

<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 DETERMINATIONS

Ardleigh Parish Council

<u>23/01716/COUN OT</u> <i>Determination prior approval not reqred 08.02.2024 Delegated Decision</i>	<i>Wellington Pub Company</i>	<i>Prior Approval Application under Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for change of use from restaurant (Class E) to single dwelling house (Class C3).</i>	<i>Restaurant and Premises Fox Street Ardleigh Colchester Essex CO7 7PP</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. 01 B
- Drawing No. 02
- Drawing No. 03
- Drawing No. 04 B

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).

<u>23/01778/LUEX</u> <i>Lawful Use Certificate Granted 07.02.2024 Delegated Decision</i>	<i>Mr and Mrs Timothy Ecott</i>	<i>Application for an Existing Lawful Development Certificate for change of use of the land to the permanent stationing of 7 mobile homes for occupation by agricultural workers, mid february - mid november.</i>	<i>Holly Tree Nursery Hungerdown Lane Ardleigh Colchester Essex CO7 7LZ</i>
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01 The evidence submitted with the application is sufficiently clear and unambiguous to

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demonstrate that, on the balance of probabilities, a change of use of the land as indicated in red on the Location Plan No 2023-790-001, at Holly Tree Nursery Hungerdown Lane Ardleigh, to the permanent stationing of 7 mobile homes for occupation by agricultural workers between mid February - mid November, has occurred for a period in excess of the relevant 10 year period and is therefore immune from enforcement action.

Beaumont Parish Council NO DETERMINATIONS

Bradfield Parish Council NO DETERMINATIONS

Brightlingsea Town Council NO DETERMINATIONS

Clacton-on-Sea

<u>19/00003/FUL</u> Approval - Full 07.02.2024 Delegated Decision	Mr Abdul Salam	Conversion of existing first and second floors and erection of a third floor and extensions to create 16 self contained flats.	Rumours Night Club 50 Rosemary Road Clacton On Sea Essex CO15 1PB
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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.

NOTES 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. 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 KL/1179-3 received 02/01/2019.

Drawing numbers KL/1179-3, KL/1179-4 rev A, and KL/1179-5.

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

NOTES 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 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 No site clearance or construction work shall take place on the site on Sundays or public holidays. On all other days no site clearance or construction works shall take place on the site outside of the following times: 0800 - 1800 Mondays to Fridays and 0800 - 1300 on Saturdays. These restrictions shall apply throughout the site clearance and construction period, unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of residential amenity for occupants of neighbouring residential properties.

04 Prior to occupation of the hereby approved residential units a noise survey shall have been submitted to and approved in writing by the Local Planning Authority and development shall be carried out in accordance with the approved details. The noise from any nearby cooking extract equipment, air conditioning units and any other equipment must not exceed 5dB(A) above the existing background level at the boundary of the hereby approved residential premises. The noise survey shall be undertaken by a competent person for the hereby approved residential properties that are adjacent to the existing commercial premises and include periods for daytime 0700-2300 hours and night-time 2300-0700 hours. The assessment shall be made in accordance with the current version of British Standard 4142. The noise levels shall be determined at all boundaries near to noise-sensitive premises.

Reason. To protect the amenity of occupants of the hereby approved residential units.

05 Prior to occupation of any of the hereby approved residential units a scheme of odour prevention shall have been submitted to and approved in writing by the Local Planning Authority and development shall be carried out in accordance with the approved details.

Reason - To prevent any nuisance or loss of amenity from odour adversely affecting future occupants of the hereby approved development.

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06 No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas shall be constructed until the works have been carried out in accordance with the approved surface water management strategy unless otherwise agreed in writing with the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

07 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities
- v. HGV Routing plan
- vi. the means or method of protecting the travelling public within the highway whilst working from height above and adjacent to the highway
- vii. Full details of noise and emission control (see informative).

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety, and to minimise disturbance and pollution during construction.

08 Prior to occupation of the hereby approved development, a minimum of one secure cycle parking space per flat shall be provided in the covered bicycle storage area as shown on the approved ground floor plan. The cycle storage shall be maintained free from obstruction at all times thereafter for that sole purpose.

Reason: To promote the use of sustainable means of transport.

09 Prior to occupation of each flat of the hereby approved development, the Developer shall be responsible for the provision and implementation of Residential Travel Information Packs for sustainable transport to include six one day travel vouchers for use with the relevant local public transport operator.

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

10 Prior to first occupation of any of the hereby approved flats the refuse/recycling/bin stores as shown on the approved ground floor plan shall have been provided and shall be maintained free from obstruction and retained thereafter.

Reason: In the interests of amenity, public health and to reduce the time a refuse freighter is left waiting within the highway causing congestion and obstruction in the interests of highway safety.

11 No development above ground floor level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the two roof gardens. Development shall be carried out in accordance with the approved details during the first planting and seeding season (October - March inclusive) following the commencement of the development of flats on the same floor to which the roof garden relates, or in such other phased arrangement as may be approved, in writing, by the Local Planning Authority. Any trees, hedges, shrubs or turf identified within the approved landscaping details which die, are removed, seriously damaged or seriously

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diseased, within a period of 10 years of being planted, 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 improving biodiversity.

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

- Electric cycle/scooter charging points.
- 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 for new dwellings.
- Agreement of heating of each dwelling/building
- 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 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.

13 Prior to commencement of development above ground floor level, details of the proposed facing materials (including brick sample), and 1:10 scale drawings of the proposed railings, windows and doors shall have been submitted to and approved in writing by the local planning authority. The details shall be carried out in full and as may be approved.

Reason: In the interests of visual amenity and preserving the setting of the Clacton Seafront Conservation Area.

14 Prior to the first occupation of the floor to which they relate the 1.8 metre high obscure glass screens as shown on the approved elevations shall be erected and thereafter be retained in the 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), unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of neighbouring residential amenity.

Note 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.

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<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.

15 AGREEMENT OF LOCAL RECRUITMENT STRATEGY

CONDITION: No development above ground floor level shall commence until a Local Recruitment Strategy has been submitted to and approved in writing by the Local Planning Authority. The Local Recruitment Strategy shall include details of how the applicant/ developer shall use their reasonable endeavours to promote and encourage the recruitment of employees and other staff in the locality of the application site, for the construction of the development. The approved Local Recruitment Strategy shall be adhered to thereafter.

REASON: To promote and encourage the recruitment of employees and other staff in the locality of the application site.

NOTES FOR CONDITION:

Locality of the application site is taken to refer to the administrative boundaries of Tendring District Council unless otherwise specified and agreed in writing by the Local Recruitment Strategy.

23/00919/FUL Approval - Full 07.02.2024 Delegated Decision	Mr Ruwantha Madawala - Warm Home Property Limited	Proposed conversion of single dwelling house into 2 no. self contained flats (2 x 2 bedroom flats).	246 St Osyth Road Clacton On Sea Essex CO15 3HJ
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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.

- Drawing No. BJ/2023/024/01 A - Site Location Plan
- Drawing No. BJ/2023/024/02 A - Proposed Block Plan
- Drawing No. BJ/2023/024/03 C - Existing and Proposed Ground Floor Plans
- Drawing No. BJ/2023/024/04 - Existing and Proposed First Floor Plans
- Drawing No. BJ/2023/024/05 - Existing and Proposed Roof Floor Plans
- Drawing No. BJ/2023/024/06 A - Existing and Proposed Front Elevations
- Drawing No. BJ/2023/024/07 - Existing and Proposed Rear Elevations
- Drawing No. BJ/2023/024/08 - Existing and Proposed Right Side Elevations
- Drawing No. BJ/2023/024/09 - Existing and Proposed Left Side Elevations

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.

03 FURTHER APPROVAL: ENERGY EFFICIENCY MEASURES

CONDITION: No internal works to facilitate the conversion of the property to two flats shall commence 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 should include as a minimum the following:-

- Agreement of a scheme for water conservation including greywater recycling and rainwater capture/re-use for the converted dwellings.
- Agreement of heating of each dwelling
- 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

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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 better 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 FURTHER APPROVAL: RESIDENTIAL TRAVEL PACK PRIOR TO OCCUPATION

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.

Note: Please contact the Travel Plan Team at ECC Highways via email to Travel.PlanTeam@essex.gov.uk to obtain a Residential Travel Information Pack template and the associated day travel vouchers required.

05 COMPLIANCE: BURNING OF MATERIALS

CONDITION: No materials produced as a result of the site development or clearance shall be burned on site.

REASON: In the interests of residential amenity.

06 COMPLIANCE: WORKING HOURS

CONDITION: No vehicle connected with the hereby approved works shall arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours will 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: In order to minimise potential nuisance caused by demolition/construction works to

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neighbouring occupants.

07 COMPLIANCE: STORAGE OF BUILDING MATERIALS

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 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.

<u>23/01650/FUL</u> Approval - Full 05.02.2024 Delegated Decision	Mr Keith Miller - Miller Construction Services Ltd	Detached 3 bed dwelling house with garage.	14 Connaught Gardens East Clacton On Sea Essex CO15 6HY
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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.

Drawing No. MCS/0014-02/PS-04

Drawing No. MCS/0014-02/PS-05

Drawing No. MCS/0014-02/PS-06

Drawing No. MCS/0014-02/PS-07

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Drawing No. MCS/0014-02/PS-02 A
Drawing No. MCS/0014-02/PS-03 A

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.

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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 COMPLIANCE: PEDESTRIAN VISIBILITY SPLAYS

CONDITION: Prior to occupation of the dwelling a 1.5 metre x 1.5 metre pedestrian visibility splay, as indicated on drawing no. MCS/0014-02/PS-04 , shall be provided on both sides of the 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 highway in the interest of highway safety.

04 COMPLIANCE: ACCESS WIDTH

CONDITION: Prior to occupation of the dwelling, the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be more than 4.6 metres (equivalent to 5 low kerbs) and shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge.

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

05 COMPLIANCE: PERMEABLE SURFACING

CONDITION: All new parking areas and areas of hardstanding shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous

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area within the site area.

REASON: In the interests of sustainable development and to minimise the risk of surface water flooding.

06 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:-

- 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
- 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 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.

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 direct change the building regulations water consumption rate to match as a result of this policy. The introduction of effective utilities, rainwater capture for watering the garden, Aerators to taps and other water saving options can be considered.

07 COMPLIANCE PRIOR TO OCCUPATION: VIS SPLAYS

CONDITION: Prior to occupation of the development, the access at its centre line shall be provided

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with a clear to ground visibility splay with dimensions of 2.2 metres by 43 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety.

08 ACCESS MATERIAL

CONDITION: The access/s 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.

09 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.

10 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.

11 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.

12 CONDITION: Prior to the first occupation of the development, the vehicular turning facility and parking provision as shown on Drawing Number MCS/0014-02/PS-04 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

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of highway safety.

13 COMPLIANCE: IN ACCORDANCE WITH ECOLOGICAL APPRAISAL

CONDITION: All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Liz Lord Ecology, September 2022).

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

14 COMPLIANCE: BIODIVERSITY ENHANCEMENT STRATEGY

CONDITION: The Biodiversity Enhancement Strategy shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Liz Lord Ecology, September 2022). The works shall be implemented in accordance with the approved details prior to first occupation of the dwelling hereby approved and shall be retained in that manner thereafter.

REASON: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

15 FURTHER APPROVAL: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

CONDITION: Prior to occupation, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting plans, drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

16 COMPLIANCE: CONSTRUCTION MANAGEMENT PLAN

CONDITION: The development hereby approved shall be carried out in accordance with the accompanying Construction Method Statement scanned 21 November 2023. The said methodology as approved shall be implemented in its entirety and shall operate as approved at all times during construction, unless otherwise agreed in writing by the local planning authority.

REASON: To minimise detriment to nearby residential and general amenity by controlling the

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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.

17 FURTHER APPROVAL: AGREEMENT OF MATERIALS

CONDITION: No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in 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/occupation.

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 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.

While this condition does not detail in what form the materials sought shall be detailed to the Local Planning Authority, it is suggested that a plan is submitted with the details to show where the materials will be located and the extent of coverage.

23/01767/FULH H Approval - Full 06.02.2024 Delegated Decision	Mr and Mrs Embery	Proposed single storey rear/side extension with glazed roof lantern, following demolition of garage and conservatory.	14 Alleyne Way Jaywick Clacton On Sea Essex CO15 2RD
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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.

Drawing No. 01 Revision B

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>23/01773/LBC</u>	<i>Rhythmic Care</i>	<i>Internal changes to</i>	<i>Great Clacton Hall</i>
<i>Approval - Listed</i>	<i>UK Ltd</i>	<i>facilitate the conversion</i>	<i>28 North Road</i>
<i>Building Consent</i>		<i>of toilets to wet rooms.</i>	<i>Clacton On Sea</i>
<i>07.02.2024</i>			<i>Essex</i>
<i>Delegated</i>			<i>CO15 4DA</i>
<i>Decision</i>			

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.

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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.

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.

- N.A/28NR/414 A
- N.A/28NR/411 A
- N.A/28NR/410 A
- N.A/28NR/409 A
- N.A/28NR/408 A
- N.A/28NR/406 A
- N.A/28NR/402 B
- N.A/28NR/404 B
- N.A/28NR/413 B

DESIGN AND ACCESS STATEMENT - REC'D 13/12/2023
HERITAGE STATEMENT - REC'D 13/12/23

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

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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.

23/01811/FULH H Approval - Full 09.02.2024 Delegated Decision	Mr and Mrs Bain	Single storey rear extension with flue (Following demolition of conservatory).	36 Merrilees Crescent Holland On Sea Clacton On Sea Essex CO15 5XX
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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).

Drawing No. 01 A

REASON: For the avoidance of doubt.

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.

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.

- Planning Statement
- Design Compliance Statement
- Site location plan LP.01_A
- 6997-2022.06.23- Ph5 Drainage Strategy and SUDS Combined Report
- LHE132_1051_E_Development Drainage Scheme
- LHE132_1105_C_Phase 5 Private Drainage Layout
- LHE132_1110_A_Phase 5 tracking
- LHE132_1111_A_Phase 5 Finish Floor Planning Levels
- Refuse Strategy RS.01 P1
- Site Layout SL.01 P6
- Street Scenes SS.01 P1
- Amenities Layout AML.01 P2
- Boundary & Material Layout BML.01 P2
- Coloured Site Layout CSL.01 A
- HT Cottingham Elevations HT.COT.e P2
- HT Cottingham Plans HT.COT.p P2
- HT Eveleigh Plans and Elevations HT.EVE.pe P2
- HT Harcourt Plans and Elevations HT.HAR.pe P2
- HT Kempthorne Elevations HT.KEM.e P2
- HT Kempthorne Floor plans HT.KEM.p P2
- HT Leverton Plans and Elevations HT.LEV.pe P2
- HT Mountford Plans and Elevations HT.MOU.pe P2
- HT Mylne Plans and Elevations HT.MYL.pe P2
- HT Pembroke Plans and Elevations HT.PEM.pe P2
- Soft Landscape Management and Maintenance Plan LIN22770Man
- Soft Landscape Specification LIN22770spec-A

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 FURTHER APPROVAL: AGREEMENT OF MATERIALS

CONDITION: No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in 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/occupation.

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 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.

While this condition does not detail in what form the materials sought shall be detailed to the Local Planning Authority, it is suggested that a plan is submitted with the details to show where the materials will be located and the extent of coverage.

04 FURTHER APPROVAL - SUDS WATER DRAINAGE DETAILS

CONDITION: No development shall commence (except demolition) until details of a surface water management scheme/plan, detailing how surface water and storm water will be managed on the site during construction and during the lifetime of the development, is submitted to and agreed in writing by the local planning authority. The scheme shall include but not be limited

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to:

- Details and verification of the suitability of infiltration of surface water for the development.
- Details of all discharge rates for all flood and storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change
- Provide details of sufficient on site storage to be installed and demonstrate if off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event is likely to occur.
- Provide details to demonstrate if all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- Provide details that demonstrate if features proposed are able to accommodate a 1 in 10 year storm events within 24 hours of a 1 in 30 year event plus climate change.
- Provide final modelling and calculations for all areas of the drainage system.
- Provide detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

Unless a timetable is agreed as part of the surface water management scheme submitted, no part of the development shall be first occupied or brought into use until the scheme is fully installed and is functionally available for use, unless alternative timing for installation is otherwise agreed in writing by the Local Planning Authority. The drainage scheme shall thereafter be maintained as approved.

REASON: To safeguard the ground water environment and minimise the risk of flooding. 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 by reason of flood risk.

NOTE/S FOR CONDITION:

This condition shall engage and requires details to be agreed prior to the commencement of development. This condition is imposed to ensure the potential impact on a sensitive area is considered and harm avoided that may be detrimental to amenity and the environment.

05 FURTHER APPROVAL - SUDS WATER DRAINAGE DETAILS (FOR CONSTRUCTION)

CONDITION: No development shall commence until details of a construction surface water management plan, including timetable, detailing how surface water and storm water will be managed on the site during construction, are submitted to and agreed in writing by the local planning authority. No part of the development shall be commenced and/or developed except as may be agreed and in accord with the approved timetable. The drainage scheme shall thereafter be maintained as approved or as be agreed to be retained by the local planning authority in writing.

REASON: To safeguard the ground water environment and minimise the risk of flooding. 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 by reason of flood risk.

NOTE/S FOR CONDITION:

This condition shall engage and requires details to be agreed prior to the commencement of development. This condition is imposed to ensure the potential impact on a sensitive area is

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considered and harm avoided that may be detrimental to amenity and the environment. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

06 FURTHER APPROVAL - SURFACE WATER DRAINAGE MAINTENANCE

CONDITION: Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

07 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 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 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) Compliance with 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.

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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.

08 ACTION REQUIRED: HIGHWAYS PROVISION OF VISIBILITY SPLAYS

CONDITION: Before the access east of plots 247 and 248 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 25 metres to the west 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 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.

09 ACTION REQUIRED: PROVISION OF ACCESS

CONDITION: Prior to first occupation of the development, 1.5 metre x 1.5 metre pedestrian visibility splays, as measured from and along the highway boundary, shall be provided on both sides of the hereby permitted vehicular accesses. 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

10 HIGHWAYS PROVISION OF PARKING AND TURNING

CONDITION: The hereby approved development shall not be first occupied until such time as the areas for purposes of manoeuvring and parking (including garage spaces as applicable) of vehicles has been provided and made functionally available. The areas shall then be retained and remain free of obstruction thereafter.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the

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interests of highway safety and that appropriate parking and layout is provided 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.

11 RESIDENTIAL TRAVEL INFORMATION PACK

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 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

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:-

- 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 for new dwellings.
- Agreement of heating of each dwelling/building
- 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 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

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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 ACTION REQUIRED: REFUSE BINS AND COLLECTION AREAS

CONDITION: Prior to first use/ occupation of the development, or in accordance with an alternative timetable for provision as may be agreed in writing by the Local Planning Authority, the area/s to be provided for storage of refuse/recycling bins as shown on the approved drawings shall be provided and then retained.

REASON: In the interest of highway safety to ensure that refuse recycling bins do not cause any obstruction or danger on the highway.

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.

14 APPROVAL REQUIRED: LANDSCAPING SCHEME

CONDITION: No development above slab level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site, which shall include the soft planting specification included on the submitted soft landscaping proposals plan with additional tree planting on the grassed areas adjacent to the rear gardens of plots 248 and 253 and to the front garden of plot 240.

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.

15 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

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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.

16 AGREEMENT OF LOCAL RECRUITMENT STRATEGY

CONDITION: No development before any works on foundations shall commence until a Local Recruitment Strategy has been submitted to and approved in writing by the Local Planning Authority. The Local Recruitment Strategy shall include details of how the applicant/ developer shall use their reasonable endeavours to promote and encourage the recruitment of employees and other staff in the locality of the application site, for the construction of the development. The approved Local Recruitment Strategy shall be adhered to thereafter.

REASON: To promote and encourage the recruitment of employees and other staff in the locality of the application site.

NOTES FOR CONDITION:

Locality of the application site is taken to refer to the administrative boundaries of Tendring District Council unless otherwise specified and agreed in writing by the Local Recruitment Strategy.

17 FURTHER APPROVAL REQUIRED - BIODIVERSITY ENHANCEMENT STRATEGY

CONDITION: Prior to any works above slab level 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 to achieve stated objectives;
- c) locations 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 & habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
23/01221/OUT Refusal - Outline 08.02.2024 Delegated Decision	Mr Sean Spencer - Atlantic Spa Limited	Outline planning application (Access to be considered) for the erection of up to 20 single storey dwellings with new vehicular access, open space and woodland walk.	Land to The rear of 173 - 203 Thorpe Road Kirby Cross Essex CO13 0NH

01 Paragraph 135 of the National Planning Policy Framework (NPPF) (2023) states that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place. Paragraph 180(b) of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Adopted Policy SP3 of Section 1 of the 2013-2033 Local Plan sets out the spatial strategy for North Essex and directs growth towards existing settlements, although adds that development will be accommodated at sites adjoining settlements according to their scale, sustainability and existing role both within each individual district and, where relevant, across the wider strategic area.

Adopted Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design, which responds positively to local character and context. Adopted Policy SPL3 Part A (b) requires that development relates well to its site and surroundings, particularly in relation to its siting, height, scale, massing, form, design and materials. Adopted Policy PPL3 confirms the Council will protect the rural landscape and refuse planning permission for any proposed development which would cause overriding harm to its character or appearance.

On this occasion whilst the entrance into the site falls within the Settlement Development Boundary for Kirby Cross, the remainder of the application site, notably the area where all 20 dwellings are proposed, falls outside. The proposed development would therefore extend beyond the area planned to provide growth for this settlement.

The application site is a well vegetated parcel of land of rural appearance, also situated within The Clacton and the Sokens Clay Plateau Landscape Character Area (LCA) on the edge, or just within the urban area forming part of the Frinton, Walton, Kirby Cross and Kirby le Soken conurbation. The development, including the erection of 20 additional dwellings as well as the associated hardstanding to allow for vehicular manoeuvring and parking, would contribute to the gradual erosion of the countryside and have a harmful impact on local landscape character, thereby contrary to the above local and national planning policies.

02 Paragraph 135 of the National Planning Policy Framework 2023 (NPPF) requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place.

Adopted Policy SP7 of Section 1 of the 2013-33 Local Plan seeks high standards of urban and architectural design, which responds positively to local character and context. Policies SPL3 and LP4 of Section 2 of the 2013-33 Local Plan also require, amongst other things, that developments deliver new dwellings that are designed to high standards and which, together with a well-considered site layout that relates well to its site and surroundings, create a unique sense of place. Policy LP8 (b) states that proposals for the residential development of backland sites must include a safe and convenient means of vehicular and pedestrian access/egress that does not cause undue disturbance or loss of privacy to neighbouring residents or visual detriment to the street scene, and long or narrow driveways will not be

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permitted. Criterion (f) states that proposals must not be out of character with the area or set a harmful precedent for other similar forms of development.

The dwellings will be accessed via an access point from Thorpe Road to the north (in-between Numbers 185 and 187), which will generate a significant number of vehicular movements in comparison to the previously consented scheme for five dwellings. Consequently, given the close proximity of this access road to both Number 185 (1.1 metres) and Number 187 Thorpe Road (0.8 metres), the development will result in significant noise disturbances which in turn will be significantly harmful to existing amenities. Furthermore, there will be additional harm to the occupants of Number 185 Thorpe Road when vehicles enter the site due to vehicular headlights shining directly into a main habitable room.

Furthermore, the long and narrow access to serve this number of dwellings is not in-keeping with the character of the area, and could set a harmful precedent for other similarly poor forms of development. Given this, the development will appear incongruous and out of keeping with the areas existing character, and overall fails to adhere with the above local and national planning policies.

03 The National Planning Policy Framework (2023) states Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be sought where they meet all of the following tests: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

Paragraph 65 of the NPPF (2023) states provision of affordable housing should be sought for residential developments that are major developments. Within the glossary of the NPPF (2023), major development is defined as development where ten or more homes will be provided, or the site has an area of 0.5 hectares or more.

Adopted Local Plan Policy LP5 states that the Council will expect for schemes of 11 or more (net) homes, 30% of new dwellings to be made available to Tendring District Council or an alternative provider to acquire at a discounted value for use as affordable housing. A completed Section 106 has not been provided prior to the application determination date and the application is therefore contrary to the above policies.

Adopted Local Plan Policy HP5 states that all new residential developments of 11 or more dwellings on sites of 1.5 hectares and above will be expected to provide a minimum 10% of the gross site area as open space laid out to meet the Council's specifications. Financial contributions will also be sought through Section 106 legal agreements (or an appropriate alternative mechanism) towards ongoing maintenance. In this case there is likely to be sufficient on-site open space provision to meet the Council's requirements. However, if the open space is to be maintained by the Council then provisions will need to be secured through a Section 106 obligation. Such provisions have not been secured and therefore the proposals are contrary to the above policies.

04 Under the Habitats Regulations, a development which is likely to have a significant effect or an adverse effect (alone or in combination) on a European designated site must provide mitigation or otherwise must satisfy the tests of demonstrating 'no alternatives' and 'reasons of overriding public interest'. There is no precedent for a residential development meeting those tests, which means that all residential development must provide mitigation.

The application scheme proposes a residential on a site that lies within the Zone of Influence (Zol) but is approximately 2.4 kilometres from the Hamford Water Ramsar and SPA. New housing development within the Zol would be likely to increase the number of recreational visitors to

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these sites and in combination with other developments it is likely that the proposal would have significant effects on the designated site. Mitigation measures must therefore be secured prior to occupation.

A completed unilateral undertaking has not been provided to secure this legal obligation. As submitted, there is no certainty that the development would not adversely affect the integrity of European Designated Sites and the application is therefore contrary to Policy PPL4 of the Adopted Tendring District Local Plan 2013-2033 and Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

23/01735/FUL Approval - Full 09.02.2024 Delegated Decision	Z Horton	Proposed replacement of windows and insertion of additional door to shop front.	1A and B Connaught Avenue Frinton On Sea Essex CO13 9PN
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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.

2355/100

2355/101

2355/200

Email regarding materials - 31/01/2024

Amended Application Form - 31/01/2024

Justification and Heritage Statement - 08/02/2024

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 MATERIALS

The proposed replacement doors and windows will be completed in softwood timber as stated within the amended application form received 31st January 2024, to match those on the existing building.

REASON: The use of such materials would better reflect the character of the area and reduce the impact of the proposal on the appearance/ character of the conservation area.

04 ACTION REQUIRED - HERITAGE

Prior to installation, a schedule of drawings that show details of all proposed windows and doors in section and elevation at scales between 1:20 and 1:1 as appropriate, showing details of glazing type, framing, glazing bars, and cills, shall be submitted to and approved in writing by the Local Planning Authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

REASON: In the interests of protecting and reducing harm to the designated heritage asset.

[23/01762/LUPR
OP](#)
Lawful Use
Certificate
Granted
05.02.2024
Delegated
Decision

Mr and Mrs
McAuley

Proposed outbuilding.

31 Greenway
Frinton On Sea
Essex
CO13 9AL

<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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23/01764/FULH H Approval - Full 06.02.2024 Delegated Decision	Mr and Mrs McAuley	Proposed two storey rear extension to form kitchen and living area at ground floor level and master bedroom at first floor level, and insertion of first floor windows to east and west elevations.	31 Greenway Frinton On Sea Essex CO13 9AL
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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.

Document titled Site Plan - Rec'd 12/12/2023
Drawing No. MGW-01

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

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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: 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 new bathroom window in the first floor east facing elevation shall be glazed in obscured glass before that part of 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: On the basis of the submission, by reason of the fact that this is a new window in the first floor east facing side elevation and to protect the privacy and amenities of the occupiers of neighbouring property.

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.

23/01766/FULH H Refusal - Full 07.02.2024 Delegated Decision	Mr and Mrs Bailey	Proposed ground and first floor extensions to provide additional bedroom, utility room and improved kitchen, living and dining room layout, porch and boundary wall.	36 Second Avenue Frinton On Sea Essex CO13 9ER
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01 The National Planning Policy Framework 2023 attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 135 of the NPPF requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Adopted Local Plan Policy SP7 seeks high standards of urban and architectural design which respond positively to local character and context. Policy SPL3 also requires that the development respects or enhances existing street patterns, and other locally important features. Policy PPL8 seeks to ensure that any new development within a designated Conservation Area will only be permitted where it has regard to the desirability of preserving or enhancing the special character and appearance of the area.

PPL 11 states that "new development must preserve or enhance the special character and appearance of the Conservation Area. Proposals must respect the special character and appearance of the area, including the scale, aspect and design of adjoining buildings and the density of existing development. To ensure that this special character is safeguarded new development must: conform to the spacious residential character of development and not appear cramped or incongruous in the street scene.

The existing site comprises of a two-storey detached dwelling and accompanying garage which occupies a prominent corner position within the Frinton on Sea Conservation Area. The house is set in from its site boundaries with surrounding areas laid to lawn and slight changes in ground levels. The house itself benefits from an attached garage and other characteristic features such as front canopy and bay windows.

The removal of traditional features of the existing house such as the existing canopy and bay windows would appear as a significant change to the overall appearance and character of the existing house. The loss of part of the canopy would result in an incongruous junction between the garage roof and the main elevation and the erection of a contemporary flat roof porch in its place would also result in an unsympathetic design to the house which would fail to preserve the character and appearance of the Conservation Area and The Avenues area of special character.

The proposed single storey side extension would result in the removal of grassed areas and vegetation which appear as a pleasant features when viewing the site offering a break to the built-up form of the area. The side extension due to its scale and design would appear as a contemporary and prominent addition conflicting with the character of the existing house. This change would be further exacerbated by the corner plot location of the building and would therefore result in a significant harmful impact to the character and appearance of the existing building and its locale.

This proposed two storey rear extension will be constructed in close proximity to the rear boundary occupying much of the last remaining open space between the house and its neighbour in Holland Road. This close proximity would result in a significant loss of the spaciousness between properties, contrary to the spacious pattern of development in the area and conflicting with policy PPL11 therefore resulting in a detrimental impact to the character/appearance of the area and protected setting.

Due to the current design of the house a gap at first floor level is retained between it and the next-door neighbour within Second Avenue. The proposal would remove this space and replace with a large addition at first floor level which, due to the property's set forward position within the plot, would be particularly noticeable in views from the south. Therefore, due to its overall design and scale resulting in a significant loss of space between houses this new extension is considered to erode the traditional form and proportions of the property and would represent a prominent and incoherent extension to the property thereby having detrimental harm to the visual amenity of the area and conflicting with the aforementioned policies.

The site currently benefits from a low stone wall which has been erected along the sites boundaries and acts as an appropriate and characteristic feature to enclose the front garden. The proposal seeks to replace this feature with a brick wall measuring 1.2m in height. While brick

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walls are traditional and common along the Avenues, the loss of the existing stone wall, which mirrors Homestead and the adjoining properties, would detract from the character and appearance of the of the Conservation Area

As the design of the proposal differs greatly compared to the host building it results in a negative impact to its own character which will result in views into the conservation area also being affected. The proposal is therefore considered to not preserve or enhance the character of the conservation area in this instance.

Paragraph 208 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this case there would be no public benefits to outweigh the harm demonstrated above and the proposal is therefore contrary to the above-mentioned policies of the Tendring District Local Plan 2013-33 and the relevant sections of the NPPF.

23/01807/TCA Approval - Full 07.02.2024 Delegated Decision	Dead silver birch No 1 - Fell. Holly No 2 - Clear lower branches up to height of approx 1m. 2 Cherry tress No 3 - Remove dead wood. Various overhanging trees No 4 - Cut back.	Church of St Mary Magdalene Old Road Frinton On Sea Essex CO13 9BX
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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,

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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.

23/01823/TCA	<i>Sycamore No 1 - Fell.</i>	<i>Old Church of St Marys</i>
<i>Approval - Full</i>	<i>Sycamore and Chestnut</i>	<i>Connaught Avenue</i>
<i>07.02.2024</i>	<i>No 2 - Cut Branches</i>	<i>Frinton On Sea</i>
<i>Delegated</i>	<i>back to Boundary. Holly</i>	<i>Essex</i>
<i>Decision</i>	<i>No 3 - Remove lower branches.</i>	

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.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/00009/TCA Approval - Full 07.02.2024 Delegated Decision	Mrs Noakes	1no. Laburnum (T1) - Fell to ground level. 1no. Winter Flowering Cherry (T2) - Reduce by 35%. 1no. Cotoneaster (T3) - Cut back to boundary and reduce height by 2- 3m. 1no. Cotoneaster (T4) - Cut back overhang over footpath and reduce by up to 1m. 1no. Rowan (T5) - Eliminate overhang over footpath.	61 Fourth Avenue Frinton On Sea Essex CO13 9DY

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.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/00159/TELLI C Deemed Consent 09.02.2024	Ruchika Chakranarayan - Openreach	Installation of fixed line broadband apparatus.	Adjacent 9 Sadlers Close Kirby Cross Essex CO13 0QB

Great Bentley Parish Council

23/01580/DOVU 5 Application Closed 09.02.2024 Delegated Decision	Steve Williams - Hills Residential Construction Ltd	Deed of variation, under Town and Country Planning Act 1990 Section 106A, of the terms of the legal agreement dated 16th January 2023, linked to (outline) planning permission 21/02176/FUL, to move the trigger of 9 Market Dwellings to 18 Market Dwellings.	Land at Admirals Farm Heckfords Road Great Bentley Essex CO7 8RS
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Great Bromley Parish Council

NO DETERMINATIONS

Great Oakley Parish Council

22/01884/FULH H Refusal - Full 07.02.2024 Delegated Decision	Mr D Naphthine	Proposed new access.	Myrtle Cottage Colchester Road Great Oakley Harwich Essex CO12 5DA
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01 Paragraph 114 of the National Planning Policy Framework 2023 (NPPF) seeks to ensure that safe and suitable access to a development site can be achieved for all users. NPPF paragraph 115 states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. Policy SPL3 Part B of Section 2 of the Tendring District Local Plan 2013-2033 and Beyond seeks to ensure that access to a new development site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate and provision is made for adequate vehicle and cycle parking.

Adopted Policy CP1 (Sustainable Transport and Accessibility) of the Tendring District Local Plan 2013-2033 states that planning permission will only be granted if amongst other things; access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate, and the design and layout of the development provides safe and convenient access for people.

Relevant part of Adopted Policy CP2 states proposals will not be granted planning permission if there

<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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would be an unacceptable impact on highway safety.

The proposed access will lead to a decrease in visibility towards the west of the site, limiting it to 17.60 meters up to the carriageway's edge. This deviation contradicts the guidelines outlined in the Manual For Streets, which mandates a minimum visibility of 43 meters for roads with a posted speed limit of 30mph. Even when considering the visibility from the proposed access to the centre line of Colchester Road, it remains insufficient to meet the 43 meters requirement for roads with a posted speed limit of 30mph.

The proposed new access therefore results in a significant reduction of visibility to the west of the site increasing the risk of accident or injury for all road users to the detriment of highway safety. The application is considered contrary to the above-mentioned national and local planning policies.

Harwich Town Council

24/00010/WTPO Approval - Full 07.02.2024 Delegated Decision	Mr Williams	2no. Lime (T1 and T6) and 1no. Sycamore (T2) - Re-pollard. 3no Young Lime (T3, T4 and T5) - Reduce by 30% overall.	The Mariners Marine Parade Dovercourt Essex
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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

<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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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.

24/00099/TELLI C Deemed Consent 07.02.2024 Delegated Decision	Resmi KP - Openreach	Intention to install fixed line broadband electronic communications apparatus.	O/S 29 Kreswell Grove Dovercourt Essex CO12 3SZ
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Lawford Parish Council

23/01674/VOC Refusal - Full 07.02.2024 Delegated Decision	Mr Keith Moore	Application under Section 73 of the Town and Country Planning Act, to allow a variation of Condition 2 (approved plans) of 22/00792/FULHH to allow revision of roof pitch to annex.	Marsh Barn The Causeway Lawford Manningtree Essex CO11 1QJ
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- 01 Paragraph 135 of the National Planning Policy Framework (NPPF) (2023) requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place.

Adopted Policy SP7 of Section 1 of the 2013-33 Local Plan seeks high standards of urban and architectural design, which responds positively to local character and context. Policies SPL3 and LP4 of Section 2 of the 2013-33 Local Plan also require, amongst other things, that developments deliver new dwellings that are designed to high standards and which, together with a well-considered site layout that relates well to its site and surroundings, create a unique sense of place.

The proposed design differs from that previously granted planning permission under 22/00792/FULHH, with the overall height increasing from approximately 3.4 metres to 5.1 metres through a revised, taller, roof pitch. The alterations, through a poorly designed roof form with materials not in-keeping with the rural character of the host dwelling or surrounding area, appears unsightly and incongruous in what is a prominent location, with clear views of the building from the A137 to the south. Accordingly, the development is not sympathetic to the local character and would be harmful to visual amenity, contrary to the above local and national planning policies.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/00006/TCA Approval - Full 07.02.2024 Delegated Decision	Mr Matthew Patten	1no. Macrocarpa - Fell.	40 Colchester Road Manningtree Essex CO11 1EJ

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.
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- 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.

Mistley Parish Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/00003/TCA Approval - Full 07.02.2024 Delegated Decision	Dr Stephen Francavilla	1no. Sycamore - Reduce crown by 50%.	Parkside House 39 New Road Mistley Manningtree Essex CO11 1BU

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.
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24/00005/TCA Approval - Full 08.02.2024 Delegated Decision	Mrs Gillie Crayston	1 No. Robinia - reduce crown by 1 meter, 1 No. Magnolia - reduce crown by 1 meter.	White Horse House The Green Mistley Manningtree Essex CO11 1EX
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01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

<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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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.
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- 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.

<u>24/00023/TCA</u>	<i>Mrs Susan</i>	<i>Crown reduction works of</i>	<i>Railway Allotments</i>
<i>Approval - Full</i>	<i>Clements -</i>	<i>30% to group of early</i>	<i>Harwich Road</i>
<i>07.02.2024</i>	<i>Mistley Parish</i>	<i>mature ash.</i>	<i>Mistley</i>
<i>Delegated</i>	<i>Council</i>		<i>Manningtree</i>
<i>Decision</i>			<i>Essex</i>
			<i>CO11 1ND</i>

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:

<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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- 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.

24/00024/TCA Approval - Full 07.02.2024 Delegated Decision	Mrs Susan Clements - Mistley Parish Council	Consent to cut back trees on Furze Hills Recreation ground and removal of branches to establish 4 metres separation between them and new dwellings.	Shrubland Road Mistley Essex CO11 1HS
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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

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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.
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- 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.

Ramsey & Parkeston Parish Council

NO DETERMINATIONS

St Osyth Parish Council

<u>23/01743/FUL</u> Approval - Full 08.02.2024 Delegated Decision	Mr Craig Gibbs	Change of use of the land from agricultural use to residential use and relocation and replacement of existing dwelling	The Little House Clay Lane St Osyth Clacton On Sea Essex CO16 8HH
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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.

- Drawing No. 338.23/001 - Site Plan
- Drawing No. 338.23/005 - Proposed Ground Floor Plan
- Drawing No. 338.23/007 - Proposed Roof Plan
- Drawing No. 338.23/010 - Proposed First Floor Plan
- Drawing No. 338.23/010 - Proposed Front Elevation
- Drawing No. 338.23/011 - Proposed South Elevation
- Drawing No. 338.23/012 - Proposed Rear Elevation
- Drawing No. 338.23/013 - Proposed North Elevation
- Visibility Splay - Scanned 18 December 2023
- Drawing No. 338.23/003 REV A - Amended Block 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: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS BUILDINGS, STRUCTURES AND ENCLOSURES

CONDITION: Notwithstanding 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 except pursuant to the grant of planning permission on an application made in that regard.

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

04 SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS FOR FENCES

CONDITION: Notwithstanding the provisions of Article 3, Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no provision of fences, walls or other means of enclosures, shall be erected forward of the front elevation of the dwellings hereby approved.

REASON: In the interests of visual amenity to retain a spacious appearance and in the interests of the quality of the development.

05 REMOVAL OF EXISTING DWELLING

CONDITION: Within one month of the new dwelling being first occupied the existing dwelling (subject of 20/00515/COUNOT and shown as to be demolished on Drawing No.338.23/003 REV A shall be demolished in its entirety and all materials resulting therefrom shall be cleared from the site.

REASON: The development hereby permitted has only been supported on the basis that the existing dwelling shall be removed from the site to justify their replacement with a single dwelling which ordinarily would be contrary to the development plan which directs new development to sites within settlement development boundaries

06 COMPLIANCE: ENERGY EFFICIENCY MEASURES

CONDITION - The development shall be carried out in strict accordance with the 'Water, energy and resource efficiency measures' scanned 11 Dec 2023 and all these measures shall be provided and implemented in full prior to first occupation of the dwelling hereby approved.

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

08 COMPLIANCE: CONSTRUCTION MANAGEMENT PLAN

CONDITION: The submitted construction method statement scanned 11 December 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.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
23/01783/FULH H Approval - Full 09.02.2024 Delegated Decision	Aamna Ahmed - Full Stop Estates	Proposed new drop kerb to give access to parking on front garden.	106 Clacton Road St Osyth Clacton On Sea Essex CO16 8PE

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.

1:1250 scale Location Plan
0464/PL/11 Rev A

REASON: For the avoidance of doubt.

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.

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

<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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and used as necessary for compliance purposes and/or enforcement action.

- 03 **CONDITION:** As indicated on drawing no. 0464/PL/11 Rev. A, and prior to first use, the access at its centre line shall be provided with a 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. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between vehicles using the road junction / access and those in the existing public highway in the interest of highway safety.

- 04 **HIGHWAY ACCESS**

CONDITION: As indicated on drawing no. 0464/PL/11 Rev. A and prior to the first use, the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3.6 metres, shall be retained at that width for 6 metres within the site measured from the nearby edge of the carriageway and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge. The access shall then thereafter be retained.

REASON: to ensure that vehicles can enter and leave the highway in a controlled manner 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.

- 05 **ACCESS MATERIAL**

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.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/00054/NMA Approval Non Material Amendment 07.02.2024 Delegated Decision	Ms Leanne Blyth	Non material amendment to application reference 23/00754/FULHH for a change of material on side extension from face brickwork to block and render.	15 Withrick Walk St Osyth Clacton On Sea Essex CO16 8RD

01 The development hereby permitted shall be carried out in accordance with the following approved drawings / documents, 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 be subsequently approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard:

Document titled Proposed Elevation - Rec'd 18/01/2024

Document titled Proposed Floor Plan - Rec'd 18/01/2024

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

Tendring Parish Council

NO DETERMINATIONS

Thorpe-le-Soken Parish Council

23/01632/FUL Approval - Full 09.02.2024 Delegated Decision	Mr Charles Ahenda-Bengo - Solar Options For Schools Ltd	Proposed addition of 123 solar modules on the pitched and flat roofs of the school building.	Rolph C of E Primary School High Street Thorpe Le Soken Clacton On Sea Essex CO16 0DY
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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

<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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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.

AMENDED BLOCK PLAN - REC'D 08.02.24
 PROPOSED ROOF PLAN (SCALED MAP) - REC'D 08.02.2024
 REVISED ROOF PLAN DESIGN PHOTO - REC'D 02.02.2024
 SITE PLAN (SHOWING BUILDING LOCATION) - REC'D - 14.12.2023
 PANEL DETAILS - REC'D 16.11.23
 SITE PLAN (SHOWING WHOLE SITE) - REC'D 14.12.2023
 HERITAGE STATEMENT - REC'D 08.02.24
 DESIGN AND JUSTIFICATION - REC'D 02.02.2024

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 COMPLIANCE - REMOVAL OF PANELS

CONDITION: The solar panels hereby approved shall be removed from the site in their entirety, including any associated equipment, as soon as reasonably practicable when no longer needed for their intended purpose of generating energy.

REASON: In the interest of protecting visual amenity and to define the scope of this permission.

Thorrington Parish Council

NO DETERMINATIONS

Weeley Parish Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
23/01289/OUT Refusal - Outline 07.02.2024 Delegated Decision	Mr Akers	Proposed erection of one dwelling.	Land adjacent Church Lane Weeley Heath Essex CO16 9DN

01 Policy SP3 (Spatial Strategy for North Essex) of adopted Section 1 of the Tendring District Local Plan 2013-2033 and Beyond states, amongst other things, that future growth will be planned to ensure existing settlements maintain their distinctive character and role, to avoid coalescence between them and to conserve their setting. New housing development should be focused towards the larger urban areas and to within settlement development boundaries. This is consistent with the Framework's objectives for achieving sustainable development through a plan-led approach that focuses development to locations which are or can be made sustainable.

The Council currently has a healthy five year housing land supply and a good housing delivery rate, whilst its housing planning policies are up to date. Accordingly, the Council does not need to look beyond identified settlements to meet its housing requirement.

The application site lies outside of but adjacent to the settlement development boundary of Weeley Heath on its north east and north western boundary.

Policy SPL2 of Section 2 of the Local Plan confirms that outside of Settlement Development Boundaries, the Council will consider any planning application in relation to the pattern and scales of growth promoted through the Settlement Hierarchy in Policy SPL1 and any other relevant policies in the plan.

These smaller rural settlements can achieve a small scale increase in housing stock over the plan period and to allow this to happen the Settlement Development Boundaries have already been drawn flexibly to accommodate a range of sites both within and on the edge of the villages and thus the Local Plan already enables the growth necessary for suitable small-scale residential 'infill' developments provided that proposals do not detrimentally impact the historic and natural environment.

Due to the location of the application site, outside of the settlement development boundary in the Local Plan by virtue of the woodland nature and protected trees on the site, having regard to the spatial strategy and place shaping principles set out in the adopted Local Plan Policy SP3 and Policy SP7 this would not be an appropriate site for the proposed dwelling.

The proposal fails to comply with the statutory plan-led approach to the location of future housing and conflicts with the Council's strategic approach to housing delivery.

02 Policy PPL3 of the Local Plan seeks to protect the rural landscape and refuse planning permission for any proposed development which would cause overriding harm to its character or appearance, including to native hedgerows, trees and woodlands. Policy SPL3 of the Local Plan sets criteria where all new development should make a positive contribution to the quality of the local environment and protect or enhance local character including ensuring that the development relates well to its site and surroundings, that the development respects or enhances local landscape character and other locally important features while the design and layout of the development shall maintain or enhance important existing site features of landscape, ecological, heritage or amenity value.

The application site is currently afforded formal protection by Tendring District Council Tree Preservation Order: 16/07/TPO Land Adjacent Hillside House, Weeley.

The circumstances in relation to the removal of trees from the site to facilitate the development proposed is not significantly different from that proposed in the previously refused planning application and dismissed appeal of 20/00513/FUL (APP/P1560/W/21/3271526).

The Council's Tree and Landscape Officer confirms that the tree report identifies each individual tree and records details of its condition in accordance with the above British Standard however it does not fully recognise the value of the woodland as a whole.

The trees currently form an attractive and cohesive small woodland also covering additional land adjacent to the application site. The trees currently function well as a small sub-urban woodland and have high amenity value. Any development within the wood, such as that proposed, would destroy the character of the woodland and consequently significantly diminish the benefits that the woodland provides. The woodland retains its intrinsic value and is still a valuable asset to the community with high amenity value. It retains a considerable visual presence to its prominent location adjacent to Clacton Road and consequently it makes a significant contribution to the semi-rural character of its surroundings.

It should be noted that the amenity value of the site derives not from the value of individual specimens, but rather from their substantial collective contribution to visual amenity as a small woodland group. A failure to acknowledge the group value was a reason for dismissal of the 2016 appeal for application 16/00358/OUT (APP/P1560/W/16/3152997) and further to this the Inspector noted in paragraph 20 of the appeal decision for 20/00513/FUL (APP/P1560/W/21/3271526) that the Arboricultural Statement does not take sufficient steps to preserve or mitigate the loss of this group value.

The applicant has not demonstrated that a satisfactory relationship between the woodland and the proposed dwelling can be achieved and the clearance of a large part of the woodland would not only significantly harm its character and appearance but would effectively result in its destruction and have an adverse impact on the protected woodland contrary to Policy PPL3 and SPL3 of the Local Plan.

03 Paragraph 135 of the NPPF states that decisions should ensure that developments create places with a high standard of amenity for existing and future users. Policy SPL3 of the Local Plan must meet the criteria where buildings and structures are designed and orientated to ensure adequate daylight, outlook and privacy for future and existing residents.

The garden space and dwelling would be surrounded by the retained tall trees, which provides privacy, however would have a strong and overbearing sense of enclosure, particularly to the garden area. Future occupiers would need to undertake continuous maintenance to retain the standard of living conditions in respect of shadow and leaf litter within the garden space, which would erode the quality of life of those occupiers and the quality of the outdoor space.

The proposed development would provide a poor standard of living conditions for future occupiers of the development, in conflict with Policy SPL3 of the Local Plan and the National Planning Policy Framework.

04 The application site is a wooded area occupied by an old outbuilding and as a result there is a potential for wildlife to be present and an ecological survey is required in order that the impacts to wildlife and their habitats can be properly assessed. An up to date Preliminary Ecological Appraisal has not been submitted.

Paragraph 180 a) of the National Planning Policy Framework requires that planning decisions protect and enhance sites of biodiversity. Policy PPL4 of the Local Plan states proposals for new development should be supported by an appropriate ecological assessment.

Paragraph 99 of Circular 06/2005 states that "It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision".

National Planning Practice Guidance for the Natural Environment confirms that an ecological survey will be necessary if the type and location of development could have a significant impact on biodiversity and existing information is lacking or inadequate. Standing advice from Natural England confirms that if there is suitable habitat on the site to support protected species a survey is required. In this case the Natural England standing advice verifies that ancient or veteran trees or those with significant decay features, woodland and previously developed land (brownfield sites), on or next to the site as a likely habitat for protected species such as bats, breeding birds, badgers, dormice, invertebrates, great crested newts, reptiles and protected plants. No such information has been provided with this application and therefore the effects on protected species and their habitats are not able to be fully considered.

The Council's Ecology advisors are not satisfied that there is sufficient ecological information available for determination. They state that "The Preliminary Ecological Appraisal and Ecological Enhancement Plan (Hybrid Ecology, April 2020) is out of date to support this application, in line with CIEEM Guidance and paragraph 6.2.1 of British Standard (BS) BS42020 'Biodiversity - Code of practice for planning and development 2013'. This is because the initial site walkover was undertaken on 17th March 2020".

The applicant has not provided an up to date ecological survey and therefore the Local Planning Authority is unable to demonstrate compliance with its statutory duties and its duty to conserve biodiversity under Section 40 of the Natural Environment and Rural Communities Act 2006. In addition, the Local Planning Authority is unable to say with confidence that the proposal will not have an adverse impact on a species protected by Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981. In this case it is unknown whether significant harm will be caused and as such, the proposal is in conflict with the afore-mentioned policies, guidance, advice and the Framework.

05 Under the Habitats Regulations, a development which is likely to have a significant effect or an adverse effect (alone or in combination) on a European designated site must provide mitigation or otherwise must satisfy the tests of demonstrating 'no alternatives' and 'reasons of overriding public interest'. There is no precedent for a residential development meeting those tests, which means that all residential development must provide mitigation.

The application scheme proposes a new dwelling on a site that lies within the Zone of Influence (Zol) being approximately 4800 metres from the Essex Estuaries SAC and the Colne Estuary SPA and Ramsar and a similar distance from Hamford Water SAC, SPA and Ramsar. However, new housing development within the Zol would be likely to increase the number of recreational visitors to the Essex Estuaries, Colne Estuary and Hamford Water; and, in combination with other developments it is likely that the proposal would have significant effects on the designated site.

Mitigation measures must therefore be secured prior to occupation. A proportionate financial contribution has not been secured in accordance with the adopted Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) requirements. As submitted, there is no certainty that the development would not adversely affect the integrity of Habitats sites.

The proposal is therefore considered to be contrary to Section 1 Policy SP2 and Section 2 Policy PPL4 of the Tendring District Local Plan 2013-2033 and Beyond Section 2 and Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/00021/WTPO Approval - Full 07.02.2024 Delegated Decision	Mr Ben Keeble - North Essex Homes Construction	Lime (T1) - reduce crown by 4-5m. Lime (T2) - reduce crown by 4-5m. Oak (T4) - Lift crown by 3-4m and reduce crown by 4-5m.	Heath Lodge Clacton Road Weeley Clacton On Sea Essex CO16 9EF

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.

Wix Parish Council

NO DETERMINATIONS

Wrabness Parish Council

NO DETERMINATIONS