

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

Alresford Parish Council

No Determination

Ardleigh Parish Council

<u>24/00035/FUL</u>	<i>Bernadette Buck</i>	<i>Proposed one dwelling in lieu of approved application</i>	<i>Barn A to The rear of 5 Hunters Chase</i>
<i>Approval - Full</i>		<i>22/00359/COUNOT</i>	<i>Ardleigh</i>
<i>10.07.2024</i>		<i>(Barn A). Re-submission of 23/00773/FUL.</i>	<i>Essex</i>
<i>Committee Decision</i>			<i>CO7 7LW</i>

01 COMPLIANCE: TIME LIMIT

CONDITION: 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 COMPLIANCE: APPROVED PLANS AND 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.

- o 1:1250 Ordnance Survey Extract
- o 1:500 Amended Block Plan - Revision A
- o Planning Statement Revision A
- o Amended Hard landscaping and Demolition - Revision A
- o Amended Soft Landscaping Retained and Proposed - Revision A
- o Amended Arboricultural Impact Assessment (AIA) TPSQU0202 Issue 2
- o AIA Appendix 1 Tree survey and explanatory notes
- o AIA Appendix 2 Tree Survey and Constraints Plan Dwg. No. TPSQU0202 TSCP
- o AIA Appendix 3 & 4 Protective Fencing & Signage
- o AIA Appendix 5 Tree Protection Plan Dwg. No. TSPQU0202 TPP Rev. B
- o AIA Appendix 6 Arboricultural Monitoring Form
- o Amended Proposed Block Plan, Elevations and Floor Plans Dwg. No. BB-01 Revision C
- o 1:1250 Visibility Splay Plan
- o Dwg. No. AJC/01 Roof Plan
- o Amended Parking & Access - Revision A
- o Broadband Connection
- o Contamination Statement
- o Foul Drainage Assessment
- o Ecological Survey and Assessment August 2023

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

03 COMPLIANCE: PERMEABLE SURFACING & NO UNBOUND SURFACE MATERIALS

CONDITION: All new parking areas and areas of hardstanding shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area within the site area. No unbound materials shall be used in the surface treatment of the individual private driveways and throughout the development.

REASON: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety, and in the interests of sustainable development to minimise the risk of surface water flooding.

04 FURTHER APPROVAL: MITIGATION TO BE AGREED - RAMS

CONDITION: Prior to the commencement of any works to the development hereby approved, 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.

LEGAL AGREEMENT REQUIRED

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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>

05 FURTHER APPROVAL: CONSTRUCTION MANAGEMENT TO BE AGREED

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) Confirmation of the hours of operation on the site. No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holidays.
- 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 wheel and underbody washing facilities to be provided and used at the site.
- e) Details of any protection measures for footpaths and trees surrounding the site.
- f) Details of any means of access to the site during construction.
- g) Details of the scheduled timing/phasing of development for the overall construction period.
- h) 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.
- i) Details of the siting of any on site compounds and portaloos.
- j) Details of the method of any demolition to take place, including the recycling and disposal of said materials resulting from demolition.
- k) Site waste management plan (that shall include reuse and recycling of materials) and the prohibition of the burning of materials on the site.
- l) Scheme for sustainable construction management to ensure effective water and energy use.
- m) A scheme to control noise and vibration during the construction phase, including details of any piling operations. If piling is to be carried out on the site a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents shall be provided.
- n) Scheme of review of complaints from neighbours.
- o) Registration and details of a Considerate Constructors Scheme.

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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 in adverse harm to neighbouring residents' amenities.

06 COMPLIANCE: IN ACCORDANCE WITH AIA

CONDITION: The development shall be carried out in accordance with the approved Amended Arboricultural Impact Assessment (AIA) TPSQU0202 Issue 2 and accompanying Arboricultural Impact Assessment Appendices 1 to 6. This shall include a qualified Arboriculturalist visiting the site throughout the development process to carry out an assessment of tree health and protection condition and make recommendations when required.

No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

REASON: To ensure existing trees, shrubs and hedges that are identified as being retained are not removed and are protected appropriately during the development, as they are considered essential to enhance the character of the development and contribute positively to the appearance of the area.

07 FURTHER APPROVAL: HARD AND SOFT LANDSCAPING SCHEME

CONDITION: Prior to the commencement of any above ground works, a scheme of hard and soft landscaping for the site shall be submitted to and approved, in writing, by the local planning authority. The scheme shall include any proposed changes in ground levels, accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained in compliance with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction". The scheme shall be in general conformity with the indicative landscape details shown on the approved drawings, subject to any new boundary planting being planted a minimum of 1 metre back from the highway boundary and any visibility splay and retained free of obstruction above 600mm at all times.

REASON: In order to enhance the appearance of the development, in the interests of visual amenity and the quality of the development, and to ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety.

08 COMPLIANCE: IMPLEMENTATION OF 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

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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 is implemented in accordance with the approved scheme and has sufficient time to establish, in the interests of visual amenity and the quality of the development.

09 FURTHER APPROVAL: SUSTAINABILITY & ENERGY EFFICIENCY

CONDITION: No development shall commence above slab level until full details of the sustainability and energy efficiency measures to be used in the development shall be submitted to and approved in writing by The Local Planning Authority. The detailed scheme shall include as a minimum:-

- o An electric car charging point scheme
- o Agreement of a scheme for water conservation including greywater recycling and rainwater capture/re-use for the new dwelling
- o 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 the new dwelling
- o Agreement of heating for the new dwelling
- o Agreement of scheme for waste reduction
- o In line with the accompanying Broadband Statement, the 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.

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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.

10 COMPLIANCE: ACCESS DETAILS AND WIDTH

CONDITION: Prior to 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 maximum width of 5 metres, shall be retained at that width for 5 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the verge/carriageway.

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

11 REMOVAL OF PERMITTED DEVELOPMENT: FENCING & ENCLOSURES

CONDITION: Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that order with or without modification), other than the fencing shown on the approved drawings, there shall be no other gates/fence and/or other means of enclosure erected at the point of access or anywhere on or within the site, unless details are first agreed, in writing, by the local planning authority. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge the carriageway.

REASON: To allow the local planning authority additional control over the erection of fencing and enclosures, in the interests of proper planning of the development, in the interests of highway safety and in the interests of visual amenity and the semi-rural character and appearance of the area.

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.

12 REMOVAL OF PERMITTED DEVELOPMENT: EXTENSIONS OR OUTBUILDINGS

CONDITION: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), Classes A, B, C and E no extensions or alterations to the dwelling or its roof shall be undertaken, nor shall any sheds or amenity/utility buildings, or other buildings or structures, other than those shown on the approved plans shall be erected on the site unless details of their size, materials and location have previously been submitted

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to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of proper planning of the development, in the interests of visual amenity and the character and appearance of the area.

13 FURTHER APPROVAL: DRAINAGE DETAILS

CONDITION: Full details of surface and foul water drainage shall be submitted to and approved, in writing, by the local planning authority prior to the commencement of any works to the building/s it would serve. No part of the building/s shall be first occupied or brought into use until the agreed method of surface and foul water drainage has been fully installed and is functionally available for use for that building/s. The surface and foul water drainage scheme shall thereafter be maintained as approved.

REASON: To safeguard the ground water environment from harm and minimise the risk of flooding as insufficient information has been provided with the application.

NOTE/S FOR CONDITION:

This condition shall engage and requires details to be agreed prior to the commencement of works to the building/s approved. 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.

14 COMPLIANCE: ECOLOGICAL APPRAISAL RECOMMENDATIONS

CONDITION: All mitigation measures and/or works shall be carried out in accordance with the details contained in the hereby approved Ecological Survey and Assessment (Essex Mammal Surveys, August 2023).

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

15 FURTHER APPROVAL: BIODIVERSITY ENHANCEMENT STRATEGY

CONDITION: Prior to any above ground works, 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;

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- 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 FURTHER APPROVAL: EXTERNAL LIGHTING

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

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

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

17 COMPLIANCE: DEMOLITION 22/00359/COUNOT

CONDITION: Prior to the commencement of any above ground works associated with the development hereby approved, the existing agricultural building on the site (subject of Prior Approval application reference 22/00359/COUNOT or any subsequent prior approval applications related to the building, and as shown to be demolished on the approved Block Plan Drawing No BB-01 Revision C) shall be demolished in its entirety and all resultant materials and debris shall be cleared from the site.

REASON: The development hereby permitted is supported on the basis that the existing agricultural building subject of the Prior Approval conversion under application reference 22/00359/COUNOT or any subsequent prior approval applications related to the building, is to be removed from the site in its entirety, thus resulting in a one-for-one replacement dwelling (replacement for the Prior Approval scheme). The site lies outside of any settlement development boundary where new residential development is contrary to the development plan (which directs new development to sites within settlement development boundary).

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<u>24/00119/FUL</u> Approval - Full 12.07.2024 Delegated Decision	HT Industrial Limited	Demolition of existing buildings and construction of new storage warehouse with B8 Use Class, associated yard space, parking and ancillary refuse and cycle storage.	Ardleigh Oaks Old Ipswich Road Ardleigh Essex CO7 7QR

01 COMPLIANCE: TIME LIMIT

CONDITION: 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 COMPLIANCE: APPROVED PLANS AND 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.

- 001 Amended Site Plan - received 17.04.24
- 200 P10 Amended Proposed Block Plan - received 17.04.24
- 201 P3 Proposed Ground Floor Plan - received 02.02.2024
- 202 P3 Proposed First Floor Plan - received 02.02.2024
- 204 P3 Proposed Elevations - received 02.02.2024
- 203 P2 Proposed Roof Plan - received 24.01.24
- 205 P2 Proposed Front Elevations and Sections - received 24.01.24
- Construction Method Statement Doc No. REP-ST-23036-00 Rev 01 dated November 2023 - received 24.01.2024
- Transport Statement - received 24.01.2024
- Arboricultural Report SHA 1720 Rev A dated January 2024 - received 24.01.2024
- 230961-TMA-XX-DR-L-3001 Landscape Proposals Plan - received 24.01.24
- 230961-TMA-XX-DR-L-3005 Detailed Planting Plan - received 24.01.24
- Planting Specification - received 24.01.2024
- Bat Survey Report 230961-ED-06 May 2024 - received 31.05.2024
- Outline Bat Mitigation Strategy - received 24.01.2024
- Aerial Tree Bat Inspection - received 24.01.2024
- Biodiversity Net Gain Assessment - received 24.01.2024
- Preliminary Ecological Appraisal - received 24.01.2024
- Sustainable Drainage Assessment - received 24.01.2024
- Flood Risk Assessment - received 24.01.2024
- Phase 1 Desk Study Report and Risk Assessment - received 24.01.2024

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

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development.

03 COMPLIANCE: IN ACCORDANCE WITH AIA

CONDITION: The development hereby approved shall be carried out in accordance with the recommendations detailed at Section 8 of the accompanying Arboricultural Report SHA 1720 Rev A dated January 2024 received 24.01.2024 and accompanying appendices. The Tree protection plan SHA 1720 TPP A provided at Appendix 3 of the Arboricultural Report shall be erected prior to commencement of development and retained throughout the construction period.

No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

REASON: To ensure existing trees, shrubs and hedges that are identified as being retained are not removed and are protected appropriately during the development, as they are considered essential to enhance the character of the development and contribute positively to the appearance of the area.

04 COMPLIANCE: IMPLEMENTATION OF LANDSCAPING SCHEME

CONDITION: All changes in ground levels and soft/hard landscaping shown on the approved landscaping details 230961-TMA-XX-DR-L-3001 Rev: P04 Landscape Proposals Plan, 230961-TMA-XX-DR-L-3005 Rev: P02 Detailed Planting Plan and 230961-TMA-XX-DR-L-3006 Rev: P02 Planting Specification 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 is implemented in accordance with the approved scheme and has sufficient time to establish, in the interests of visual amenity and the quality of the development.

05 FURTHER APPROVAL: AGREEMENT OF MATERIALS

CONDITION: No above slab level works shall commence until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and approved, in writing, by the local planning authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first use/occupation, unless otherwise agreed in writing by the local planning authority.

REASON: To secure an orderly and well-designed finish in the interests of visual amenity and the character and appearance of the development as inaccurate and insufficient information has

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been provided with the application.

06 FURTHER APPROVAL: ENERGY EFFICIENCY & SUSTAINABLE CONSTRUCTION

CONDITION: No above slab level works shall commence until a detailed scheme for the provision and implementation of water, energy and other resource efficiency measures for the lifetime of the development shall be submitted to and approved, in writing, by the local planning authority. The scheme such include, but not be limited to:

- Details of, including the location of all types of electric vehicle charging points
- Details of, including the location of a water resource efficiency measures
- Details of, including the location of any solar panels or other solar renewable energy measures
- Agreement of heating of the building hereby approved
- Agreement of scheme for waste reduction
- Provision of a fibre optic broadband connection to the best possible speed installed on an open access basis and directly accessed from the nearest exchange, incorporating the use of resistant tubing. If the applicant is unable to achieve this standard of connection and can evidence through consultation that this would not be possible, practical or economically viable an alternative superfast (i.e. will provide speeds greater than 30mbps) wireless service will be considered.

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

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

07 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 (Tim Moya Associates, January 2024) and Bat Survey Report (Tim Moya Associates, May 2024) accompanying the application.

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

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

08 FURTHER APPROVAL: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

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CONDITION: Prior to the commencement of any demolition or construction, a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including Precautionary Working Method statements for Bats in trees, Great Crested Newts and Reptiles.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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). This condition is required to be agreed prior to the commencement of any development to ensure the protection and safeguarding of protected or priority species prior to the removal or displacement of any habitat or habitat rich features.

09 FURTHER APPROVAL: BIODIVERSITY COMPENSATION AND ENHANCEMENT STRATEGY

CONDITION: Prior to any works above slab level, a Compensation and Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority. The content of the Compensation and Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed compensation and enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights of proposed compensatory bat roost features and 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 compensatory bat roost features and 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.

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REASON: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF December 2023 and s40 of the NERC Act 2006 (as amended).

10 FURTHER APPROVAL: WILDLIFE SENSITIVE LIGHTING SCHEME

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

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

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

11 FURTHER APPROVAL: ARCHAEOLOGY INVESTIGATIONS

CONDITION:

1. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant, and approved in writing by the local planning authority.
2. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above.
3. The applicant will submit a final archaeological report or (if appropriate) a Post Excavation Assessment report and an Updated Project Design which has been approved in writing by the Local Planning Authority. This shall be done within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance in writing by the Local Planning Authority. This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

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, there is an unacceptable risk of irreversible loss or damage to archaeological and historic assets.

NOTE/S FOR CONDITION:

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A professional team of archaeologists should undertake the archaeological work. A brief outlining the level of archaeological investigation will be issued from this office on request.

12 COMPLIANCE: CONSTRUCTION METHOD STATEMENT

CONDITION: The hereby permitted development shall be carried out in accordance with the submitted Construction Method Statement Doc No. REP-ST-23036-00 Rev 01 dated November 2023 received 24.01.2024, unless otherwise agreed in writing with the local planning authority.

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

13 COMPLIANCE: VISIBILITY SPLAYS

CONDITION: Prior to occupation of the development, the road junction / access at its centre line shall be provided with minimum dimensions of 2.4m x 127m to the north of the access junction 2.4m x 132m to the south of the access junction with no obstructions above 600mm in height in the visibility splay, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction / access is first used by vehicular traffic and retained free of any obstruction at all times. Any site boundary fence/wall/vegetation shall be located outside of the visibility splays.

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

14 COMPLIANCE: PARKING & TURNING

CONDITION: Prior to occupation of the development, the vehicle parking area and associated turning areas (including powered two-wheeler/cycle parking and parking spaces for the mobility impaired) as shown on the approved drawings, shall be hard surfaced, sealed, marked out and made available for use. The vehicle parking and turning areas shall be retained in the approved form and used solely for 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 vehicles can enter and leave the highway in a controlled manner, to ensure that appropriate vehicle parking, cycle parking, and turning is provided in accordance with current standards, and to ensure on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety.

15 COMPLIANCE: HIGHWAY WORKS

CONDITION: Prior to any above slab level works, a scheme of highway improvements shall be submitted in writing to the local planning authority for written approval that shall comprise of the following and include a timetable for implementation:

- a) A priority junction off Old Ipswich Road to provide access to the proposed site as shown in

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principle on planning application, amended visibility and access plan drawing number 2306470-D001 Rev A - contained within the Transport Statement

- b) Internal carriageway measuring no less than 7m in width to the position of the access gates.
- c) Kerb radii measuring a minimum of 15 metres.
- d) A straight section of carriageway to be provided from the entrance junction for 22 metres.
- e) 2-metre-wide footway on the south side of the junction and continued around the kerb radii.
- f) Appropriate pedestrian crossing facilities (drop kerbs/ tactile paving).
- g) Waiting restrictions (Red route restriction) shall be provided on Old Ipswich Road either side of the site access junction and opposite the junction - the extent of the restrictions to be agreed in advance with the Highway Authority.

The improvements as may be agreed shall be implemented as approved in the timetable provided and completed in their entirety.

REASON: To ensure the access is in accordance with current policy standards, to protect highway efficiency of movement and safety, and to ensure the proposal site is accessible by more sustainable modes of transport such as public transport, and walking.

NOTES FOR CONDITION

Highways Approval:

- Prior to any works taking place in the highway the developer should enter into an S278 agreement or Minor Works Authorisation with the Highway Authority under the Highways Act 1980 to regulate the construction of the highway works.
- The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with the Highway Authority.
- A formal Stage 2 Road Safety Audit outlining the junction detail/ footway design/ improvements will be required.

Discharge of Condition Application:

- This condition will require a formal discharge of condition application to be submitted and approved by the local planning authority in consultation with the Highway Authority. All necessary highway agreements should be in place prior to the submission of any related discharge of condition application. Failure to submit a discharge of condition application with evidence of the necessary highways permits in place, may result in a refusal of the discharge application.

16 FURTHER APPROVAL: TRAFFIC MANAGEMENT PLAN

CONDITION: Prior to the occupation of the development hereby approved, a Traffic Management Plan (TMP) outlining a designated route to and from the development for all HGV movements via the Crown Interchange/A12/A120 shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Highway Authority. The development shall operate in strict accordance with the TMP for the duration of the approved use, unless otherwise agreed in writing by the local planning authority in consultation with the Highway Authority.

REASON: To control the location and direction of HGV vehicle movements to and from the site in the interests of highway safety.

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17 FURTHER APPROVAL: WORKPLACE TRAVEL PLAN

CONDITION: Prior to the occupation of the development hereby approved, a Workplace Travel Plan (WTP) shall be submitted to and approved in writing by the local planning authority in consultation with Essex County Council. The WTP shall include details of the travel arrangements to and from the site for employees, customers, and visitors, The workplace Travel Plan must contain but not be restricted to the following:

- a) Baseline travel data based upon the information provided in the Transport Statement, with suitable measures, objectives and targets identified targets to reduce the vehicular trips made by employees, customers, and visitors across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met.
- b) Appointment of a suitably qualified Travel Plan Coordinator to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan.
- c) A commitment to monitor the vehicular trips generated by the employees, customers, and visitors, and submit a revised Travel Plan no later than six months after occupation of the commercial premises.
- d) A commitment to monitor the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan to be submitted to and approved in writing by the Local Planning Authority and Essex County Council for a minimum period of five years using the same methodology as the baseline monitoring.
- e) A suitable marketing strategy to ensure that all employees on the site are engaged in the Travel Plan process.
- f) Confirmation and evidence of agreement with a local taxi business to provide a free taxi home for car sharers (who have been let down) and employees that have travelled by bus to work for an evening shift and cannot access existing bus services.
- g) A copy of an employee travel pack that includes information to encourage employees to use sustainable travel in the local area. The site shall not be occupied until the workplace Travel Plan has been agreed. The approved travel plan measures shall be implemented in accordance with a timetable that shall be included in the workplace Travel Plan and shall thereafter adhered to in accordance with the approved workplace Travel Plan.

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

18 COMPLIANCE & FURTHER APPROVAL: CONTAMINATION RISKS

CONDITION: The development hereby approved shall be carried out in strict accordance with the methodology and recommendations set out within the accompanying Phase 1 Desk Study and Risk Assessment Geo-Tech report, dated January 2024.

In accordance with all recommendations outlined in section 10.7 of the report:

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1. Prior to the demolition of any existing structures / buildings, an Asbestos Survey should be commissioned to identify any asbestos containing materials and advice on their safe removal/disposal. The Asbestos Survey findings and recommendations shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.
2. Immediately following any demolition and clearance of the site, including the removal of the fuel tanks, a detailed inspection should be undertaken by a suitably qualified geo-environmental engineer to assess potential sources of contamination (including some sampling of soils near the tanks). If there is evidence of significant contamination, a further phase of investigation will be required, likely to necessitate further drilling and testing along with monitoring of ground gases, and laboratory testing. Details of the findings, and the recommendations and methodology for further investigations (if necessary) shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To protect site workers and end users Having regard to the most recent use of the application site as a highway depot, (including the storage of fuel).

19 COMPLIANCE: PERMEABLE SURFACING & NO UNBOUND SURFACE MATERIALS

CONDITION: Any new parking areas or areas of hardstanding shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area within the site area. No unbound materials shall be used in the surface treatment of the altered access and throughout the site.

REASON: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety, and in the interests of sustainable development to minimise the risk of surface water flooding and surface water run-off / discharge onto the highway.

<u>24/00736/FULH</u>	<i>Mr and Mrs</i>	<i>Householder Planning</i>	<i>Silver Birch Barn</i>
<u>H</u>	<i>Jessop</i>	<i>Application - New Porch</i>	<i>Frating Road</i>
<i>Approval - Full</i>			<i>Ardleigh</i>
<i>12.07.2024</i>			<i>Colchester</i>
<i>Delegated</i>			<i>Essex</i>
<i>Decision</i>			<i>CO7 7SU</i>

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:

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<i>Conditions/Reasons</i>			

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. P02

Drawing No. P01

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.

Beaumont Parish Council

No Determination

<i>Application No.</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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Bradfield Parish Council

No Determination

Brightlingsea Town Council

<u>24/00737/FULH</u> <u>H</u> Approval - Full 11.07.2024 Delegated Decision	Mr Anthony Martin	Householder Planning Application - Removal of existing summer house and replace with new single storey side extension with flat roof and bi-fold doors. To be finished in timber cladding to match existing dwelling.	Colts House Folkards Lane Brightlingsea Colchester Essex CO7 0SP
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

- Drawing No. 0190-A-001
- Drawing No. 0190-A-002
- Drawing No. 0190-A-200 01

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

<i>Application No.</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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NOTE/S FOR CONDITION:

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

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

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

<u>24/00801/LUPR</u> <i>OP</i> <i>Application</i> <i>Withdrawn</i> <i>08.07.2024</i> <i>Delegated</i> <i>Decision</i>	<i>Mr Fulton Morrow</i>	<i>Application for Lawful Development Certificate for Proposed Use or Development for rear single storey extension.</i>	<i>14 Bellfield Avenue Brightlingsea Essex CO7 0NT</i>
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Clacton-on-Sea

<u>24/00185/FUL</u> <i>Approval - Full</i> <i>10.07.2024</i> <i>Committee</i> <i>Decision</i>	<i>Brian White - Clacton Rugby Club</i>	<i>Retention of existing cabin serving as changing room and proposed cabin to extend changing room area, relocation of existing equipment storage structures and other external alterations including new 1.8m high screen fencing (part retrospective).</i>	<i>Clacton Rugby Club Valley Road Clacton On Sea Essex CO15 6NA</i>
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<i>Application No.</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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<i>Conditions/Reasons</i>			

01 1 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The extension to the existing changing facilities and new 1.8m high screen fencing 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. 5000 24-A 2 REV
 Drawing No. 5000 24-A 3 REV
 Drawing No. 5000 24-A 4 REV

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

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

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

- 03 **CONDITION:** Within 1 month of the date of approval of this planning permission, details of the external colour finish (suitable paint) to be applied to all the external facing elevations of the container shall be submitted to and approved, in writing, by the Local Planning Authority. The approved colour shall be applied to all external facing elevations of the containers within one month of the date of the approval of the said colour, and retained as one uniform colour on all the external facing elevations for as long as the container is kept on site.

REASON: To minimise the visual impact of the container on the character and appearance of the area.

- 04 **CONDITION:** The hereby approved and retained 1.8m screen fence shall be constructed in accordance with the approved plans within 6 months of this decision and shall be retained thereafter in its entirety. Should any part need to be replaced for any reasons, it shall be replaced to accord with the approved plans within 1 month of removal.

REASON: To enable the boundary treatments to be protected and retained in the interests of visual amenity.

<u>24/00576/LUPR</u> <u>OP</u> Lawful Use/development Refused 11.07.2024 Delegated Decision	Mr Paul Newman	Application for Lawful Development Certificate for Proposed Use or Development to construct a garden room to rear garden.	234 St Johns Road Clacton On Sea Essex CO16 8DE
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- 01 The proposal comprises a large annex containing two bedrooms, a lounge, bathroom and kitchen. The scale of self-contained accommodation proposed is considered akin to a separate dwelling and would not be incidental to the existing dwelling contrary to Class E (a) of Part 1 of Schedule 2 of the General Permitted Development Order. The application for a certificate of Lawfulness of Proposed use/development is therefore refused.

- 02 The proposed building exceeds the height of 2.5 metres and is within 2 metres of the

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boundary, contrary to Class E (e) (ii) of Part 1 of Schedule 2 of the General Permitted Development Order. The application for a certificate of Lawfulness of Proposed use / development is therefore refused.

- 03 The eaves of the proposed building exceed 2.5 metres in height, contrary to Class E (f) of Part 1 of Schedule 2 of the General Permitted Development Order. The application for a certificate of Lawfulness of Proposed use / development is therefore refused.

<u>24/00658/FULH</u>	<i>AB Patel</i>	<i>Detached annex for</i>	<i>7 Bonham Close</i>
<u>H</u>	<i>Investments Ltd</i>	<i>single user supported</i>	<i>Clacton On Sea</i>
<i>Refusal - Full</i>		<i>living accommodation</i>	<i>Essex</i>
<i>09.07.2024</i>		<i>(Class C3(b) use)</i>	<i>CO15 4AZ</i>
<i>Delegated</i>		<i>(following demolition of</i>	
<i>Decision</i>		<i>existing garage).</i>	

- 01 The scale, height and form of the proposed one-bedroom dwelling is considered out of place and will have a negative impact on the character of the immediate area as a result of its narrow plan and the angle of the pitched roof which does not conform to its surroundings. The gable facing Catherine Close does not conform to its surroundings and will interrupt the rhythm of built form and contribute to its dominance in the street scene. Its dominance is further exacerbated by the difference in ground levels between the application site and the next-door neighbour at 19 Catherine Close where 7 Bonham Close lies at a slightly higher ground level. The contrived layout where the application site has already been subdivided which incorporates a reduction of the private amenity space of the donor dwelling and the new dwelling shoehorned into the area once used as the garden of the donor dwelling, creates a cramped appearance eroding the openness at this point in Catherine Close and breaks the relationship with the neighbouring property of 19 Catherine Close. In addition, the private garden of the new dwelling appears contrived and only exacerbates the cramped appearance of these two plots by enclosing the private amenity space in this way.

The proposed development is therefore contrary to Policy SP7 and SPL3 of the Tendring District Local Plan 2013-2033 and Beyond and the National Planning Policy Framework.

- 02 Parking provision has not been incorporated into the proposal however the existing dwelling of 7 Bonham Close benefits from one off road car parking space in front of the existing garage fronting Catherine Close. The proposed dwelling by way of its position further forward than the existing detached garage results in the loss of the only off-road car parking space. A minimum distance of 5 metres is required from the front of the building to the back edge of the path or highway. In this case a distance of only 4.85 metres can be achieved in front of the new dwelling. No other off road parking provision is provided for either 7 Bonham Close or the new dwelling.

The proposal fails to provide sufficient off-road parking facilities. The proposal would lead to additional vehicles being left parked in the adjoining highways adding to the existing parking stress in this area and in the immediacy of junctions, causing conditions of congestion, danger, and obstruction, contrary to the interests of highway safety.

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The proposed development is therefore contrary to Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond, the Essex County Council Parking Standards 2009 and the National Planning Policy Framework.

<u>24/00738/FULH</u> <u>H</u> Approval - Full 11.07.2024 Delegated Decision	Mr Stephen Parnham	Householder Planning Application - Proposed side extension to be formed. New shutter to front of extension. Finished in a render material and rubber roof finish.	34 Carrs Road Clacton On Sea Essex CO15 3ET
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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
0195-A-001 00
0195-A-002 00
0195-A-100 01

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

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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>24/00852/ADV</u>	Mrs Adele	Application for	Bus Shelter 2512-0011
Approval -	Grogan - Clear	Advertisement Consent -	Frinton Road
Advertisement	Channel UK	Double-sided digital	O/S No. 88
Consent		displays to replace	OPP Stratford Road
12.07.2024		existing Double-sided	Tendring
Delegated		Internally Illuminated 6-	CO15 5UP
Decision		sheet Bus Shelter	
		advertising displays.	
		Digital displays to portray	
		static advertising images	
		that change every 10	
		seconds.	

01 ADVERTISEMENT (SCHEDULE 2 CONDITIONS)

CONDITIONS:

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to:
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements

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shall be maintained in a condition that does not endanger the public.

5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

REASON: All advertisements displayed with the (express) consent of the Local Planning Authority are subject to these standard conditions by virtue of Schedule 2 to the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 (as amended).

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).

Location Plan - Rec'd 07/06/24

Site Plan - Rec'd 07/06/24

DT369437 - Rec'd 07/06/24

PY4176/001B - Rec'd 07/06/24

Planning Statement - Rec'd 07/06/24

Proposed Bus Shelter Advertising Unit Specification - Rec'd 07/06/24

REASON: For the avoidance of doubt.

NOTE/S FOR CONDITION:

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

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

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

03 ONGOING REQUIREMENT IMPOSED: LEVEL OF ILLUMINATION

CONDITION: The maximum luminance of the signs shall not exceed 300 candelas/m² at night and

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2500 candelas/m² during the day.

REASON: Any luminance in excess of this level would cause harm by reason of being detrimental to the prevailing character of the area, residential amenity, biodiversity and possible distraction to highway users.

NOTE/S FOR CONDITION:

Candelas/m² (cd.m²) is a measure of light emitted per unit area, this unit is frequently used to specify the brightness of a display device. For example, most consumer desktop liquid crystal displays have luminance of 200 to 300 cd/m². A HDR television display can range from 450 to up to 1600 cd/m²

04 ONGOING REQUIREMENT IMPOSED: FLASHING/INTERMITTENT ILLUMINATION

CONDITION: There shall be no flashing, intermittent or recurring form of illumination to take place at any time to highlight the advertisements.

REASON: These forms of illumination would cause harm because the intermittent display would distract drivers and pedestrians likely to result in detriment to highway safety.

NOTE/S FOR CONDITION:

For the avoidance of doubt, this condition applies to both internal lighting and external lighting sources to highlight the advertisement and any light type and source.

Elmstead Market Parish Council

<u>24/00585/FUL</u> Approval - Full 11.07.2024 Delegated Decision	Mr Lucas Carroll	Planning Application - conversion of existing outbuilding to residential dwelling including installation of roof lights, cladding and fenestration changes.	Pandora Bromley Road Elmstead Colchester Essex CO7 7BX
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01 1 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

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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.

Site Plan - Received 22.04.2024
 Application Form - Received 22.04.24
 Broadband Statement - Received 01.05.24
 Drawing No. 92827-01-102e
 Drawing No. 92827-01-103e
 Drawing No. 92827-01-201e
 Drawing No. 92827-01-202e
 Drawing No. 92827-01-301e
 Drawing No. 92827-01-302e
 Drawing No. 92827-01-402e

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.

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

03 FURTHER APPROVAL: MITIGATION TO BE AGREED, RAMS

CONDITION: No works on the hereby approved development shall 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

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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 VISIBILITY SPLAYS

CONDITION: Prior to occupation of the new dwelling, the access at its centre line shall be provided with a clear to ground visibility splay as indicated on drawing no. 92827 - 01 - 201H. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

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

05 DRIVEWAY MATERIAL

CONDITION: No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety

06 VEHICULAR ACCESS

CONDITION: Prior to occupation of the new dwelling, the vehicular access shall be widened at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 5.5 metres, shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing.

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

07 RENEWABLE ENERGY AND SUSTAINABILITY

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 such include as a minimum to achieve:

- o An electric car charging point for the dwelling
- o 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 the new dwelling.

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- o Agreement of heating of the dwelling
- o Agreement of scheme for waste reduction

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.

08 SURFACE AND FOUL WATER DRAINAGE

CONDITION: No internal conversion works shall commence until full details of surface and foul water drainage have been submitted to and approved, in writing, by the Local Planning Authority. No part of the building shall be first occupied or brought into use until the agreed method of surface and foul water drainage has been fully installed and is functionally available for use for that building. The surface and foul water drainage scheme shall thereafter be maintained as approved.

REASON: To safeguard the ground water environment from harm and minimise the risk of flooding.

NOTE/S FOR CONDITION:

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.

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

09 PERMITTED DEVELOPMENT RIGHTS

CONDITION: Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of Schedule 2 Part 1 Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no extensions, additions, outbuildings, porches or other alterations to the dwellings shall be carried out except in complete accordance with details which shall previously have been approved, in writing, by the Local Planning Authority following the submission of a planning application for such development.

REASON: To minimise and retain control over the amount of development in this location involving the conversion of an existing building on a sub-divided plot and to maintain sustainable

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development principles.

Frating Parish Council

No Determination

Frinton & Walton Town Council

<u>23/01726/FUL</u> Approval - Full 11.07.2024 Delegated Decision	Mr M Francis - MAF Housing Limited	Construction of two detached dwellings with garages, following demolition of existing pair of semi detached houses. Provision of new access and closure of existing access.	141 Thorpe Road Kirby Cross Frinton On Sea Essex CO13 0NQ
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

The approved red line plan is Drawing No. 990/03 B received 6 February 2024

Drawing No. 990/02

Drawing No. 990/01

Planning and Heritage Statement received 5 December 2023

Report on 141 Thorpe Road, Kirby Cross dated March 2024 and received 21 March 2024

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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 - 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.

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- 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. 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 legislation 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.

04 FURTHER APPROVAL: HERITAGE RECORD (PRE COMMENCEMENT)

CONDITION: No demolition, development or conversion works to the building shall take place until the applicant or developer has secured the implementation of a programme of historic building/s and associated analysis work in accordance with a written scheme of investigation which have been first submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include a timetable for the programme and arrangements for the deposition of the archive to an appropriate depository as identified by the scheme and the scheme shall be carried out in its entirety.

REASON: To allow proper investigation and recording of the building/s of potential archaeological and historic significance. This condition is required to be agreed prior to the commencement of works to the building/s 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 there is an unacceptable risk of loss or damage to archaeological and historic assets.

NOTE/S FOR CONDITION:

This condition engages prior to any works/development taking place that affects the building/s the subject of this decision.

05 ACTION REQUIRED: HIGHWAYS PROVISION OF VISIBILITY SPLAYS

CONDITION: Before the access is first used clear visibility shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 2.4 metres from the nearside edge of the metalled carriageway at the centre line of the access point and a distance of 43 metres in each direction along the edge of the metalled carriageway from the centre of the access as shown on Drawing No. 990/03B. 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

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Order with or without modification) no obstruction shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

NOTE/S FOR CONDITION:

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

06 SPECIFIC RESTRICTION: ACCESS WIDTH

CONDITION: Prior to occupation of the dwellings hereby approved the vehicular access and drive shall be reconstructed to a minimum width of 5.5 metres for a distance of at least 6 metres measured from the nearby edge of the carriageway and shall then thereafter be retained.

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

NOTE/S FOR CONDITION:

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

07 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.

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the applicant's expense.

08 HIGHWAYS REQUIREMENT - ACCESS

CONDITION: The hereby approved access shall be completed in all respects in accordance with the approved drawings and be available for use prior to occupation. The approved access shall then be retained in its approved form. Prior to first use of the new access the existing access to the east of the site as shown on Drawing no. 990/03B shall be suitably and permanently closed incorporating the reinstatement to full height of the highway footway and kerbing.

REASON: To ensure that an increase in accesses available does not increase in highway safety risk.

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.

09 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.

10 ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

CONDITION: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Liz Lord Ecology, June 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

REASON: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), s40 of the NERC Act 2006 (as amended) and Policy PPL 4 of the adopted Tendring District Local Plan 2013-2033 and Beyond.

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11 FURTHER APPROVAL REQUIRED - BIODIVERSITY ENHANCEMENT STRATEGY CONDITION

Prior to first occupation of the dwellings 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).

12 WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

CONDITION: Prior to occupation a lighting design scheme for biodiversity in accordance with Guidance Note GN:08/23 (Institute of

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

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

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

13 SPECIFIC RESTRICTION ON DEVELOPMENT: PROVISION OF OBSCURE GLASS AND NON OPENING 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 window in the eastern side elevation at first floor of plot 2 serving a bedroom shall be non opening and 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

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Pilkington Textured Glass Level 5 Standard as published January 2010 (as amended).

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

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.

14 COMPLIANCE REQUIRED: MEASURES TO IMPROVE SUSTAINABILITY OF DEVELOPMENT

CONDITION: The scheme of electricity energy generation for heating and hot water via solar panels and an air source heat pump as detailed in the Planning and Heritage Statement received 5 December 2023 and shown on Drawing No. 990/03B, 990/01 and 990/02 shall be implemented prior to first occupation of the dwellings hereby approved unless otherwise agreed in writing by the Local Planning Authority. The scheme shall be constructed and the measures provided and made available for use as may be agreed and thereafter shall be maintained.

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

15 COMPLIANCE REQUIRED: ELECTRIC VEHICLE CHARGING

CONDITION: The provision of one electric vehicle charging facility per dwelling as detailed in the Planning and Heritage Statement received on 5 December 2023 and shown on Drawing No. 990/03B shall be installed in a working order, prior to first occupation of the dwellings and thereafter shall be maintained.

REASON: In order to promote sustainable transport.

16 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 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 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

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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.

17 COMPLIANCE WITH DETAILS AND TIMESCALE REQUIRED - LANDSCAPING SCHEME

CONDITION: All changes in ground levels, soft/hard landscaping shown on Drawing No. 990/03B 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.

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<u>24/00597/NMA</u> Approval Non Material Amendment 10.07.2024 Delegated Decision	Mrs J Humphries	Non Material Amendment to 23/01269/FUL - Change of brick from mardale antique to maltings antique, alteration of window arrangement to flank elevation ground floor, and change of colour of windows externally.	88 Woodberry Way Walton On The Naze Essex CO14 8EW

01 APPROVED PLANS & DOCUMENTS

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

23/01269/FUL

The approved red line plan drawing is drawing no. DB23021/001 received 14 September 2023 drawing no. DB23021/102

24/00597/NMA

drawing no. DB23021/103a

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

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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>24/00679/COMC</u> <u>ON</u> Approval - Discharge of Condition 12.07.2024 Delegated Decision	Justice Nyakatawa - Leimen Ltd	Request for written confirmation of compliance with conditions relating to condition 1 planning permission 18/01244/FUL to confirm development has been lawfully commenced.	27 - 31 High Street Walton On The Naze Essex CO14 8BW
<u>24/00726/FUL</u> Refusal - Full 09.07.2024 Delegated Decision	Mr Michael Phillips	Conversion, demolition and extensions to the existing buildings to provide 2 x self contained dwellings with office workspace at ground floor level and associated works.	Former Coastguard Clubhouse Hall Lane Walton On The Naze Essex CO14 8PY

01 Paragraph 135 of the 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.

Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context, and to protect the district's landscape and the quality of existing places and their environs. Policy SPL3 and LP4 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 which create a unique sense of place.

The proposal will see the conversion of the building into two dwellings and two office units, and to facilitate such a conversion it does involve significant alterations to the scale and appearance of the building, including a significant increase in height, depth and bulk, as well as alterations to the materials and additional elements to the side and rear elevations. These changes will be highly visible from the street scene along this section of Hall Lane and will provide for a building with a tall and bulky appearance that comprises of a high eaves line and significant depth in plan form, that bears little resemblance to the modest appearance and form of the existing building, to the serious detriment of the area's existing character, and contrary to the above local and national planning policies.

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02 Paragraph 135 of the National Planning Policy Framework (2023) confirms planning policies and decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy SP7 of Section 1 of the 2013-33 Local Plan requires that the amenity of existing and future residents is protected. Section 2 Policy SPL 3 (Part C) seeks to ensure that development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

The closest neighbouring properties to the proposed development are those located adjacent to the east. These four properties each have a small private amenity area sited approximately 3.5 metres from the application site, with the properties themselves approximately 9.8 metres apart. Given the significant increase in the bulk, depth and height of the building, the proposed development would result in a significant degree of oppression for the adjacent neighbouring properties to the serious detriment of the enjoyment of the rear garden areas, and therefore contrary to the above local and national planning policies. In addition, the placement of windows to the first floor of the rear elevation would give the perception of being overlooked, which further increases the level of harm experienced to these neighbouring properties.

Moreover, the properties adjacent to the east are two storeys, and the future occupants of the proposed dwellings subject of this application would be significantly overlooked in their rear garden area by a number of first floor windows serving bedrooms, contrary to the above local and national planning policies.

<u>24/00754/LUPR</u> <u>OP</u> Lawful Use Certificate Granted 10.07.2024 Delegated Decision	Miss J Heller	Application for Lawful development Certificate for Proposed Use or Development for conversion of existing loft space including a rear facing dormer window and front rooflight.	27 St Marys Road Frinton On Sea Essex CO13 9HS
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01 The proposed development constitutes permitted development by virtue of the provisions of Schedule 2, Part 1, Classes B and C of The Town and Country Planning (General Permitted Development) (England) Order 2015.

<u>24/00761/FULH</u> <u>H</u> Approval - Full 12.07.2024 Delegated Decision	Mr and Mrs Selwyn	Householder Planning Application - Single storey rear extension.	46 Horsey Road Kirby Le Soken Frinton On Sea Essex CO13 0DZ
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

<i>Application No.</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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CONDITION: The development hereby permitted shall be begun not later the expiration of three years from the date of this permission.

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

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

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

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.

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

<u>24/00785/FULH</u> <u>H</u> Approval - Full 11.07.2024 Delegated Decision	Mr Alan Weinling	Householder Planning Application - single storey wrap around side and rear extension. Partial removal of first floor pitched roof and replace with new flat roof and fascia. Two existing chimney stacks to be removed. Tile creasing removed from facade on side and rear elevations. New windows to ground floor and first floor.	10 Eton Road Frinton On Sea Essex CO13 9JA
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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.

0188-A-001

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0188-A-002
0188-A-200 04
0188-A-201 04

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.

Great Bentley Parish Council

<u>23/01699/OUT</u> Approval - Outline 10.07.2024 Committee Decision	<i>Dalau Limited</i>	<i>Outline Planning Application (Access to be considered with all other matters reserved) for new commercial premises.</i>	<i>Land to The South of Colchester Road Frating Essex</i>
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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.

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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

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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 502042-IWD-XX-ZZ-DR-A-2010 Revision P13, 502042-IWD-XX-XX-DR-C-6101 Revision P01, 502042-IWD-XX-XX-DR-C-6002, 502042-IWD-XX-XX-DR-C-6001 Revision P01, 502042-IWD-XX-XX-DR-C-6000 Revision P04, 502042-IWD-XX-XX-DR-C-6100 Revision P02, 502042-IWD-XX-XX-DR-A-2400 Revision P03, 10606-D-AIA, and the documents titled 'Planning, Design and Access Statement', 'Preliminary Ecological Appraisal Report', 'Noise Impact Assessment', 'Landscape & Visual Impact Assessment', 'Geotechnical and Geoenvironmental Interpretative Report', 'Flood Risk Assessment' dated 23rd November 2023, 'Tree Survey, Arboricultural Impact Assessment Preliminary Arboricultural Method Statement & Tree Protection Plan', 'Transport Assessment', 'Interim Workplace Travel Plan', and 'Heritage Officer response' dated 28th 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.

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

04 **CONDITION:** Concurrent with the first reserved matter a scheme of hard, soft and boundary treatment landscaping works for the site, which shall include any proposed changes in ground levels, shall be submitted to and approved, in writing, by the Local Planning Authority.

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

NOTE/S FOR CONDITION:

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

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

05 **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.

06 **CONDITION:** Concurrent with the first reserved matter all mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (Practical Ecology, August 2022) and thereafter maintained.

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

07 **CONDITION:** Concurrent with the first reserved matter a Hazel Dormouse Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain

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precautionary mitigation measures and/or works to reduce potential impacts to Hazel Dormouse during the construction phase. The measures and works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

08 **CONDITION:** Concurrent with the first reserved matter 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.

09 **CONDITION:** Concurrent with the first reserved matter a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON: To enhance protected and Priority species and habitats.

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10 **CONDITION:** Concurrent with the first reserved matter a lighting design scheme for biodiversity in accordance with GN:08/23 Bats and Artificial External Lighting (ILP) shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting plans, drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall then be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme.

REASON: To enhance protected and Priority species and habitats.

11 **CONDITION:** Concurrent with the first reserved matter 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.

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12 **CONDITION:** Concurrent with the first reserved matter, a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution shall be submitted to, and approved in writing by, the local planning authority. This must include details regarding mitigation measures within the SPZ and how soil compaction will be minimised. The scheme shall subsequently be implemented in full accordance with the details as approved.

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

13 **CONDITION:** Concurrent with the first reserved matter 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.

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- 14 **CONDITION:** Prior to occupation of the hereby approved development, the following shall have taken place or been completed:
- a) As indicated in principle on drawing no. 502042 IWD XX XX DR C 6000 P04, a new priority junction off Colchester Road to provide access to the proposed site.
 - b) A dedicated right turn lane to be designed in accordance with DMRB standards, incorporating refuge islands as indicated in principle on drawing no. 502042 IWD XX XX DR C 6000 P04.
 - c) As indicated in principle on drawing no. 502042 IWD XX XX DR C 6002 P01, and where possible the existing footway to be widened to maximum 2-metres or minimum 1.8 metres on the north side of Colchester Road to the existing bus stop facilities east of the Car Auction access. The provision of a new 2-metre-wide footway on the south side from the development site to the new bus stop.
 - d) To current Essex County Council specification, the upgrade of the nearest bus stop on north side of Colchester Road, and east of the Car Auction access and a new bus stop to be provided on the south side of Colchester Road (details shall be agreed with the Local Planning Authority and Essex County Council prior to commencement of the development).
 - e) Where the existing 40-mph speed limit terminates west of the proposed development site the provision of a 50-mph speed limit to be provided eastwards to incorporate the new development and to include the provision of a gateway feature at the new location for the terminal signs east of the development site (details shall be agreed with the Local Planning Authority and Essex County Council prior to commencement of the development).

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 public transport, cycling and walking.

- 15 **CONDITION:** Concurrent with the first reserved matter, details of the travel arrangements to and from the site for employees, customers, and visitors, within the proposed workplace Travel Plan shall be submitted for the approval in writing by the local Planning Authority in consultation with the Highway Authority. The workplace Travel Plan must contain but not be restricted to the following:
- a) Baseline travel data based upon the information provided in the Transport Assessment, with suitable measures, objectives and targets identified targets to reduce the vehicular trips made by employees, customers, and visitors across the whole development, with suitable remedial measures identified to be implemented if these objectives and targets are not met.
 - b) Appointment of a suitably qualified Travel Plan Coordinator to implement the Travel Plan in full and clearly identify their contact details in the Travel Plan.
 - c) A commitment to monitor the vehicular trips generated by the employees, customers, and visitors, and submit a revised Travel Plan no later than six months after occupation of the commercial premises.
 - d) A commitment to monitor the Travel Plan annually on each anniversary of the approval of the Full Travel Plan and provide the outcome in a revised Travel Plan to be submitted to and approved in writing by the Local Planning Authority and Essex County Council for a minimum period of five years using the same methodology as the baseline monitoring.

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- e) A suitable marketing strategy to ensure that all employees on the site are engaged in the Travel Plan process.
- f) Confirmation and evidence of agreement with a local taxi business to provide a free taxi home for car sharers (who have been let down) and employees that have travelled by bus to work for an evening shift and cannot access existing bus services.
- g) A copy of an employee travel pack that includes information to encourage employees to use sustainable travel in the local area. The site shall not be occupied until the workplace Travel Plan has been agreed. The approved travel plan measures shall be implemented in accordance with a timetable that shall be included in the workplace Travel Plan and shall thereafter adhered to in accordance with the approved workplace Travel Plan.

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

16 **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;
- Agreement of a scheme for water conservation including greywater recycling and rainwater capture/re-use;
- Agreement of heating of each building;
- Agreement of scheme for waste reduction; and
- Provision of a fibre optic broadband connection to the best possible speed installed on an open access basis and directly accessed from the nearest exchange, incorporating the use of resistant tubing. (If the applicant is unable to achieve this standard of connection, and can evidence through consultation that this would not be possible, practical or economically viable an alternative superfast (i.e. will provide speeds greater than 30mbps) wireless service will be considered.)

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

17 **CONDITION:** Notwithstanding the provisions of Article 3, Schedule 2 Part 3 of the Town & Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking and re-enacting that Order with or without modification), the hereby approved development shall be used as Class B2 and E(g)(i) uses and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory instrument and re-enacting that Order with or without modification).

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REASON: To enable the Local Planning Authority to retain control over the development in the interests of the amenity.

- 18 **CONDITION:** Concurrent with the submission of the Reserved Matters, full details of foul water drainage shall be submitted to and approved, in writing, by the Local Planning Authority. No part of the building/s shall be first occupied or brought into use until the agreed method of foul water drainage has been fully installed and is functionally available for use for that building/s. The foul water drainage scheme shall thereafter be maintained as approved.

REASON: To safeguard the ground water environment from harm.

NOTE/S FOR CONDITION:

This condition shall engage and requires details to be agreed prior to the commencement of works to the building/s approved. 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. This condition as detailed will apply to the development at all times once agreement is obtained unless varied or removed legally.

- 19 **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 215 metres in both directions, as measured from and along the nearside edge of the carriageway, and shall then be retained in its approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

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

<u>24/00857/NMA</u>	<i>Mr and Mrs</i>	<i>Non Material</i>	<i>Alloway</i>
<i>Approval Non</i>	<i>Humphries</i>	<i>Amendment to</i>	<i>Weeley Road</i>
<i>Material</i>		<i>24/00261/FULHH -</i>	<i>Aingers Green</i>
<i>Amendment</i>		<i>Change to openings.</i>	<i>Colchester</i>
<i>12.07.2024</i>			<i>Essex</i>
<i>Delegated</i>			<i>CO7 8ND</i>
<i>Decision</i>			

01 APPROVED PLANS & DOCUMENTS

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

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P01B Block Plan, Existing and Proposed Floor Plans and Elevations - Rec'd 20.06.24

REASON: For the avoidance of doubt.

NOTE/S FOR CONDITION:

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

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

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

Great Bromley Parish Council

<u>24/00722/FULH</u> <u>H</u> Approval - Full 12.07.2024 Delegated Decision	Mr M Volf	Householder Planning Application - Conversion of part of barn as an extension to the existing ancillary residential use of part of the barn.	Morants Hall Colchester Road Great Bromley Colchester Essex CO7 7TN
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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.

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02 APPROVED PLANS & DOCUMENTS

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

Drawing No. 856/12A
Drawing No. 856/13A
Drawing No. 856/14A
Drawing No. 856/15

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

NOTE/S FOR CONDITION:

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

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

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

03 SPECIFIC RESTRICTION ON DEVELOPMENT: 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 Morants Hall, Colchester Road, Great Bromley, CO7 7TN (or as may be renamed in the future) and does not permit the use of the approved accommodation as a separate household

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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.

Great Oakley Parish Council

No Determination

Harwich Town Council

<u>24/00763/NMA</u>	<i>Mr Daren Burney</i>	<i>Non Material</i>	<i>Stanton Europark</i>
<i>Approval Non</i>	<i>- Dovetail</i>	<i>Amendment to</i>	<i>Freshfields Road</i>
<i>Material</i>	<i>Architects Ltd</i>	<i>23/00881/VOC - access</i>	<i>Harwich</i>
<i>Amendment</i>		<i>to be directly from the</i>	<i>Essex</i>
<i>11.07.2024</i>		<i>access road rather than</i>	<i>CO12 4EN</i>
<i>Delegated</i>		<i>from Units 2no. and 3no.</i>	
<i>Decision</i>		<i>carpark.</i>	

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

- 3835-PL02X REV 1 (Proposed Site Layout)
- 2772-LLA-ZZ-ZZ-DR-L-0101 P04 (Hard Landscaping Sheet 1)
- 2772-LLA-ZZ-ZZ-DR-L-0102 P04 (Hard Landscaping Sheet 2)
- 2772-LLA-ZZ-ZZ-DR-L-0201 P04 (Planting Proposals Sheet 1)
- 2772-LLA-ZZ-ZZ-DR-L-0202 P04 (Planning Proposals Sheet 2)
- 2772-LLA-ZZ-ZZ-DR-L-0301 P02 (Landscaping Specifications)

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

Lawford Parish Council

No Determination

Little Bentley Parish Council

No Determination

Little Bromley Parish Council

No Determination

Little Clacton Parish Council

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<u>24/00455/FUL</u> Approval - Full 10.07.2024 Committee Decision	Mr and Mrs Patrick	Planning Application - three dwellings in lieu of 23/00931/COUNOT	Land to The rear of 110 Harwich Road Little Clacton Essex CO16 9NJ

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.

Site Plan - Received 27.03.2024

Drawing No. TPSL-04

Drawing No. TPSL-05(2)

Drawing No. 03.24.001-00

Arboricultural Impact Assessment & Appendix 1-6 - Received 27.03.2024

Broadband Details - Received 27.03.2024

Construction Method Statement - Received 27.03.2024

Contamination Statement - Received 27.03.2024

EV Charging Details - Received 27.03.2024

EV Charging Specifications - Received 27.03.2024

Foul Drainage Assessment - Received 27.03.2024

Sewage Treatment Details - Received 27.03.2024

Visibility Splays - Received 27.03.2024

EV, Cycle & Bin Storage - Received 27.03.2024

Cycle Storage Details - Received 27.03.2024

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Planning Statement - Received 27.03.2024
 Ecological Survey & Assessment - Received 27.03.2024

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

NOTE/S FOR CONDITION:

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

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

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

03 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.

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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.tendringdc.gov.uk/content/the-s-106-process>

04 DEMOLITION OF EXISTING BUILDINGS

CONDITION: Prior to the first occupation of the dwellinghouse, hereby approved, the existing agricultural building (subject of 21/00704/COUNOT) and the two barns, shown as being demolished on drawing no: GRL-05) on the site must be completely demolished and all materials resulting therefrom shall be cleared from the site.

REASON: The development hereby permitted has only been supported on the basis that the existing agricultural buildings be removed from the site to justify their replacement with three dwellings which ordinarily would be contrary to the development plan which directs new development to sites within settlement development boundaries.

05 LANDSCAPING

CONDITION: No development above slab level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary

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treatment landscaping works for the site, particularly in regards to the eastern boundary. The scheme shall also include any proposed changes in ground levels. The landscaping works must include a detailed plan, showing species to be used, planting positions, numbers of trees and shrubs and the sizes of the plants at time of planting and include wildlife friendly, native planting and locations for habitat boxes for roosting bats and nesting birds.

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

NOTE/S FOR CONDITION:

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

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

06 LANDSCAPING

CONDITION: All changes in ground levels, soft/hard landscaping shown on the approved landscaping details as submitted and agreed with the Local Planning Authority, 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.

07 VISIBILITY SPLAYS

CONDITION: Prior to occupation of the development, the road junction / access at its centre line shall be provided with a minimum clear to ground visibility splay with dimensions of 2.4 metres by 53 metres to the north-east and 2.4 metres by 43 metres to the south-west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction / access is first used by vehicular traffic and retained free of any obstruction at all times.

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

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08 VEHICLE TURNING FACILITY

CONDITION: Prior to the first occupation of the development hereby approved, the vehicular turning facility as indicated on drawing no. TPSL-05 must be constructed, surfaced, 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.

09 VEHICULAR ACCESS

CONDITION: Prior to the first occupation of the development hereby approved dwellings, the vehicular access at Harwich Road, must be reconstructed at right angles to the highway boundary the proposed private drive shall not be less than 4.5 metres in width for at least the first 6 metres from the back of Carriageway/Highway Boundary in accordance with drawing no. TPSL-05 including the provision a dropped kerb crossing of the verge.

REASON: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety.

10 SURFACE TREATMENT OF VEHICULAR ACCESS

CONDITION: No unbound material shall be used in the surface treatment of the vehicular access within 5 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety.

11 ACCESS GATES

CONDITION: Any gates retained or installed at the vehicular access with Harwich Road must be inward opening only and shall be set back a minimum of 5 metres from the back edge of the footway/or where no provision of footway is present, the carriageway.

REASON: To enable vehicles using the access to stand clear of the carriageway whilst the gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent footway/cycleway/carriageway in the interest of highway safety.

12 12. RENEWABLE ENERGY AND SUSTAINABILITY

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 such include as a minimum to achieve:

- o An electric car charging point for the dwelling
- o Agreement of a scheme to achieve as far as possible a water consumption rate of not

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more than 110 litres, per person, per day for the new dwelling.

- o Agreement of heating of the dwelling
- o Agreement of scheme for waste reduction
- o 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 better use of water, energy and resources reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

NOTE/S FOR CONDITION:

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

13 SURFACE AND FOUL WATER DRAINAGE

No development shall commence above slab level until full details of surface and foul water drainage have been submitted to and approved, in writing, by the Local Planning Authority. No part of the building/s shall be first occupied or brought into use until the agreed method of surface and foul water drainage has been fully installed and is functionally available for use for that building/s. The surface and foul water drainage scheme shall thereafter be maintained as approved.

REASON: To safeguard the ground water environment from harm and minimise the risk of flooding.

NOTE/S FOR CONDITION:

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.

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

14 PERMITTED DEVELOPMENT RIGHTS

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CONDITION: Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of Schedule 2 Part 1 Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no extensions, additions, outbuildings, porches or other alterations to the dwellings shall be carried out except in complete accordance with details which shall previously have been approved, in writing, by the Local Planning Authority following the submission of a planning application for such development.

REASON: To minimise and retain control over the amount of development in this rural location, outside of any defined settlement development boundary and to maintain sustainable development principles.

15 ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL

All mitigation and enhancement measures and/or works shall be carried out in full accordance with the details contained in the Ecological Survey and Assessment (Essex Mammal Surveys, March 2024) as submitted with the hereby approved planning application.

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

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

16 PRIOR TO DEMOLITION: BIODIVERSITY ENHANCEMENT STRATEGY

Prior to demolition of the existing building on site, 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) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The approved works shall be implemented in accordance with the approved details prior to first occupation of the hereby approved dwelling, 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). This condition is required to be agreed prior to the commencement of any demolition or development as any

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construction process, including site preparation, has the potential to disturb protected and priority species and their habitat.

17 COMPLIANCE REQUIRED: LANDSCAPE PROTECTION

CONDITION: Prior to commencement of development the existing trees on the site, shall be protected by the erection of temporary protective fences to be agreed and approved in writing. The protective fences shall be retained throughout the duration of building and engineering works in the vicinity of the tree to be protected. Any trees dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with a tree or trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be approved, in writing, with the Local Planning Authority up to first use or first occupation of the development, following the death of, or severe damage to the tree/s.

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

<u>24/01002/NOTIF</u> <i>Application</i> <i>Closed</i> <i>11.07.2024</i> <i>Delegated</i> <i>Decision</i>	<i>Mr and Mrs Smith</i>	<i>Prior Approval</i> <i>Application under Part 3,</i> <i>Class R of the town and</i> <i>Country Planning</i> <i>(General Permitted</i> <i>Development) (England)</i> <i>Order 2015 (as</i> <i>amended) for change of</i> <i>use of an agricultural</i> <i>building into a Class E</i> <i>(flexible commercial)</i> <i>use.</i>	<i>Woodlands Farm</i> <i>217 Harwich Road</i> <i>Little Clacton</i> <i>Essex</i> <i>CO16 9PX</i>
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Little Oakley Parish Council

No Determination

Manningtree Town Council

No Determination

Mistley Parish Council

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Decision

Date of Decision

Conditions/Reasons

<u>24/00825/NMA</u> Approval Non Material Amendment 11.07.2024 Delegated Decision	Mr Leo and Mrs Felicity Borwick	Non Material Amendment to 23/00468/FUL - Removal of north balcony walkway and south overhang at first floor (removing offset floor between ground and first floor). Porch roof overhang structure retained at front door. External Spiral stair relocated to south first floor terrace (east first floor terrace becomes no access roof only). Store to south wing removed (building footprint reduced). Fenestration changes - high level slot window added to Studio south elevation (in lieu of store doors removed), window to master bedroom North elevation moved to corner, Study window split in two and separated, doors to east elevation master bedroom removed - split into 2 windows instead.	The Clearing Anchor Lane Mistley Essex CO11 1NG
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01 **CONDITION:** The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing Numbers 28 Revision O, 32 Revision D, 33 Revision I and 34 Revision C.

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

<u>24/00859/NMA</u> Refusal Non Material Amendment 08.07.2024 Delegated Decision	Tendring Farms Limited	Non Material Amendment to 22/01104/VOC - Minor adjustments to the layout and some house types to offer design enhancements (Phase 2 only).	Land South of Long Road Mistley Essex CO11 2HN
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01 The proposed amendments to the previously approved planning consent are considered to be

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Drawing No. 13 Revision A
Drawing No. 4 Revision C
Drawing No. 5 Revision C
Drawing No. 6 Revision C
Drawing No. 7 Revision C
Drawing No. 8 Revision A
Drawing No. 9 Revision B
Drawing No. 11 Revision B
Drawing No. 12B Revision B

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

NOTE/S FOR CONDITION:

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

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

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

03 FURTHER APPROVAL: AGREEMENT OF MATERIALS

CONDITION: No development/works shall be commenced above slab level until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development and fully applied prior to the first use/occupation.

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

NOTE/S FOR CONDITION:

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

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

Thorpe-le-Soken Parish Council

<u>24/00719/FULH</u> <u>H</u> Approval - Full 11.07.2024 Delegated Decision	Mr Osborne and Mrs Tedford	Householder Planning Application - Detached garage.	Silva Thorpe Le Soken Clacton On Sea Essex CO16 0ED
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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.

6/MLT/3

6/MLT/4

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<i>Conditions/Reasons</i>			

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 APPROVAL REQUIRED: LANDSCAPING SCHEME

CONDITION: No development above slab level shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site, which shall include any proposed changes in ground levels.

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

NOTE/S FOR CONDITION:

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

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

04 COMPLIANCE WITH DETAILS AND TIMESCALE REQUIRED - LANDSCAPING SCHEME

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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.

05 APPROVAL REQUIRED: LANDSCAPE PROTECTION

CONDITION: No development shall take place until the trees/hedges on the adjacent site have been protected by the erection of temporary protective fences, as shown on drawing no 6/MLT/3. The protective fences shall be retained throughout the duration of building and engineering works.

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

Thorrington Parish Council

<u>24/00592/FULH</u> <u>H</u> Approval - Full 09.07.2024 Delegated Decision	Mr and Mrs T Haywood	Householder Planning Application - single storey side extension and front porch (following demolition of existing porch and conservatory), alterations to existing front dormer window. Detached garage with car port.	The Glen Brightlingsea Road Thorrington Colchester Essex CO7 8JJ
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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:

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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 titled; Location Plan - Rec'd 22.04.2024

Drawing No. TW02

Drawing No. TW05 Revision 1

Drawing No. TW03 Revision 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.

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Weeley Parish Council		No Determination	
Wix Parish Council		No Determination	
Wrabness Parish Council		No Determination	