

Alresford Parish Council

NO DETERMINATIONS

Ardleigh Parish Council

<u>24/00214/FUL</u> Approval - Full 14.06.2024 Delegated Decision	Mr James Blyth - Prettyfields Vineyard Limited	Extension to existing building to provide shop, restaurant and bin store, first floor restaurant terrace, and extraction flue. Reduction in size of existing detached shop, to be used as store.	Prettyfields Vineyard Ltd Dead Lane Ardleigh Colchester Essex CO7 7PF
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01 The development hereby permitted shall be begun before 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 the Planning and Compulsory Purchase Act 2004.

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

Drawing No. P01D

Drawing No. P02D

Drawing No. P03E

Drawing No. P04D

Drawing No. P05C

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

03 There should be no obstruction above ground level within a 2.4 m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided before the extension is occupied and retained free of any obstruction at all times.

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

04 As indicated on drawing no. P03E and prior to occupation of the new extension a size 3 vehicular turning facility for deliveries, and size 5 vehicular turning facility for the new car park area shall be constructed and maintained free from obstruction within the site at all times for that sole purpose.

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

<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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05 The proposed extension shall not be occupied until such time as the additional vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been surfaced, and if required, marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided.

06 The cycle / powered two-wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle / powered two-wheeler parking is provided in the interest of highway safety and amenity.

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.

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

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

NOTE/S FOR CONDITION:

You are strongly advised to discuss this condition with the Local Planning Authority and if possible/available local residents likely to be affected by this development prior to submission of details. Please note the provisions of the Highways Act 1980 Para 131 are likely to apply and may need to be discussed with the Highways Authority, this legalisation includes details and penalties for any damage and/or alterations to the highway including verge, highway signage and surface materials of pavement/footpath and carriageway.

08 In accordance with the existing operation and upon commencement of the extension hereby approved, the development shall operate within the parameters of the following criteria and operating hours:

Goods and produce sold from the approved farm shop shall be limited to local sources as follows: -

- Majority of goods shall comprise produce from the surrounding agricultural holding and other local farms, with a lesser proportion of produce sourced from the Colchester and North Essex area only.
- Majority of goods to comprise food and drink produce including Prettyfields wine (produced using the surrounding vineyard) and other locally sourced alcoholic beverages, with a lesser proportion of produce to include handicraft items (such as clothing, candles, paintings).
- No general store or essential household items, such as bin liners, stationery, lottery tickets, tobacco shall be sold from the shop or site.
- The shop shall provide a 'refill station' for the goods and produce sold to minimise packaging and waste.

Vineyard tours and tasting sessions shall be limited to:

- three/four tours/tastings per week by appointment only.
- Visitors to the farm shop are permitted to taste a wine sample.

Opening / operating hours:

- Office to be used between 6am and 8pm.
- Shop and wine tasting space open between 8am to 6pm seven days a week.

Reason - To ensure the use and occupation of the site and building is appropriate to the locality and to ensure stock and produce is predominantly sourced from local farms within the Tendring District in the interests of the local economy.

09 The proposed ventilation and extraction equipment shall be installed by a relevantly qualified person and shall thereafter be cleaned and maintained in accordance with the manufacturer's guidance.

Reason - In the interests of residential amenities and odour reduction .

10 The noise from any ventilation or extraction equipment shall not exceed 5 decibels above background noise level.

Reason - In the interest of the amenity of neighbouring residents having regard to the background noise levels in the area.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/00528/FULH H Approval - Full 12.06.2024 Delegated Decision	Mr Neil Pittard	Householder Planning Application - Single storey front, rear and side extensions to bungalow including construction of new garage to side of property.	Bracpools Stores Frating Road Ardleigh Colchester Essex CO7 7SY

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. 3626-02
Drawing No. 3626-03
Drawing No. 3626-04
Drawing No. 3626-05

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

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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.

24/00617/FULH H Approval - Full 13.06.2024 Delegated Decision	Ms Mariana Cotelevsca	Householder Planning Application - single storey rear extension.	5 Dudley Road Colchester Essex CO4 9AY
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Document titled; Location Plan - Rec'd 25/04/2024
 Drawing No. 2240219-3
 Drawing No. 2240219-1
 Drawing No. 2240219-2

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

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<u>24/00746/TELLI</u> <u>C</u> Deemed Consent 11.06.2024 Delegated Decision	Vaqaar Hussain - Openreach	Installation of fixed line broadband electronic communications apparatus.	Carringtons Bromley Road Ardleigh Colchester Essex CO7 7SH
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Beaumont Parish Council

NO DETERMINATIONS

Bradfield Parish Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/00453/HRAA Approval - HRAA 11.06.2024 Delegated Decision	Mr Richard Mitchell	Habitat Regulations Appropriate Assessment to operate a temporary pop up campsite under the 56 day temporary use rules.	Land West of Shore Lane Bradfield Essex CO11 2UP

- 01 Tendring District Council has approved submission of details received in respect of a Regulation 77 (GDO Approval) of the Conservation of Habitats and Species Regulations 2017 (as amended) application.

24/00713/WTPO Approval - Full 13.06.2024 Delegated Decision	Mr Harwood	Works related to Tree Preservation Order (01/00008/TPO) - Oak tree - 3m reduction of whole tree.	Oak House Heath Road Bradfield Manningtree Essex CO11 2XH
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- 01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

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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.

Brightlingsea Town Council

NO DETERMINATIONS

Clacton-on-Sea

24/00049/FULH H Approval - Full 10.06.2024 Delegated Decision	Mr Whitworth	Householder Planning Application - Conservatory to side elevation.	12 Boleyn Way Jaywick Clacton On Sea Essex CO15 2NZ
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NOTE/S FOR CONDITION:

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Drawing No.s

101 - Amended Site Plan - Rec'd 01.05.24

102 - Amended Block Plan - Rec'd 01.05.24

103 - Amended Existing and Proposed Floors Plans and Elevations - Rec'd 01.05.24

REASON: For the avoidance of doubt.

NOTE/S FOR CONDITION:

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<u>24/00163/OUT</u> <i>Application Withdrawn 13.06.2024 Delegated Decision</i>	<i>Mr David Allison - Stone Crest Homes Ltd</i>	<i>Outline planning application (Access/Layout/Design/S cale to be considered) for the demolition of the existing auditorium building, conversion and extension of the existing classroom building to form 35 No 1-bedroom and 2-bedroom flats, and erection of 41 No 1- bedroom and 2-bedroom flats within new build, and associated car parking.</i>	<i>Colchester Institute The Clacton Campus Church Road Clacton On Sea Essex CO15 6JQ</i>
<u>24/00174/FULH</u> <i>H Approval - Full 11.06.2024 Delegated Decision</i>	<i>Mr L Vaughan</i>	<i>Front porch, single storey rear extension and loft conversion.</i>	<i>127 Fleetwood Avenue Holland On Sea Clacton On Sea Essex CO15 5RG</i>

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The approved red line plan drawing is BLANK received BLANK
LIST ALL OTHER DRAWINGS

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

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24/00188/FUL Approval - Full 11.06.2024 Delegated Decision	James Archard - ESNEFT and NHSPS	Erection of two storey building and roof top plant room to provide healthcare services including an Urgent Treatment Centre, following demolition of existing Urgent Treatment Centre. Alterations and removal of second floor of Kate Grant Building and alterations and demolition of single storey modern extensions to Jubilee Building. Provision of drop off layby and ambulance parking. Alterations and improvements to internal access road, landscaping, lighting, photo-voltaic system on roof areas, and ancillary works/infrastructure.	Clacton and District Hospital Tower Road Clacton On Sea Essex CO15 1LH

01 COMPLIANCE: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later the expiration of three years from the date of this permission.

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02 COMPLIANCE: 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

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Plans and drawings;

- 05996.00-0000 P01 Site Location Plan
- 05996.00-1001 P01 Demolition Ground Floor Plan
- 05996.00-1011 P01 Demolition First Floor Plan
- 05996.00-1021 P01 Demolition Second Floor Plan
- 05996.00-1032 P01 Proposed Roof Plan
- 05996.00-0301 P03 Proposed Block Plan
- 05996.00-3000 P01 Diagrammatic Cross Sections
- 05996.00-6200 P01 3D View - Sheet 1
- P195-132-B (SC) Lighting Layout
- LSDP 2177.01 Proposed Landscape
- 05996.00-1002 P02 Proposed Ground Floor Plan
- 05996.00-1012 P02 Proposed First Floor Plan
- 05996.00-1022 P02 Proposed Second Floor Plan
- 05996.00-2005 P02 Proposed Elevations - Sheet 01
- 05996.00-2006 P02 Proposed Elevations - Sheet 02
- 05996.00-2007 P02 Proposed Elevations - Sheet 03
- 574540-JSH-Z3-XX-DR-E-0100 P02 External Service Layout
- 574540-JSH-Z3-XX-DR-E-0250 P01 External Lighting Layout
- 05996.00-0302 P01- Block Plan for Ecology

Other supporting technical reports and documents;

- Heritage Asset Setting Assessment and Archaeology Assessment
- Preliminary Ecological Appraisal Report 7846,EC,PEA,FT,TA,KL,18-01-24,V3
- Transport Statement dated 24th January 2024
- Travel Plan Issue date 02 February 2024 Final Rev 1
- Tree Survey, Arboricultural Impact Assessment and Method Statement
- Tree Survey Appendices 1-6
- Utility Survey Report dated 16/01/2024 Version 2.0
- Amended External Lighting Luminaire Schedule 574540-JSH-XX-ZZ-SH-E-4503 March 2024 Issue P02
- Noise Assessment Project No 2322058 dated 17th January 2024
- Renewable Energy Generation Plan dated January 2024
- Statement Of Community Involvement dated February 2024
- Tier 2 Geoenvironmental Risk Assessment 65210400-SWE-XX-XX-T-GE-0002 Revision C02
- Landscape Management Plan Issue 01 Revision A dated February 2024
- Existing and Proposed Surface Water Discharge Rates Ref. 65209443-SWE-ZZZ-XX-D-C-0004
- SWECO Flood Risk Assessment and Drainage Statement Ref. 65209443-SWE-ZZ-XX-T-C-0001- Clacton Hospital FRA P03
- Drainage Layout Ref. 65209443-SWE-ZZZ-XX-D-C-0001
- SWECO Drainage Note Ref. 65209433-SWE-XX-XX-T-C-0003 dated 08.03.2024
- SWECO Drainage Note Ref. 65209443-SWE-XX-XX-T-S-0005 dated 29/04/2024

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

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03 COMPLIANCE: LANDSCAPING SCHEME

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

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

04 COMPLIANCE: HIGHWAYS WORKS PRIOR TO OCCUPATION

CONDITION: Prior to the occupation and use of the new facility hereby approved, the following requirements shall have been provided or completed:

- a) The realigned internal access road restricting any access and egress onto Freeland Road, and the creation of a shared surface for pedestrians coming to and from the proposed new building and the installation of the removable bollards.
- b) The provision of a drop-off layby on Freeland Road in accordance and in principle with drawing number: 0301 Rev. P03.
- c) The provision of a minimum 2-metre-wide footway behind the proposed layby on Freeland Road.
- d) Amendments to the existing waiting restrictions on Freeland Road to accommodate the proposed layby and the introduction of a limited waiting restriction (15 mins no return in 30 mins, 8am -8pm) for the lay-by to regulate the parking and keep it as a drop-off zone.

REASON: To protect highway efficiency of movement and safety and to ensure the proposal site is accessible by more sustainable modes of transport such as walking.

05 COMPLIANCE: AMBULANCE BAYS PRIOR TO OCCUPATION

CONDITION: The proposed new development shall not be occupied until such time as the ambulance parking area indicated on the approved plans, has been hard surfaced, sealed and marked out in ambulance bays. The ambulance parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided.

06 COMPLIANCE: EXISTING PIPES RESTORED PRIOR TO COMMENCEMENT

CONDITION: No works except demolition shall take place until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.

REASON: To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site.

Failure to carry out the required maintenance before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

07 FURTHER APPROVAL: DEMOLITION & CONSTRUCTION MANAGEMENT PLAN

CONDITION: Prior to the commencement of development details of the demolition and construction methodology and timetable shall be submitted to and approved, in writing, by the Local Planning Authority. This shall incorporate, but not be limited to, the following information:-

- a) Details of the hours of work/demolition/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, 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) Registration and details of a Considerate Constructors Scheme

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

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

NOTE/S FOR CONDITION:

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

08 FURTHER APPROVAL: UPDATED WORKPLACE TRAVEL PLAN

CONDITION: Within twelve months following the first occupation of the new facility hereby approved, an updated workplace travel plan in accordance with the submitted report (February 2024) shall be submitted to and approved in writing by the Local Planning Authority in consultation with Essex County Council. Such approved travel plan shall be actively implemented for a minimum period of 5 years.

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

09 CONDITION: No works except demolition shall takes place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Limiting discharge rates to a maximum of 2.5l/s from Network C for all storm events up to and including the 1 in 100 year plus 45% allowance for climate change storm event. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event.
- Detailed final modelling and calculations for all areas of the drainage system, including all manholes.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- As the site is situated within the CLT_002 South West Clacton on Sea Critical Drainage Area (CDA), water butts to be incorporated into the drainage design as extensively as possible to provide betterment.
- Detailed engineering drawings of each component of the drainage scheme.
- Any SuDS features located within made ground to be lined with an impermeable membrane.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

The scheme shall subsequently be implemented prior to occupation.

REASON:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment.
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

10 **CONDITION:** The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

11 **COMPLIANCE: ECOLOGICAL APPRAISAL RECOMMENDATIONS**

CONDITION: All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal v3 (Geosphere Environmental, January 2024) as already submitted with the planning application. This will 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 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 (as amended).

12 **EPS MITIGATION LICENCE OR EVIDENCE OF SITE REGISTRATION UNDER A BAT MITIGATION CLASS LICENCE FOR BATS**

CONDITION: Prior to commencement of any works on buildings B1, B2 and B4 and which will impact the breeding / resting place of bats, the local planning authority shall be provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
- b) evidence of site registration supplied by an individual registered to use a Bat Mitigation Class Licence; or
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

All works should be undertaken in accordance with the licence and associated licenced method statement.

REASON: To conserve protected species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife &

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Countryside Act 1981 (as amended) and s17 Crime & Disorder Act 1998.

13 COMPLIANCE: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

CONDITION: Prior to occupation of the development hereby approved, all external lighting shall be installed in accordance with the approved specifications and locations set out in the accompanying 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 (as amended).

14 PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY

CONDITION: Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected and Priority species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal v3 (Geosphere Environmental, January 2024), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details 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 2023 and s40 of the NERC Act 2006 (as amended).

<u>24/00505/FULH</u> <u>H</u> Refusal - Full 14.06.2024 Delegated Decision	Mr Ovidiu Oniga	Householder Planning Application - Enlargement of the roof including three dormers and three rooflights	19 Prince Charles Close Clacton On Sea Essex CO15 1AE
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01 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 history, including the surrounding built environment, function well and add to the overall quality of the area, and establish or maintain a strong sense of place.

Adopted Tendring District Local Plan Section 1 (TDLPS1) Policy SP7 seeks high standards of design

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that responds positively to local character and context. Policy SPL3 states that development must relate well to its site and surroundings particularly in relation to its siting, height, scale and massing. Furthermore, the development must respect or enhance existing street patterns.

The proposed dormers will be prominent to the streetscene being in a conspicuous position on the side elevations of the dwelling. The length, bulk and flat roof nature when compared to the modest roof design of the host dwelling and surrounding properties creates an incongruous form of development. The additions would therefore result in a significant detrimental impact upon visual amenity, failing to preserve the character and appearance of the surrounding area.

The proposed dormers therefore amount to a harmful form of development to the detriment of visual amenity and the quality of the local environment, contrary to the aims of the National Planning Policy Framework (2023), and Policies SP7 and SPL3 of the Tendring District Local Plan 2013-2033 and Beyond.

02 Paragraph 135 of the National Planning Policy Framework 2023 requires planning policies and decisions to create places with a high standard of amenity for existing and future users. Policy SP7 of Section 1 of the adopted Local Plan endorses this requirement.

Adopted Local Plan Section 2 Policy SPL 3 (Part C) seeks to ensure that development will not have a materially damaging impact on the amenities of occupiers of nearby properties.

The proposed northeastern facing dormer window serving the living room will have views that will face directly towards the garden area and into the rear of the neighbouring dwelling at 21 Prince Charles Close and, consequently, will result in a significant form of overlooking and oppression to the serious detriment of the enjoyment of the garden areas, and contrary to the above local and national planning policies.

<u>24/00509/FUL</u> Approval - Full 13.06.2024 Delegated Decision	Mr Cemal Djemal	Planning Application - Proposed two bedroom dwelling on land to the rear of 152 and 154 St Osyth Road.	Land rear of 152 and 154 St Osyth Road Clacton On Sea Essex CO15 3HA
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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. 27-2022-01PF
Drawing No. 27-2022-02PF
Drawing No. 27-2022-03PE
Design and Access Statement

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

NOTE/S FOR CONDITION:

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

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

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

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.

04 FURTHER APPROVAL - CONTAMINATION (PT1)

CONDITION: No development shall take place until;

- (i) A strategy for investigating any contamination present on site has been submitted for approval, in writing, by the Local Planning Authority. Development on site, including demolition, may be carried out in order to fully investigate contamination prior to the submission of said strategy subject to agreement, in writing, by the Local Planning Authority and all other pre commencement conditions being agreed by the Local Planning Authority first.
- (ii) Following approval of the strategy, an investigation shall be carried out in accordance with the strategy and timescales as may be agreed.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors. This condition is required to be agreed prior to the commencement of any development to ensure health and safety is secured early for both development and its construction including the health of all workers during all phases of construction. If agreement was sought at any later stage there is

an unacceptable risk to health and safety.

NOTE/S FOR CONDITION:

This condition shall engage and requires details to be agreed prior to the commencement of development meaning it must be dealt with first or risk any start of works being unlawful. This condition is imposed to ensure that the risk of contamination is dealt with and is not later a risk to occupiers/users of the land and/or biodiversity interests.

05 FURTHER APPROVAL - CONTAMINATION REPORT (PT2)

CONDITION: A written report shall be submitted detailing the findings of the contamination investigation as approved, and an assessment of the risk posed to receptors by the contamination, for approval, in writing, by the Local Planning Authority. Subject to the risk assessment, the report shall include a Remediation Scheme and timetable of the scheme for agreement in writing by the Local Planning Authority if the authority considers it is required.

Any remediation work as may be agreed shall be carried out in its entirety in accordance with the approved Remediation Scheme and its timetable. Following remediation, evidence shall be provided to the Local Planning Authority verifying that remediation has been carried out in accordance with the approved Remediation scheme prior to the first use/occupation of the development.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off site receptors.

NOTE/S FOR CONDITION:

This condition shall engage and requires details to be agreed following the findings of a contamination investigation that is normally also conditioned as part of this decision notice. This condition is imposed to ensure that the risk of contamination is dealt with and is not later a risk to occupiers/users of the land and/or biodiversity interests. Please note remediation may requirement ongoing requirements bespoke to this site and the investigation carried out.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of this condition and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of this condition, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with this condition.

06 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) Registration and details of a Considerate Constructors Scheme
 - n) Details on the provision, location and management of any show home/s or reception, including opening times, parking and advertisements (including flags and directional signs).
- The said methodology as may be approved shall be implemented in its entirety and shall operate as may be approved at all times during construction.
- o) No materials produced as a result of the site development or clearance shall be burned on site.

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.

07 ACTION REQUIRED: PROVISION OF ACCESS

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

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.

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 HIGHWAY ACCESS

CONDITION: Prior to the first occupation of the development 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 be agreed with the Highway Authority 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.

10 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 be agreed, in writing, by the Local planning authority prior to provision and shall include a minimum of six one day travel vouchers for use with a local transport operator.

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

11 FURTHER APPROVAL: CYCLE STORAGE

CONDITION: Prior to occupation of the development hereby approved details of secure cycle storage shall be submitted to and approved, in writing, by the Local Planning Authority. The approved facility shall be secure, convenient and covered. The approved scheme shall be carried out in its entirety before the development is first occupied and shall be retained thereafter and remain free of obstruction and used for no other purpose.

REASON: To ensure that sufficient space for the storage of cycles is provided and maintained.

12 FURTHER APPROVAL: MITIGATION TO BE AGREED, RAMS

CONDITION: The hereby approved development shall not be first commenced until detailed proposals addressing the mitigation of the development's impact on protected Essex Habitats Sites have been submitted to and received written approval from the Local Planning Authority. Such proposals must provide for mitigation in accordance with the joint Habitats Regulations Assessment Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS), or demonstrate mitigation measures of an equivalent effectiveness.

These proposals may require on site or off site mitigation, but in either case must include evidence of the completion of a necessary legal agreement to secure the proposed mitigation and/or contribution towards mitigation. Please note a legal agreement will include legal fees and may require obligations to secure monitoring and associated fees. For any on site mitigation proposals approved, it shall be carried out in full and thereafter shall be maintained as approved.

REASON: In order to safeguard protected wildlife species and their habitats in accordance with the NPPF and Habitats Regulations. Failure to achieve satisfactory mitigation or contribution towards would result in harm by new residents due to the development's impact on protected sites.

NOTE/S FOR CONDITION:

This condition establishes the necessity to ensure the implementation of appropriate mitigation measures due to the impact of the approved development. Such mitigation may be required on-site, off-site, or a combination of both. Typically, a contribution towards visitor management measures at the protected Habitats Site(s) is the preferred and simplest approach to fulfil the requirements of this condition. To fulfil this requirement, you can contribute funds towards a range of mitigation projects in the protected areas. It is essential to secure this provision through a legal agreement between the Council, Developer/Applicant, and site owners before commencement. If this is the approach to fulfilling this condition you wish to take, you are strongly advised to finalise the legal agreement with the Council before submitting any request to discharge this condition. Failure to conclude the agreement within the discharge of condition application timeframe may lead to the refusal to discharge the condition.

Please note if there are other obligations needed for this development, for example to secure monitoring and maintenance of a Biodiversity Net Gain Plan you may wish to combine these together as one legal agreement.

LEGAL AGREEMENT REQUIRED TO DISCHARGE CONDITION

As per the relevant condition above, this application requires mitigation against recreational impact in accordance with The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) and Regulation 63 of the Conservation of Habitat and Species Regulations 2017. To satisfy a RAMS condition and allow a condition to be formally discharged, a completed UU must be submitted with a Discharge of Condition application.

Prior to the submission of the Discharge of Condition application, we can prepare the UU for you (to be reviewed by your solicitor) or we can review a draft UU you have provided (drafted by your solicitor). Both services will incur a charge.

Please see the 'Preparation of a UU' guidance on our website at:
<https://www.tendingdc.gov.uk/content/the-s-106-process>

13 AGREEMENT OF MEASURES TO IMPROVE SUSTAINABILITY OF DEVELOPMENT

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

- Agreement of 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 and as imposed by this condition will directly change the building regulations water consumption rate to match as a result of this policy. The introduction of effective utilities, rainwater capture for watering plants, aerators to taps and other water saving options can be considered.

14 COMPLIANCE REQUIRED: ELECTRIC VEHICLE CHARGING

CONDITION: The provision of one electric vehicle charging facility detailed in the Design and Access Statement received on 8 April 2024 shall be installed in a working order, prior to first occupation of the dwelling and thereafter shall be maintained.

REASON: In order to promote sustainable transport.

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15 FURTHER APPROVAL REQUIRED - BIODIVERSITY ENHANCEMENT STRATEGY CONDITION

Prior to first occupation of the dwelling 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).

16 SPECIFIC RESTRICTION ON DEVELOPMENT: PROVISION OF OBSCURE GLASS WINDOW

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 west facing rear first floor bathroom window shall be glazed in obscured glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form. The obscured glass shall be designed as equal or higher than Pilkington Textured Glass Level 5 Standard as published January 2010 (as amended).

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

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.

24/00655/WTPO	Mr Thomas South	Works related to Tree	153 Thorpe Road
Approval - Full	- Absolute Tree	Preservation Order	Clacton On Sea
13.06.2024	Services	(00/00025/TPO) - reduce	Essex
Delegated		1 x Monterey Cyprus by	CO15 4PS
Decision		1/3	

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.
- 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.

Elmstead Market Parish Council

<u>24/00614/LUEX</u>	<i>Mr B Whiting - John Whiting Ltd</i>	<i>Application for Lawful Development Certificate: Provision of a vehicular access on to Clacton Road to serve the surrounding land.</i>	<i>Bottles Hall Clacton Road Elmstead Colchester Essex CO7 7DE</i>
<i>Lawful Use Certificate Granted 10.06.2024 Delegated Decision</i>			

- 01 The evidence submitted with the application is sufficiently clear and unambiguous to demonstrate that, on the balance of probabilities, the vehicular access from Clacton Road which serves Bottles Hall Clacton Road Elmstead Colchester Essex CO7 7DE was substantially completed at least 4 years prior to the submission of this application.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/00665/WTPO Approval - Full 13.06.2024 Delegated Decision	Mr Burchell - Elmstead Grasshoppers Cricket Club	Works related to Tree Preservation Order (92/00014/TPO) - T1 - Beech Tree - Crown Lift Tree to 6m above ground level. T2 - Lime Tree - Crown Lift Tree to 6m above ground level.	Elmstead Cricket Club Church Road Elmstead Essex CO7 7AW

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.

Frating Parish Council

NO DETERMINATIONS

<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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Frinton & Walton Town Council

24/00363/FUL Approval - Full 12.06.2024 Delegated Decision	Mr Ryan Law - Run Wild Dog Park	Planning Application - Change of Use from Agricultural to Sui Generis for use as secure dog exercise enclosures.	Park Fruit Farm Pork Lane Great Holland Frinton On Sea Essex CO13 0ES
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01 The development hereby permitted shall be begun before 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 the Planning and Compulsory Purchase Act 2004

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

Site Plan - Drawing No. CD-P-50
Supporting Statement - Received 07.03.24

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

03 The use hereby permitted shall only operate between the hours of 06:00 to 21:00 every day.

Reason - To ensure that the use is appropriate within this residential location.

24/00519/FULH Approval - Full 12.06.2024 Delegated Decision	Mr Craig Strachan	Householder Planning Application - conversion of existing garage into habitable space.	49 Hadleigh Road Frinton On Sea Essex CO13 9HQ
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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.

<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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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.s
0173-A-001 00
0173-A-002 00
0173-A-200 01
0173-A-201 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.

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>24/00569/LUPR</u> <u>OP</u> Lawful Use Certificate Granted 11.06.2024 Delegated Decision	Mr and Mrs Roast	Application for Lawful Development Certificate for Proposed Use or Development for single storey extension with permitted development under Schedule 2 Part 1 Class A.	10 Bernard Close Kirby Cross Frinton On Sea Essex CO13 0TP
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01 The proposed development constitutes permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015.

<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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24/00646/TCA Approval - Full 13.06.2024 Delegated Decision	Mr King	Trees in a Conservation Area Notification - T1 reduce Plum tree by 40%	Flat 1 The Elms 70 Third Avenue Frinton On Sea Essex CO13 9EE
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01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

24/00718/TCA Approval - Full 13.06.2024 Delegated Decision	Hale	Trees in a Conservation Area Notification - Remove self seeded semi-mature sycamore tree.	9 Second Avenue Frinton On Sea Essex CO13 9ER
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<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

24/00800/TELLI C Deemed Consent 14.06.2024 Delegated Decision	Hrishikesh Katare - Openreach	Installation of fixed line broadband electronic communications apparatus.	Near Larkswood Kirby Road Great Holland Essex CO13 0HZ
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Great Bentley Parish Council

NO DETERMINATIONS

<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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Great Bromley Parish Council

24/00684/HHPN OT HHPN - Prior Approval Is Refused 11.06.2024 Delegated Decision	Mr Mike Corduff	Prior Approval Application under Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for single storey rear and partial side infill extension to a detached house (4.85m depth, 2.70m eaves height and 3.90m maximum height).	Bosco House Harwich Road Great Bromley Essex CO7 7UL
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- 01 The enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would have a width greater than half the width of the original dwellinghouse. As such it fails to meet criteria for Permitted Development under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Great Oakley Parish Council

NO DETERMINATIONS

Harwich Town Council

24/00347/FUL Refusal - Full 10.06.2024 Delegated Decision	Mr Dean Goulding - Golddoor Limited	Extension and re-modelling of existing residential building comprised of four flats to create an additional three flats.	27 Marine Parade Dovercourt Harwich Essex CO12 3RD
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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 application site is sited on a prominent, corner plot location between Lee Road and Marine Parade. The existing built form in this location is of a traditional nature, particularly along

<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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Marine Parade, with the properties including key design features to help break up the overall bulk of the built form. The existing building is an attractive feature in the streetscene comprising a pleasing symmetry of fenestration, detailing, and materials which are in keeping with surrounding built form. However, the proposed development lacks any features that help attract interest to the building, removes existing architectural detailing, and exacerbates its overall prominence in such an important corner plot location. In particular the prominent side elevation has no windows to the front section at ground floor level, and the front elevation includes a bulky element designed to create balcony areas but is of a poor design out of scale and character with surrounding built form. As such it is concluded that the development would neither preserve nor enhance the character and appearance of the surrounding area, and would instead be out of character and to the visual detriment of the area, contrary to the above local and national planning policies.

- 02 Adopted Section 1 Policy SP7 requires that the amenity of existing and future residents is protected. Adopted Section 2 Policy SPL3 Part C seeks to ensure that development will not have a materially damaging impact on the privacy or other amenities of occupiers of nearby properties.

In addition to the above, it is noted that the kitchens for flats 1, 2, 3, 5, 6 and 7 are not provided with adequate natural daylight, with the nearest windows being located to the adjacent living rooms. Furthermore, the bedroom to flat 2 is not served by any windows and therefore will receive no natural daylight. Accordingly, Officers consider that the proposed layout would result in poor living conditions for future occupiers of these flats, contrary to the aspirations of the above policies.

Lawford Parish Council

NO DETERMINATIONS

Little Bentley Parish Council

NO DETERMINATIONS

Little Bromley Parish Council

NO DETERMINATIONS

Little Clacton Parish Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/00376/VOC Approval - Full 10.06.2024 Delegated Decision	Mr Paul Copsey - Oaklands Country Homes	Application under Section 73 of the Town and Country Planning Act for Variation of Conditions 1 (Approved plans) and 5 (Soft landscaping) of application 22/02123/VOC to enable changes to the pumping station design and position, as well as alterations to the visitors parking area.	Old Chicken Farm Thorpe Road Little Clacton Clacton On Sea Essex CO16 9RZ

01 COMPLIANCE: APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in strict accordance with the details shown on the accompanying plans, together with all previously approved plans approved under 16/00421/FUL, 22/02123/VOC and 23/00044/NMA as necessary:

- o 010H Engineering Layout Sheet 1
- o 011C Engineering Layout Sheet 2
- o 012D Engineering Layout Sheet 3
- o 23.5440.01 Soft Landscape Proposals - Sheet 1 Of 5
- o 23.5440.02 Soft Landscape Proposals - Sheet 2 Of 5
- o 23.5440.03 Soft Landscape Proposals - Sheet 3 Of 5
- o 23.5440.04 Soft Landscape Proposals - Sheet 4 Of 5
- o 23.5440.05 Soft Landscape Proposals - Sheet 5 Of 5
- o PA_01 A Proposed Block Plan
- o PA_02 A Proposed Materials Plan

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

02 COMPLIANCE: PRIORITY JUNCTION

CONDITION: No occupation of the development shall take place until a priority junction off Thorpe Road to provide access to the proposal site is completed in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The junction shall include, but shall not be limited to, a 5.5 metre wide carriageway, 2 no. 6 metre kerbed radii and a 120 metre x 2.4 metre x 70 metre visibility splay as shown in principle on planning application drawing number IP14_010_10/100 Rev. D Site Access Plan.

REASON: To protect highway efficiency of movement and safety.

03 COMPLIANCE: RESIDENTIAL TRAVEL PACK PRIOR TO OCCUPATION

CONDITION: No occupation of the development shall take place until the applicant and/or developer has provided, to the first owner of each dwelling on the site, a Residential Travel Information Pack for sustainable transport. The details of the pack shall have first been submitted to and approved, in writing, by the Local Planning Authority and shall include as a minimum six one

day travel vouchers for use with the relevant local public transport operator.

REASON: To promote travel from the site by sustainable modes including public transport as an alternative to the private motor car.

04 COMPLIANCE: CONSTRUCTION METHOD STATEMENT

CONDITION: The hereby permitted development shall be carried out in accordance with the submitted Construction Method Statement Ref: 16-091/MS01 Issue SR01 received on 06 June 2017 and Traffic Management Layout and Plan Ref: 16-091 by B&W received on 20 February 2017.

REASON: To ensure that the development takes place in a satisfactory manner with regard to its impact on residential amenity and highway safety in the local area.

05 COMPLIANCE: APPROVED LANDSCAPING

CONDITION: Soft landscaping for the development shall be carried out and maintained in accordance with the proposed scheme of landscaping as agreed by the Local Planning Authority dated 14 March 2017:

- o DFCC 1157 Doc-01 Soft Landscape Specification
- o DFCC 1157-Doc-02 Soft Landscape Management Plan
- o DFCC 1157_D01 Tree Pit Detail
- o DFCC_1157_M01 Trees
- o DFCC_1157_M02 Wildflower and Bulbs
- o DFCC_1157_M03 Swale and Attenuation Ponds Planting Palette
- o DFCC_1157_M04 Hedge and Buffer
- o DFCC_1157_M05 House Frontage and Amenity Space

And 16 March 2016:

- o DCCP 3135 TSP Tree Survey Plan
- o DFCCP 3135 TPP Tree Protection Plan

And accompanying plans:

- o 23.5440.01 Soft Landscape Proposals - Sheet 1 Of 5
- o 23.5440.02 Soft Landscape Proposals - Sheet 2 Of 5
- o 23.5440.03 Soft Landscape Proposals - Sheet 3 Of 5
- o 23.5440.04 Soft Landscape Proposals - Sheet 4 Of 5
- o 23.5440.05 Soft Landscape Proposals - Sheet 5 Of 5

REASON: To ensure the proper planning, management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area.

06 COMPLIANCE: IMPLEMENTATION & MAINTENANCE OF APPROVED LANDSCAPING

CONDITION: All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority.

Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

REASON: In order to ensure the earliest practicable implementation of new planting required to mitigate the impact of development, in the interests of local and residential amenity.

07 COMPLIANCE: APPROVED TECHNICAL REPORTS & DOCUMENTS

CONDITION: The development hereby approved shall be carried out and maintained in accordance with the recommendations contained within the following documents dated 14 March 2016 and as subsequently agreed by the Council:

- o DFC 3135 Rev A Ecological Enhancement Plan
- o DFCP 3135 Great Crested Newt; Badger and Dormouse Assessment and Non Licenced Method Statement for Vegetation Clearance
- o DFCP 3135 Rev A Extended Phase 1 Habitat Survey
- o DFCP 3135 Rev A Reptile Survey

REASON: In order to safeguard and enhance protected wildlife species and their habitats and in the interests of biodiversity.

08 COMPLIANCE: FOUL WATER STRATEGY 23/01696/DISCON

CONDITION: The development shall be carried out in accordance with the foul water strategy and accompanying details approved under discharge of condition application reference number 23/01696/DISCON, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding and in the interests of visual amenity.

09 COMPLIANCE: BOUNDARY TREATMENT & WASTE COLLECTION

CONDITION: The hereby permitted development shall be carried out in accordance with the details contained within drawing number DRG 5075/PA100 received on 20 February 2017. The boundary walls and fences and the waste and refuse collection points as approved shall be erected/provided prior to the building/s to which they relate being first occupied and shall thereafter be retained in their approved form, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory development in terms of appearance and functionality, in the interests of amenity.

10 COMPLIANCE: EXTERNAL LIGHTING DETAILS

CONDITION: The hereby permitted development shall be carried out in accordance with the external lighting details shown by the following plans and documents received on 20 February 2017 and no occupation of the development shall occur until the scheme has been implemented fully in accordance with the details as approved:

<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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- o S38 Proposed Lighting Design Document - R0
- o S38 Proposed Lighting Electrical Connections Schedule - R0
- o S38 Proposed Lighting - Risk Assessments - R0
- o S38 Roadway Lighting Report - 9.50m Road Width Single Sided
- o S38 Roadway Lighting Report - 9.50m Road Width Staggered Sided
- o Outdoor Lighting Report dated 14 February 2017
- o Drawing No. MMA13935/001 R1 Street Lighting Design

REASON: To ensure lighting is sensitively designed, minimises light spillage and ensures the use of low level, directional lighting to minimise light pollution and ensure there will not be a light nuisance to the existing residential dwellings.

11 COMPLIANCE: HIGH-SPEED BROADBAND CONNECTION

CONDITION: No dwelling shall be occupied until a high-speed broadband connection is installed utilising resistant tubing to that dwelling. All in accordance with details that shall be submitted to and approved, in writing, by the Local Planning Authority. 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 24mbps) wireless service will be considered acceptable.

REASON: To ensure the development is able to be equipped with high-speed broadband to enable opportunities for web-based communication and homeworking.

12 FURTHER APPROVAL: OPEN SPACE PROVISION

CONDITION: No occupation of the development shall occur until a scheme for the provision of open space within the approved site, in accordance with drawing no. 5075 PA03E Proposed Site Plan, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the laying out and construction of the open space, and a timetable for its provision. The open space shall then be provided in accordance with the approved scheme, unless otherwise agreed in writing with the Local Planning Authority.

REASON: This condition is imposed to ensure a satisfactory provision of open space is provided in the interests of the amenity of future residents.

13 FURTHER APPROVAL: LANDSCAPE MANAGEMENT PLAN

CONDITION: No occupation of the development shall occur until a Landscape Management Plan including long term design objectives, management responsibilities and maintenance/frequency schedules for all public open space and landscaped areas (including those comprising SUDs drainage features) other than small, privately owned, domestic gardens has been submitted to and agreed in writing by the Local Planning Authority. The Landscape Management Plan shall thereafter be carried out as approved at all times.

REASON: To ensure the proper management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area.

14 FURTHER APPROVAL: LANDSCAPE MANAGEMENT COMPANY

CONDITION: No occupation of the development shall occur until details of a management company

<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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responsible for the maintenance of the public open space and landscaped areas in the Landscape Management Plan, has been submitted to, and agreed in writing by, the Local Planning Authority. The landscape management company, as approved, shall maintain the landscaped areas in accordance with the approved Landscape Management Plan in perpetuity unless otherwise subsequently agreed, in writing, by the Local Planning Authority.

REASON: The application contains insufficient information to ensure that the landscaped areas will be maintained to a satisfactory condition and there is a potential adverse impact on the quality of the surrounding environment.

Little Oakley Parish Council

NO DETERMINATIONS

Manningtree Town Council

24/00501/LBC	Tim Adams -	Application for Listed	The Crown
Approval - Listed	Greene King Pub	Building Consent -	51 High Street
Building Consent	Partners	Altered and new bar	Manningtree
11.06.2024		serveries, new flooring	Essex
Delegated		and fixed seating.	CO11 1AH
Decision			

01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

Authority prior to the commencement of development pursuant to this condition.

The approved red line plan drawing is DWG NO. 2456-2004 received 4 April 2024

DWG NO. 2456-2001 Proposed Ground Floor plan
DWG NO. 2456-2002 Design and Access and Heritage Statement
DWG NO. 2456-100 B Bar Servery Details 1
DWG NO. 2456-101 A Bar Servery Details 2 Part 1
DWG NO. 2456-102 A Bar Servery Details 2 Part 2
DWG NO. 2456-103 A Bar Servery Details 3 Part 1

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: HERITAGE

CONDITION: Prior to any works to the timber flooring in the dining area adjacent to Servery 1 indicated on approved plan DWG NO. 2456-2001 Proposed Ground Floor plan, a method statement describing refinishing techniques, shall be submitted and agreed, in writing, to the Local Planning Authority for approval. The details shall be carried out in full and as may be approved.

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

04 FURTHER APPROVAL: HERITAGE

CONDITION: Prior to installation of the replacement flooring shown on approved plan DWG NO. 2456-2001 Proposed Ground Floor plan details of all the new flooring, including make, type/material, colour/design and method of fixing shall be submitted, in writing, to the Local

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Planning Authority for approval. The works shall only be carried out entirely as may be agreed.

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

05 FURTHER APPROVAL: HERITAGE

CONDITION: Prior to installation of the five fixed seating components shown on approved plan DWG NO. 2456-2001 Proposed Ground Floor plan, detailed elevation and section drawings of the seating, including method of fixing to the Listed Building and materials to be used at 1:10 or 1:20 as appropriate, to be submitted and agreed, in writing, to the Local Planning Authority for approval. The details shall be carried out in full and as may be approved.

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

Mistley Parish Council

NO DETERMINATIONS

Ramsey & Parkeston Parish Council

<u>24/00040/OUT</u> Approval - Outline 12.06.2024 Delegated Decision	Mr Mark Lloyd - Mark Lloyd Properties Ltd	Outline planning application (access to be considered with all other matters reserved) for the erection of a detached dwelling and bungalow.	Land to The West of Michaelstowe Old House Ramsey Road Ramsey Harwich Essex CO12 5EW
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01 COMPLIANCE REQUIRED: TIME LIMIT FOR RESERVED MATTERS APPLICATION

CONDITION: Application for approval of all outstanding and the final reserved matters for any phase of the development must be made to the Local Planning Authority not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than the expiration of two years from the final approval of the reserved matters for the relevant phase or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: To comply with the requirements of Section 92 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 reserved matters need to be received by the Local Planning Authority within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If there is no phasing plan, this condition is considered to apply to the whole site as a single phase. 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 APPROVAL OF RESERVED MATTERS

CONDITION: No development in any phase shall commence until approval of the details of:-

- the Appearance of the building(s) and place,
- Scale of the building(s),
- Layout of the building(s) and site,
- Landscaping

(hereinafter called "the reserved matters") for that particular phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and agreed order of phasing.

REASON: To enable the Local Planning Authority to secure an orderly and well designed development in accordance with the character and appearance of the neighbourhood and in accordance with the Development Plan. This condition is required to be agreed prior to the commencement of any development in accordance with proper planning principles to allow public engagement on the outstanding reserved matters and ensure no significant adverse harm results.

NOTE/S FOR CONDITION:

This condition requires approval of all reserved matters as may be listed to agreed in writing prior to any commencement of the approved development. Failure to comply with this condition may result in the permission becoming lapsed and unable to be carried out. If there is no phasing plan, this condition is considered to apply to the whole site as a single phase.

The reserved matters that may be listed above are further defined under government guidance as follows:-

ACCESS: The accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network

APPEARANCE: The aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

LANDSCAPING: The treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features

LAYOUT: The way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

SCALE: The height, width and length of each building proposed within the development in relation to its surroundings.

03 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

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Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Drawing Numbers 098/2024/011 Revision P2, 098/2024/012 Revision P1, the documents titled 'Location Plan' and 'Access Plan and Indicative Layout Plan', and the letter prepared by GHBullard & Associates LLP dated 29th April 2024 and titled 'B1352 Ramsey Road, Ramsey - 85th Percentile Speeds and Requisite Visibility Splays.'

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.

04 CONDITION: Prior to first use of the access, visibility splays shall be provided with a minimum clear to ground visibility splay with dimensions of 2.4 metres by 97 metres to the west and 2.4 metres by 99 metres to the east, as measured from and along the nearside edge of the carriageway, and shall then be retained in its approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

NOTE/S FOR CONDITION:

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the ECC Highway Authority. Any conditions which involve work

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within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Essex County Council or its agents at the applicant's expense.

- 05 **CONDITION:** Prior to the first occupation of the development, details of a vehicular turning facility shall be approved, in writing, by the Local Planning Authority. The turning facility shall be constructed, surfaced and thereafter maintained free from obstruction within the site at all times for vehicular use only.

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

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

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

- 07 **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.

- 08 **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.

- 09 **CONDITION:** Prior to first occupation of the hereby approved development, a footway measuring 2 metres wide shall be provided to the east of the access point and continued around the kerb radii with Paddocks Lane, connecting to the existing footway.

REASON: To make adequate provision within the highway for additional pedestrian traffic generated by the proposed development and providing a connection to existing public transport facilities.

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

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

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11 **CONDITION:** No development shall take place until a scheme of archaeological evaluation of the site, including timetable, has been submitted to and approved in writing by the Local Planning Authority (including any demolition needing to be carried out as necessary in order to carry out the evaluation). The evaluation shall be carried out in its entirety as may be agreed.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development. This condition is required to be agreed prior to the commencement of any development to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or loss due to the development and/or its construction. If agreement was sought at any later stage as there is an unacceptable risk of loss and damage to archaeological and historic assets.

12 **CONDITION:** No development shall take place until a written report on the results of the archaeology evaluation of the site has been submitted to the Local Planning Authority and that confirmation by the Local Planning Authority has been provided that no further investigation work is required in writing.

Should the Local Planning Authority require further investigation and works, no development shall take place on site until the implementation of a full programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording.
- b. The programme for post investigation assessment.
- c. Details of the provision to be made for analysis of the site investigation and recording.
- d. Details of the provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Details of the provision to be made for archive deposition of the analysis and records of the site investigation; and
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The written scheme of investigation shall be carried out in its entirety prior to any other development taking place, or in such other phased arrangement including a phasing plan as may be previously approved in writing by the Local Planning Authority.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development. This condition is required to be agreed prior to the commencement of any development to ensure features of archaeological importance are identified, preserved and secured to avoid damage or lost resulting from the development and/or its construction. If agreement was sought at any later stage, there is an unacceptable risk of loss and damage to archaeological and historic assets.

13 **CONDITION:** No building shall be occupied until the archaeology evaluation, and if required the Written Scheme of Investigation, have been completed, submitted to and approved, in writing, by the Local Planning Authority. Furthermore, no building shall be occupied until

analysis, publication and dissemination of results and archive deposition from the archaeology investigations as agreed under the Written Scheme of Investigation has taken place, unless an alternative agreed timetable or phasing for the provision of results is agreed in writing by the Local Planning Authority.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development.

14 **CONDITION:** Prior to the commencement of any works to the hereby approved dwelling(s), detailed proposals addressing the mitigation of the development's impact on protected Essex Habitats Sites have been submitted to and received written approval from the Local Planning Authority. Such proposals must provide for mitigation in accordance with the joint Habitats Regulations Assessment Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) or demonstrate mitigation measures of an equivalent effectiveness.

These proposals may require on site or off site mitigation, but in either case must include evidence of the completion of a necessary legal agreement to secure the proposed mitigation and/or contribution towards mitigation. Please note a legal agreement will include legal fees and may require obligations to secure monitoring and associated fees. For any on site mitigation proposals approved, it shall be carried out in full and thereafter shall be maintained as approved.

REASON: In order to safeguard protected wildlife species and their habitats in accordance with the NPPF and Habitats Regulations. Failure to achieve satisfactory mitigation would result in harm by new residents due to the development's impact on protected sites.

NOTE/S FOR CONDITION:

This condition establishes the necessity to ensure the implementation of appropriate mitigation measures due to the impact of the approved development. Such mitigation may be required on-site, off-site, or a combination of both.

Typically, a contribution towards visitor management measures at the protected Habitats Site(s) is the preferred and simplest approach to fulfil the requirements of this condition. To fulfil this requirement, you can contribute funds towards a range of mitigation projects in the protected areas. It is essential to secure this provision through a legal agreement between the Council, Developer/Applicant, and site owners before occupation. If this is the approach to fulfilling this condition you wish to take, you are strongly advised to finalise the legal agreement with the Council before submitting any request to discharge this condition. Failure to conclude the agreement within the discharge of condition application time frame may lead to the refusal to discharge the condition.

Please note if there are other obligations needed for this development, for example to secure monitoring and maintenance of a Biodiversity Net Gain Plan you may wish to combine these together as one agreement.

LEGAL AGREEMENT REQUIRED TO DISCHARGE CONDITION

As per the relevant condition above, this application requires mitigation against recreational impact in accordance with The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) and Regulation 63 of the Conservation of Habitat and Species Regulations 2017. The current RAMS tariff is £163.86 per new dwelling (from the 1st April 2024). To

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satisfy a RAMS condition and allow a condition to be formally discharged, a completed UU must be submitted with a Discharge of Condition application.

Prior to the submission of the Discharge of Condition application, we can prepare the UU for you (to be reviewed by your solicitor) or we can review a draft UU you have provided (drafted by your solicitor). Both services will incur a charge.

Please see the 'Preparation of a UU' guidance on our website at:
<https://www.tendringdc.gov.uk/content/the-s-106-process>

15 **CONDITION:** Concurrent with the submission of the Reserved Matters planning application, full details of the parking provision and private amenity space for the host dwelling known as 'Michaelstowe Old House' shall be provided to and approved, in writing, by the Local Planning Authority.

REASON: To demonstrate that there is sufficient space within the site to allow the necessary parking provision and private amenity space for the host dwelling.

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

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

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

REASON: To enhance protected and Priority species and habitats.

17 **CONDITION:** Concurrent with the first reserved matter 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;
- Agreement of scheme for waste reduction; and
- Provision of a fibre optic broadband connection to the best possible speed installed on an open access basis and directly accessed from the nearest exchange, incorporating the use of resistant tubing. (If the applicant is unable to achieve this standard of connection, and can

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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.

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.

18 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 portalos.
- i) Details of the method of any demolition to take place, including the recycling and disposal of said materials resulting from demolition.
- j) Site waste management plan (that shall include reuse and recycling of materials)
- k) Scheme for sustainable construction management to ensure effective water and energy use.
- l) Scheme of review of complaints from neighbours.
- m) Registration and details of a Considerate Constructors Scheme
- n) Details on the provision, location and management of any show home/s or reception, including opening times, parking and advertisements (including flags and directional signs).

The said methodology as may be approved shall be implemented in its entirety and shall operate as

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may be approved at all times during construction.

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

NOTE/S FOR CONDITION:

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

24/00041/OUT Approval - Outline 12.06.2024 Delegated Decision	Mr Mark Lloyd - Mark Lloyd Properties Ltd	Outline planning application (access to be considered with all other matters reserved) for the erection of one dwelling.	Land to The East of Michaelstowe Old House Ramsey Road Ramsey Harwich Essex CO12 5EW
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01 COMPLIANCE REQUIRED: TIME LIMIT FOR RESERVED MATTERS APPLICATION

CONDITION: Application for approval of all outstanding and the final reserved matters for any phase of the development must be made to the Local Planning Authority not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than the expiration of two years from the final approval of the reserved matters for the relevant phase or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: To comply with the requirements of Section 92 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 reserved matters need to be received by the Local Planning Authority within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If there is no phasing plan, this condition is considered to apply to the whole site as a single phase. 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 APPROVAL OF RESERVED MATTERS

CONDITION: No development in any phase shall commence until approval of the details of:-

- the Appearance of the building(s) and place,
- Scale of the building(s),
- Layout of the building(s) and site,
- Landscaping

(hereinafter called "the reserved matters") for that particular phase have been submitted to and

approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and agreed order of phasing.

REASON: To enable the Local Planning Authority to secure an orderly and well designed development in accordance with the character and appearance of the neighbourhood and in accordance with the Development Plan. This condition is required to be agreed prior to the commencement of any development in accordance with proper planning principles to allow public engagement on the outstanding reserved matters and ensure no significant adverse harm results.

NOTE/S FOR CONDITION:

This condition requires approval of all reserved matters as may be listed to agreed in writing prior to any commencement of the approved development. Failure to comply with this condition may result in the permission becoming lapsed and unable to be carried out. If there is no phasing plan, this condition is considered to apply to the whole site as a single phase.

The reserved matters that may be listed above are further defined under government guidance as follows:-

ACCESS: The accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network

APPEARANCE: The aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

LANDSCAPING: The treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features

LAYOUT: The way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

SCALE: The height, width and length of each building proposed within the development in relation to its surroundings.

03 APPROVED PLANS & DOCUMENTS

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

Drawing Numbers 098/2024/011 Revision P2, 098/2024/012 Revision P1, the document titled 'Access Plan and Indicative Layout', the letter prepared by GHBullard & Associates LLP dated 29th April 2024 and titled 'Land to The East of Michelstowe Old House, Ramsey Road, Ramsey- 85th Percentile Speeds and Requisite Visibility Splays.' and the untitled Site Location Plan received dated 23rd February 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.

04 **CONDITION:** Prior to first use of the access, visibility splays shall be provided with a minimum clear to ground visibility splay with dimensions of 2.4 metres by 97 metres to the west and 2.4 metres by 99 metres to the east, as measured from and along the nearside edge of the carriageway, and shall then be retained in its approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

NOTE/S FOR CONDITION:

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

05 **CONDITION:** Prior to the first occupation of the development, details of a vehicular turning facility shall be approved, in writing, by the Local Planning Authority. The turning facility shall be constructed, surfaced and thereafter maintained free from obstruction within the site at all times for vehicular use only.

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

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

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

07 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.

08 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.

09 CONDITION: Prior to first occupation of the hereby approved development, a footway measuring 2 metres wide shall be provided to the east of the access point and continued around the kerb radii with Paddocks Lane, connecting to the existing footway.

REASON: To make adequate provision within the highway for additional pedestrian traffic generated by the proposed development and providing a connection to existing public transport facilities.

10 CONDITION: Concurrent with the first reserved matter application, 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;
- Agreement of scheme for waste reduction; and
- Provision of a fibre optic broadband connection to the best possible speed installed on an open access basis and directly accessed from the nearest exchange, incorporating the use of resistant tubing. (If the applicant is unable to achieve this standard of connection, and can evidence through consultation that this would not be possible, practical or economically viable

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

NOTE/S FOR CONDITION:

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

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

11 CONDITION: No development shall take place until a scheme of archaeological evaluation of the site, including timetable, has been submitted to and approved in writing by the Local Planning Authority (including any demolition needing to be carried out as necessary in order to carry out the evaluation). The evaluation shall be carried out in its entirety as may be agreed.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development. This condition is required to be agreed prior to the commencement of any development to ensure matters of archaeological importance are preserved and secured early to ensure avoidance of damage or loss due to the development and/or its construction. If agreement was sought at any later stage as there is an unacceptable risk of loss and damage to archaeological and historic assets.

12 CONDITION: No development shall take place until a written report on the results of the archaeology evaluation of the site has been submitted to the Local Planning Authority and that confirmation by the Local Planning Authority has been provided that no further investigation work is required in writing.

Should the Local Planning Authority require further investigation and works, no development shall take place on site until the implementation of a full programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

a. The programme and methodology of site investigation and recording.

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- b. The programme for post investigation assessment.
- c. Details of the provision to be made for analysis of the site investigation and recording.
- d. Details of the provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Details of the provision to be made for archive deposition of the analysis and records of the site investigation; and
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

The written scheme of investigation shall be carried out in its entirety prior to any other development taking place, or in such other phased arrangement including a phasing plan as may be previously approved in writing by the Local Planning Authority.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development. This condition is required to be agreed prior to the commencement of any development to ensure features of archaeological importance are identified, preserved and secured to avoid damage or loss resulting from the development and/or its construction. If agreement was sought at any later stage, there is an unacceptable risk of loss and damage to archaeological and historic assets.

- 13 **CONDITION:** No building shall be occupied until the archaeology evaluation, and if required the Written Scheme of Investigation, have been completed, submitted to and approved, in writing, by the Local Planning Authority. Furthermore, no building shall be occupied until analysis, publication and dissemination of results and archive deposition from the archaeology investigations as agreed under the Written Scheme of Investigation has taken place, unless an alternative agreed timetable or phasing for the provision of results is agreed in writing by the Local Planning Authority.

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development.

- 14 **FURTHER APPROVAL: MITIGATION TO BE AGREED, RAMS**

CONDITION: Prior to the commencement of any works to the hereby approved dwelling(s), detailed proposals addressing the mitigation of the development's impact on protected Essex Habitats Sites have been submitted to and received written approval from the Local Planning Authority. Such proposals must provide for mitigation in accordance with the joint Habitats Regulations Assessment Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) or demonstrate mitigation measures of an equivalent effectiveness.

These proposals may require on site or off site mitigation, but in either case must include evidence of the completion of a necessary legal agreement to secure the proposed mitigation and/or contribution towards mitigation. Please note a legal agreement will include legal fees and may require obligations to secure monitoring and associated fees. For any on site mitigation proposals approved, it shall be carried out in full and thereafter shall be maintained as approved.

REASON: In order to safeguard protected wildlife species and their habitats in accordance with the NPPF and Habitats Regulations. Failure to achieve satisfactory mitigation would result in harm by new residents due to the development's impact on protected sites.

NOTE/S FOR CONDITION:

This condition establishes the necessity to ensure the implementation of appropriate mitigation measures due to the impact of the approved development. Such mitigation may be required on-site, off-site, or a combination of both.

Typically, a contribution towards visitor management measures at the protected Habitats Site(s) is the preferred and simplest approach to fulfil the requirements of this condition. To fulfil this requirement, you can contribute funds towards a range of mitigation projects in the protected areas. It is essential to secure this provision through a legal agreement between the Council, Developer/Applicant, and site owners before occupation. If this is the approach to fulfilling this condition you wish to take, you are strongly advised to finalise the legal agreement with the Council before submitting any request to discharge this condition. Failure to conclude the agreement within the discharge of condition application time frame may lead to the refusal to discharge the condition.

Please note if there are other obligations needed for this development, for example to secure monitoring and maintenance of a Biodiversity Net Gain Plan you may wish to combine these together as one agreement.

LEGAL AGREEMENT REQUIRED TO DISCHARGE CONDITION

As per the relevant condition above, this application requires mitigation against recreational impact in accordance with The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) and Regulation 63 of the Conservation of Habitat and Species Regulations 2017. The current RAMS tariff is £163.86 per new dwelling (from the 1st April 2024). To satisfy a RAMS condition and allow a condition to be formally discharged, a completed UU must be submitted with a Discharge of Condition application.

Prior to the submission of the Discharge of Condition application, we can prepare the UU for you (to be reviewed by your solicitor) or we can review a draft UU you have provided (drafted by your solicitor). Both services will incur a charge.

Please see the 'Preparation of a UU' guidance on our website at:
<https://www.tendringdc.gov.uk/content/the-s-106-process>

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

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

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

REASON: To enhance protected and Priority species and habitats.

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

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

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

NOTE/S FOR CONDITION:

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

St Osyth Parish Council

NO DETERMINATIONS

Tendring Parish Council

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24/00145/FUL Approval - Full 10.06.2024 Delegated Decision	Mr Naphthine - Clipper Retail Ltd	Conversion of a former residential care home into three dwellings.	Springbank Care Home Heath Road Tendring Clacton On Sea Essex CO16 0BX

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.

Site Plan - Received 22.05.24

Drawing No. 1381/105A

Drawing No. 1381_102B

Drawing No. 1381_103B

Drawing No. 1381_104B

Drawing No. 1381_201A

Drawing No. 1381_202A

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

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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: MITIGATION TO BE AGREED, RAMS

CONDITION: Prior to the commencement of any demolition works to facilitate the conversion of the buildings to 3 dwellings, detailed proposals addressing the mitigation of the development's impact on protected Essex Habitats Sites shall be submitted to and received written approval from the Local Planning Authority. Such proposals must provide for mitigation in accordance with the joint Habitats Regulations Assessment Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) or demonstrate mitigation measures of an equivalent effectiveness.

These proposals may require on site or off site mitigation, but in either case must include evidence of the completion of a necessary legal agreement to secure the proposed mitigation and/or contribution towards mitigation. Please note a legal agreement will include legal fees and may require obligations to secure monitoring and associated fees. For any on site mitigation proposals approved, it shall be carried out in full and thereafter shall be maintained as approved.

REASON: In order to safeguard protected wildlife species and their habitats in accordance with the NPPF and Habitats Regulations. Failure to achieve satisfactory mitigation would result in harm by new residents due to the development's impact on protected sites.

NOTE/S FOR CONDITION:

This condition establishes the necessity to ensure the implementation of appropriate mitigation measures due to the impact of the approved development. Such mitigation may be required on-site, off-site, or a combination of both.

Typically, a contribution towards visitor management measures at the protected Habitats Site(s) is the preferred and simplest approach to fulfil the requirements of this condition. To fulfil this requirement, you can contribute funds towards a range of mitigation projects in the protected areas. It is essential to secure this provision through a legal agreement between the Council, Developer/Applicant, and site owners before occupation. If this is the approach to fulfilling this condition you wish to take, you are strongly advised to finalise the legal agreement with the Council before submitting any request to discharge this condition. Failure to conclude the agreement within the discharge of condition application time frame may lead to the refusal to discharge the condition.

Please note if there are other obligations needed for this development, for example to secure monitoring and maintenance of a Biodiversity Net Gain Plan you may wish to combine these together as one agreement.

LEGAL AGREEMENT REQUIRED TO DISCHARGE CONDITION

As per the relevant condition above, this application requires mitigation against recreational Impact in accordance with The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) and Regulation 63 of the Conservation of Habitat and Species Regulations 2017. The current RAMS tariff is £163.86 per new dwelling (from the 1st April 2024). To satisfy a RAMS condition and allow a condition to be formally discharged, a completed UU must be submitted with a Discharge of Condition application.

Prior to the submission of the Discharge of Condition application, we can prepare the UU for you (to be reviewed by your solicitor) or we can review a draft UU you have provided (drafted by your solicitor). Both services will incur a charge.

Please see the 'Preparation of a UU' guidance on our website at:
<https://www.tendringdc.gov.uk/content/the-s-106-process>

04 ONGOING REQUIREMENT IMPOSED - NOISE RESTRICTIONS & WORKING TIME LIMITS

CONDITION: During the demolition and construction phases of the hereby approved development no machinery (all fixed and hand machinery) on site or as may be brought on site, as defined by the red line plan with regard to this permission, shall be operated on the site (including inside any buildings) before 08:00 and after 18:00 Monday - Fridays, with works or before 08:00 and after 13:00 on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

REASON: In the interest of the amenity of neighbouring residents having regard to the background noise levels in the area.

NOTE/S FOR CONDITION:

- 1) This condition shall engage and restricts the operation of the development from the first commencement of the use. This condition is imposed to ensure the development avoid unreasonable impact on the residential amenity of neighbouring dwellings, especially given the location of the development. Without the imposing of this condition, the development would be refused due to the risk of harm and this condition is considered necessary, enforceable and reasonable in all other respects.
- 2) This condition does not include vehicles (for example HGVs) capable of using the public highway in the definition of machinery as these are not fixed to the site and/or building/s nor regarded as hand machinery.

05 VISIBILITY SPLAYS

CONDITION: There should be no obstruction above ground level within a 2.4-metres wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided prior to first occupation and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between users of the access and the public highway in

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the interests of highway safety in accordance with policy DM1.

06 ACTION REQUIRED: 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.

07 CONDITION: No internal conversion works 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 carbon level;
- Agreement of provisions to ensure the development is zero carbon ready;
- A Water-butt per dwelling;
- Compost bin per dwelling;
- Agreement of heating of each dwelling/building; and
- Agreement of scheme for waste reduction
- Details of EV Charging Points

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:

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

08 ACTION REQUIRED: REFUSE BINS AND COLLECTION AREAS

CONDITION: Prior to occupation of each dwelling hereby approved details for the storage of refuse/recycling bins shall be submitted to and approved in writing by the Local Planning Authority and then retained in perpetuity.

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.

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24/00662/WTPO Approval - Full 13.06.2024 Delegated Decision	Mr Philip Ainsworth - Elysium Healthcare Ltd	Works related to Tree Preservation Order (10/00040/TPO) - T1 Lime - Remove epicormic growth to 8ft for clearance. T2 Oak - Remove epicormic growth and reduce crown by up to 2m. T3 Oak - Remove epicormic growth to 12ft for clearance, remove 2m branch approx 50mm diameter facing south. T4 Oak - Remove deadwood. T5 Oak - Remove deadwood. T6 Oak - Remove epicormic growth to 12ft for clearance. T7 Oak - Remove deadwood. T9 Silver Birch - Remove of epicormic growth to 12 ft for clearance. T10 Scots Pine - Remove one broken branch at approx 15ft. T11 Holly - Remove of epicormic growth to 7ft for clearance. T12 Oak - Remove of epicormic growth to 15ft on the south trackside and up to 8ft on the northside. Remove one low branch. T13 Horse Chestnut - Remove epicormic growth to 12ft for clearance. T14 Oak - Remove epicormic growth to 12ft for clearance. T15 Oak - Remove epicormic growth to 12ft for clearance. T16 Oak - Remove epicormic growth 12ft for clearance. T17 Oak - Remove epicormic growth to 8ft for clearance. T18 Beech - Remove epicormic growth to 8ft for clearance. T20 Holly - Remove epicormic growth to 7ft for	Oaktree Manor Heath Road Tendring Clacton On Sea Essex CO16 0BX

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clearance. T21 Horse Chestnut - Remove epicormic growth to 8ft, crown lift to 6m for ground clearance. T22 Horse Chestnut - Remove epicormic growth to 8ft. Remove 4 decaying branches approximately 1m in length with a diameter of 250mm. Group not included in TPO 10/00040 - Mixed Species- Reduce height of tree/shrub group by 1m.

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

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tree owner before works to a tree(s) are carried out.

Thorpe-le-Soken Parish Council

24/00483/FULH H Approval - Full 10.06.2024 Delegated Decision	Mr and Mrs Batten	Householder Planning Application - Part two storey part single storey side and rear extensions. Conversion and alteration of detached garage to form annex. Erection of detached shed and detached garden store.	Meadland House Damants Farm Lane Thorpe Le Soken Clacton On Sea Essex CO16 0NP
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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.s
MH/TLS/1
MH/TLS/3
MH/TLS/4

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

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

03 SPECIFIC RESTRICTION ON DEVELOPMENT: OCCUPATION

CONDITION: This permission shall only authorise the use and occupation of the accommodation hereby approved for purposes incidental and ancillary to the principal dwelling known as Meadland House, Damants Farm Lane, Thorpe Le Soken (or as may be renamed in the future) and does not permit the use of the approved accommodation as a separate household unrelated and not incidental/ancillary to the principal dwelling.

REASON: The proposed annexe would not be acceptable under the established policies of Local Plan and NPPF by representing a net increase in dwelling units were the development to be occupied as an unrelated dwelling and not considered as one household. Furthermore, having regard to its particular relationship with the principal dwelling, there is potential for noise, activity and disturbance detrimental to the amenity of that principal dwelling were the development to be occupied as an unrelated dwelling.

NOTE/S FOR CONDITION

Unless otherwise stated, this condition applies to the site outlined in red and to all new development that forms any net increase in residential accommodation and may include change of use of buildings, change of use of land for the siting of caravans or similar, new buildings and extensions.

Thorrington Parish Council

NO DETERMINATIONS

Weeley Parish Council

NO DETERMINATIONS

Wix Parish Council

NO DETERMINATIONS

Wrabness Parish Council

NO DETERMINATIONS

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