitted to and approved, in writing, by the Local Planning Authority. This shall incorporate the following information:-

- a) Details of the hours of work/construction of the development within which such operations shall take place and the hours within which delivery/collection of materials for the said construction shall take place at the site.
- b) Details of the loading/unloading/storage of construction materials on site, including details of their siting and maximum storage height.
- c) Details of how construction and worker traffic and parking shall be managed. This shall include routing of all traffic and any directional signs to be installed and where.
- d) Details of any protection measures for footpaths and trees surrounding the site.
- e) Details of any means of access to the site during construction.
- f) Details of the scheduled timing/phasing of development for the overall construction period.
- g) Details of measures to control the emission of dust and dirt during construction, and including details of any wheel washing to be undertaken, management and location it is intended to take place.
- h) Details of the siting of any on site compounds and portaloo's.
- i) Details of the method of any demolition to take place, including the recycling and disposal of said materials resulting from demolition.
- j) Site waste management plan (that shall include reuse and recycling of materials)
- k) Scheme for sustainable construction management to ensure effective water and energy use.

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- l) Scheme of review of complaints from neighbours.
- m) Registration and details of a Considerate Constructors Scheme
- n) Details on the provision, location and management of any show home/s or reception, including opening times, parking and advertisements (including flags and directional signs).

The said methodology as may be approved shall be implemented in its entirety and shall operate as may be approved at all times during construction.

REASON: To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, by reason of the location and scale of development may result adverse harm on amenity.

NOTE/S FOR CONDITION:

You are strongly advised to discuss this condition with the Local Planning Authority and if possible/available local residents likely to be affected by this development prior to submission of details.

15 COMPLIANCE: TREE PROTECTION

CONDITION: No development shall be commenced until the existing tree/s on the site, have been protected by the erection of temporary protective fences as shown on drawing no. TPSQU0134 TPP. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the tree/s to be protected. Any tree/s dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with a tree or trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be approved, in writing, with the Local Planning Authority up to first use or first occupation of the development, following the death of, or severe damage to the tree/s.

REASON: For the avoidance of damage to protected tree/s included within the landscaping scheme in the interests of visual amenity and the character and appearance of the area. This condition is required to be carried out prior to the commencement of any other development to ensure trees are protected early to ensure avoidance of damage or lost due to the development and/or its construction. If agreement was sought at any later stage there is an unacceptable risk of lost and damage to trees.

16 CONDITION: Prior to the first occupation of the development, the vehicular turning facility and parking provision as shown on Drawing Number 987/01 A shall be fully completed. The turning and parking facilities shall then be maintained free from obstruction within the site at all times for vehicular use only.

REASON: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

Great Bentley Parish Council No Determination

Great Bromley Parish Council No Determination

Great Oakley Parish Council No Determination

Harwich Town Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
23/00223/ADV Refusal - Advertisement Consent 25.01.2024 Delegated Decision	Mr Ben Porte - Clear Channel UK LTD	Installation of an internally illuminated 48- sheet D-Poster (digital) display and vertical meadow green wall.	Land adjacent Parkeston Bypass Harwich CO12 4EN

01 Paragraph 141 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

Policy CP2 of Part 2 of the Adopted Local Plan 2013-2033 and Beyond, also states that planning permission will not be granted if there would be an unacceptable impact on highway safety.

In this instance the submitted drawings do not show the signage construction. However, it will need to be sufficiently strong to support the weight of the screen and resist the wind loading, which being coastal, will be significant.

Moreover, the proposal does present a hazard should a vehicle strike it. This section of road is de-restricted, and the road alignment suggests there is an increased risk of a vehicle straying into the object. Although a Vehicle Restraint System (VRS) is shown on the drawing, the length of beam is insufficient, and the system does not comply with current standards.

Therefore, the proposal creates an unacceptable degree of hazard to all road users to the detriment of general highway safety and a potential obstruction on the highway where members of the public are entitled to pass and repass over highway land unobstructed.

The proposal therefore conflicts with the above policies resulting in a harmful impact to public and highway safety contrary to the above-mentioned policies of the Tendring District Local Plan 2013-33 and the relevant sections of the NPPF.

23/01677/FULH H Approval - Full 22.01.2024 Delegated Decision	Mr and Mrs Carter	Proposed single storey rear extension to replace existing conservatory and replacement of existing balcony.	24 Seafield Road Dovercourt Harwich Essex CO12 4EH
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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conditions requiring agreement prior to commencement have been complied with.

02 APPROVED PLANS & DOCUMENTS

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.

Drawing No. A-103

Drawing No. A-104

Drawing No. A-202

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

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

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23/01737/LUPR OP Lawful Use/development Refused 25.01.2024 Delegated Decision	Ms Susan Lewis	Application for a proposed lawful development certificate to apply external insulation and fibre cement lap weatherboard cladding (light grey) to the north east facing side wall only.	2 Bell Cottages Outpart Eastward Harwich Essex CO12 3EN

01 The proposal comprises the enlargement, improvement or other alteration of a dwellinghouse which would fall to be considered under Class A of Part 1 of Schedule 2 of the General Permitted Development Order. However the property is within a designated conservation area so the cladding of any part of a house is not permitted development and requires an application for planning permission. The application for a certificate of Lawfulness of Proposed Use or development is therefore refused.

Lawford Parish Council **No Determination**

Little Bentley Parish Council **No Determination**

Little Bromley Parish Council **No Determination**

Little Clacton Parish Council **No Determination**

Little Oakley Parish Council **No Determination**

Manningtree Town Council

23/01551/LBC Approval - Listed Building Consent 26.01.2024 Delegated Decision	Mr Colin Moxham	Proposed conversion of shop to dwelling of two bedroom flat with alterations to the listed building.	5 Stour Street Manningtree Essex CO11 1DH
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The works to which this consent relate must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the consent becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk of both Enforcement Action and Criminal proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

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02 APPROVED PLANS & DOCUMENTS

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.

Drawing Numbers 16316-C, 16316-A plans, 16316-B, and the three untitled documents showing window details received dated 16th November 2023.

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

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

Mistley Parish Council

No Determination

Ramsey & Parkeston Parish Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/00032/NMA Approval Non Material Amendment 25.01.2024 Delegated Decision	Ms Kerry Lonsdale	Non-material amendments to planning approval 23/01149/FULHH to include alterations to the door/window reconfiguration to the single storey rear extension as well as alterations to the first floor extension roof.	Ivydale Church Hill Ramsey Harwich Essex CO12 5EU

01 APPROVED PLANS & DOCUMENTS

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.

Drawing No BR002 Rev B - Amended Proposed Elevations and Floor Plans (Rec 24/01/24)
Drawing No P004 Rev D - Proposed Rear, Front and Side Elevation and superseded proposed return elevation - (Rec - 09/01/24)

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

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

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St Osyth Parish Council

23/00758/VOC Approval - Full 24.01.2024 Delegated Decision	Mr Jordan - Earl Wood Properties	Application under section 73 of the Town and Country Planning Act, to allow a variation of condition 2 (Approved plans) of planning permission 22/00282/VOC to allow changes to approved landscaping (part retrospective).	The Coach House 110 Colchester Road St Osyth Clacton On Sea Essex CO16 8HB
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- 01 The development hereby permitted shall be carried out in accordance with the following approved plans:

Approved under reference 19/00929/FUL:

- LP_01 Site Plan
- PA 04 Amended Proposed Garage Elevations and Floor Plans
- PA 07 Amended Block Plan
- PA_02 Amended Proposed Elevations and Floor Plans (Plot 2 house type A)

Approved under reference 22/00282/VOC:

- 6839-1250 Existing and Proposed Plans/Elevations (Plot 1 originally house type B)

Approved under reference 23/00758/VOC:

- 6839-1210 Revision A Proposed Site Plan - Revised Landscape received 03.01.2024

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

- 02 The 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, as provided on both sides of the vehicular access shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

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

- 03 There should be no obstruction above ground level in relation to the existing vegetation within a 2.4 metre 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 private access is first used by vehicular traffic 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.

- 04 The vehicular turning facility approved under Discharge of Condition reference 22/01770/DISCON and drawing no. 6839-1102 shall be always maintained free from obstruction within the site for that sole purpose for each dwelling.

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

05 There shall be no discharge of surface water onto the Highway.

Reason - To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

06 Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason - To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety.

07 The development shall be in accordance with the report titled 'Archaeological evaluation on land west of the Coach House' dated March 2021 and as agreed within 21/01554/DISCON.

Reason - The Historic Environment Record shows that the proposed development lies directly to the south of an extensive sequence of cropmarks probably of multi-period date.

23/01639/LBC Application Withdrawn 23.01.2024 Delegated Decision	R.A T.R D.R and A.I Sargeant	Installation of door to second floor.	The Gatehouse St Osyth Priory The Bury St Osyth Clacton On Sea Essex CO16 8NZ
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23/01649/FULH H Approval - Full 24.01.2024 Delegated Decision	Mr and Mrs Gary and Katie Routledge	Ground and first-floor extension to existing bungalow utilising new asymmetric roof. Existing garage to be removed.	24 Oakmead Road St Osyth Clacton On Sea Essex CO16 8NN
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other

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conditions requiring agreement prior to commencement have been complied with.

02 APPROVED PLANS & DOCUMENTS

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.

- Drawing No. 0443/PL/03
- Drawing No. 0443/PL/04
- Drawing No. 0443/PL/05
- Drawing No. 0443/PL/06

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

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

<u>23/01770/TCA</u> Approval - Full 26.01.2024 Delegated Decision	Mr Thomas South - Absolute Tree Services	To crown reduce 1 Oak Tree by 30%.	52 Mill Street St Osyth Clacton On Sea Essex CO16 8EN
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01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

CONDITION: The work authorised by this Decision Notice must be completed within two years of the date of this Notice. If the work is not completed within this period, for whatever reason, the authority to proceed expires.

REASON: To ensure that the permitted works are arboriculturally appropriate.

NOTE/S FOR CONDITION:

- 1) Please note that any approval given to by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way Act 2000, the Conservation (Natural Habitats etc.) Regulations 1994 or any Acts offering protection to wildlife. All birds (except those listed in schedule 2 of the Wildlife and Countryside Act 1981), their nests and eggs are protected by law. It is an offence to intentionally or recklessly kill, injure or take any wild bird, or damage, destroy or intentionally disturb the nest of any wild bird whilst it is in use or being built. For this reason tree work should not be undertaken during the nesting season (broadly March to August) unless a survey for nesting birds confirms their absence. Should you require any further information on nesting birds, please contact Natural England on 03000 603900.
- 2) You are advised that trees have the potential to support roosting bats. Bats and their roosts are legally protected. It is an offence to disturb or harm a bat, or damage, destroy or obstruct any place used by bats for shelter, whether they are present or not. Trees should be inspected before any works commence and if the presence of bats is suspected works must cease and advice sought from The Bat Conservation Trust on 0845 1300228.
- 3) This decision is valid for two years from the date of this decision or until the work is completed, whichever is the sooner. You are advised that the appropriate standards for tree work are set out in British Standard 3998:2010. Failure to ensure the proposed works are carried out to these standards may result in damage to the tree(s) and may result in legal action by the Council.
- 4) The council not objecting to/approving the proposal does not give the legal right for a person to enter another person's land to prune or fell their tree(s). Permission should be sought from the tree owner before works to a tree(s) are carried out.

Tendring Parish Council

No Determination

Thorpe-le-Soken Parish Council

<u>22/01679/FUL</u> Approval - Full 26.01.2024 Delegated Decision	Mr P Harrison	Proposed two storey rear extension.	Rose and Crown High Street Thorpe Le Soken Clacton On Sea Essex CO16 0EF
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01 CONDITION: The development hereby permitted shall be begun not later the expiration of three years from the date of this permission.

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REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

02 **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).

The approved red line plan drawing is Plan No.:- -22-138-AS-1 Rev.B received 13.09.2023
Proposed Elevations - Plan No.:-22-138-AS-5 Rev.C received 13.09.2023
Proposed Elevations - Plan No.:-22-138-AS-4 Rev.C received 13.09.2023
Proposed Roof Plan - Plan No.:-22-138-AS-3 received 13.09.2023
Proposed Floor Plan - Plan No.:-22-138-AS-2 Rev.B received 13.09.2023
Existing Floor Plan-Elevations-Site Plan - Plan No.:- -22-138-AS-1 Rev.B received 13.09.2023

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

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should

phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

03 **CONDITION:** No development shall be commenced above slab level until precise details of the manufacturer and type and colour of the external roofing materials to be used in

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construction have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first use.

REASON: To secure an orderly and well-designed finish sympathetic to the character of the existing building(s) and in the interests of visual amenity and the character and appearance of the area.

NOTE/S FOR CONDITION:

Slab level is normally referring to the concrete slab supported on foundations or directly on the subsoil and is used to construct the ground floor of the development. In any other case, please assume slab level to be the point before any walls and/or development can be visually above ground level or seek confirmation from the Local Planning Authority for your development.

04 CONDITION: Prior to the commencement of development above slab level detailed large appropriately scale drawings which shall include details of materials, finishes, method of opening, glazing and colour of all new and/or replacement windows, roof lights, doors and their surrounds, to be installed shall be submitted to and approved, in writing, by the Local Planning Authority and shall thereafter be entirely implemented as approved

REASON: In the interests of the character, integrity and preservation of the building and in the interests of visual amenity and principles of good design in accordance with the NPPF.

NOTE/S FOR CONDITION:

The large scale drawings should be of appropriate scale to clearly show the detailing of the fenestration and you are advised to discuss these with the Local Planning Authority in advance.

05 CONDITION: Prior to the commencement of development above slab level detailed large appropriately scale drawings which shall include details of materials, finishes, and colour of external staircase screen, to be installed shall be submitted to and approved, in writing, by the Local Planning Authority. The approved screen shall be installed prior to the first use of the extension and shall be retained as approved thereafter.

REASON: In the interests of the character, integrity and preservation of the building and in the interests of visual amenity and principles of good design in accordance with the NPPF, and to protect the amenities of the occupiers of the neighbouring dwelling.

<u>23/01516/OUT</u> Application Withdrawn 24.01.2024 Delegated Decision	Mr S Spencer - Atlantic Spa Limited	Outline Planning Application (all matters reserved except for access) for the erection of up to 10 single storey dwellings.	Land to The rear of Paddock Drive Thorpe Le Soken Essex CO16 0FF
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<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
23/01725/COUN OT Determination prior approval not reqred 23.01.2024 Delegated Decision	Mr De Roy - De Roy Tool Co. Ltd	Prior Approval Application under Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for conversion of former Class B1 (now Class E) commercial unit in to a residential dwelling unit.	Unit 5 Rice Bridge Industrial Estate Station Road Thorpe Le Soken Clacton On Sea Essex CO16 0HH

01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later 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 Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

02 Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order (as amended) and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse

REASON: To ensure compliance with a specific subsection of Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

03 No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Mondays to Saturdays (finishing at 13:00 on Saturdays) with no working of any kind permitted on Sundays or any Public/Bank Holiday whilst construction works and alterations are being carried out.

REASON: Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

04 Prior to occupation of the dwelling hereby approved the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for the first occupiers of the dwelling, for sustainable transport (to include six one day travel vouchers for use with the relevant local public transport operator free of charge).

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REASON: In the interests of reducing the need to travel by car and promoting sustainable development.

23/01780/NMA Approval Non Material Amendment 23.01.2024 Delegated Decision	Mr Bobby Swift	Non Material Amendment to application reference 23/00302/FUL to incorporate garage doors across front elevation and extra space for work bench to ensure basic maintenance of equipment.	Damonts Farm Damants Farm Lane Thorpe Le Soken Clacton On Sea Essex CO16 0NP
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- 01 **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.

Drawing Number 201 Revision P6.

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

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

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Thorrington Parish Council No Determination

Weeley Parish Council No Determination

Wix Parish Council

<u>23/01706/OUT</u> Refusal - Outline 26.01.2024 Delegated Decision	Mr De Roy - De Roy Tool Co. Ltd	Outline Planning Application (Access to be considered, all other matters are reserved) for erection of up to eight dwellings.	Land rear of No's 1 to 4 Colchester Road Wix CO11 2RR
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- 01 Policy SPL3, Part B a. (Practical Requirements) of Section 2 of the Tendring District Local Plan 2013-2033 and Beyond (Sustainable Design) states that access to the site is practicable and the highway network will, following any required mitigation, be able to safely accommodate the additional traffic the proposal will generate and not lead to severe traffic impact, whilst Policy CP2 of the Tendring District Local Plan 2013-2033 and Beyond (Improving the Transport Network) states that proposals will not be granted planning permission if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe. Such advice is echoed within paragraph 114 of the National Planning Policy Framework.

The proposal would intensify the use of an access onto Colchester Road where it has not been evidenced that the required visibility splays, in accordance with current highway standards for a vehicular access, can be achieved and appropriately secured in perpetuity. The main function of Colchester Road is that of carrying traffic safely and efficiently between substantial rural populations and on through routes in built up areas. The existence of an access in this location is a matter of fact and therefore some degree of conflict and interference to the passage of through vehicles already occurs, but the intensification of that conflict and interference which this proposal would engender would lead to a deterioration in the efficiency of the through road as a traffic carrier and an unacceptable degree of hazard to all road users to the detriment of highway safety. The proposal would therefore be contrary to Policy SPL3, Part B a. and Policy CP2 of the Tendring District Local Plan 2013- 2033 and Beyond and contrary to advice contained within paragraph 114 of the National Planning Policy Framework relating to highway safety.

- 02 The applicant has not provided a completed Unilateral Undertaking to secure the required financial contribution in accordance with the adopted Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) and the application is therefore contrary to adopted Tendring District Local Plan 2013-2033 and Beyond Section 1 Policy SP2, Section 2 Policy PPL4 and Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

Wrabness Parish Council No Determination