

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

Ardleigh Parish Council NO DETERMINATIONS

Beaumont Parish Council

<u>24/00873/LBC</u> <i>Refusal - Listed Building Consent</i> 12.08.2024 <i>Delegated Decision</i>	<i>Mr and Mrs Lowdell</i>	<i>Application for Listed Building Consent - Small lean-to extension to the existing kitchen to accommodate a larger dining space.</i>	<i>The Oak Harwich Road Beaumont Clacton On Sea Essex CO16 0AS</i>
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01 The Oak is a Grade II listed building. The proposed lean-to extension would result in the loss of historic fabric by removing a portion of external brick walling from a nineteenth century-built extension that supports an eight-over-eight sash window, and a small twentieth century timber casement window. The nineteenth century fabric is an important aspect in understanding the building's phasing and chronological development.

The proposal would result in less than substantial harm to the significance of the Grade II listed building, with no public benefits to outweigh this harm.

The proposal is therefore contrary to paragraphs 205, 206 and 208 of the National Planning Policy Framework 2023 and Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022).

<u>24/00874/FUL</u> <u>HH</u> <i>Refusal - Full</i> 12.08.2024 <i>Delegated Decision</i>	<i>Mr and Mrs Lowdell</i>	<i>Householder Planning Application - Small lean-to extension to the existing kitchen to accommodate a larger dining space.</i>	<i>The Oak Harwich Road Beaumont Clacton On Sea Essex CO16 0AS</i>
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01 The Oak is a Grade II listed building. The proposed lean-to extension would result in the loss of historic fabric by removing a portion of external brick walling from a nineteenth century-built extension that supports an eight-over-eight sash window, and a small twentieth century timber casement window. The nineteenth century fabric is an important aspect in understanding the building's phasing and chronological development.

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The proposal is therefore contrary to paragraphs 205, 206 and 208 of the National Planning Policy Framework 2023 and Policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022).

Bradfield Parish Council NO DETERMINATIONS

Brightlingsea Town Council NO DETERMINATIONS

Clacton-on-Sea

<u>23/01408/DOV U5</u> Application Closed 13.08.2024 Delegated Decision	Mark Lomas - Orwell Build (Clacton) Limited	Deed of variation under Town and Country Planning Act 1990 Section 106A, of the terms of the legal agreement dated 15th of December 2021, linked to full planning permission 21/01562/FUL to vary the timing of the outstanding open space contribution to first occupation of the building.	Mayfield Place 93 Station Road Clacton On Sea Essex CO15 1TW
<u>24/00667/FUL</u> Approval - Full 13.08.2024 Delegated Decision	Mr P Barrett	Planning Application - Erection of warehouse (for B8 storage and distribution) following demolition of existing warehouse.	4 Wade Road Clacton On Sea Essex CO15 4LT

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.

- 101 - Site Plan - received 02.05.24
- 102 - Existing and Proposed Block/Roof Plans - received 28.05.24
- 104A - Proposed Floor Plan and Elevations - received 28.05.24

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

03 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.

04 FURTHER APPROVAL - DEMOLITION/CONSTRUCTION MANAGEMENT TO BE AGREED (PRE COMMENCEMENT)

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

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- 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

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.

05 ONGOING REQUIREMENT IMPOSED - RESTRICTION ON OPERATION TIMES

CONDITION: The hereby permitted development/use shall only operate between the hours of 08:00 and 18:00; Mondays to Fridays. There shall be no working and/or use operated on Saturdays, Sundays and Bank Holidays. There shall be no deliveries to the development/use arranged for outside of these approved hours.

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

NOTE/S FOR CONDITION:

- 1) This condition shall engage and restricts the operation of the development from the first commencement of the use. This condition is imposed to ensure the development avoid unreasonable impact on the residential amenity of neighbouring dwellings, especially given the location of the development with considerations to the prevailing character and amenity currently enjoyed in this location. Without the imposing of this condition, the development would be refused due to the risk of harm and this condition is considered necessary, enforceable and reasonable in all other respects. This condition as detailed will apply to the development at all times unless varied or removed legally.
- 2) If the development operates outside of the hours stated this may result in unlawful development/use at risk of Enforcement Action. You are encouraged to discuss any concerns with this condition with the Local Planning Authority.

24/00923/FUL HH Approval - Full 15.08.2024 Delegated Decision	Mr and Mrs Austin	Householder Planning Application - erection of single storey front extension and replacement flat roofs to existing porch and garage.	41 Farmleigh Avenue Clacton On Sea Essex CO15 4UB
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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

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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.

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>24/01186/TELL IC</u> Deemed Consent 14.08.2024	John Tsoi - Telent Technology Services Ltd	Remove 6 antennas and replace with 3 antenna, add 1 GPS Node and upgrade power cable, along with associated equipment works.	Zetters Bingo Pier Avenue Clacton On Sea Essex CO15 1NJ
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Elmstead Market Parish Council

NO DETERMINATIONS

Frating Parish Council

NO DETERMINATIONS

Frinton & Walton Town Council

<u>24/00720/OUT</u>	<i>Ms Linda</i>	<i>Outline Planning</i>	<i>Ferndene</i>
<i>Refusal -</i>	<i>Middleditch</i>	<i>Application (all matters</i>	<i>Main Road</i>
<i>Outline</i>		<i>reserved) - Detached</i>	<i>Great Holland</i>
<i>14.08.2024</i>		<i>dwelling.</i>	<i>Frinton On Sea</i>
<i>Delegated</i>			<i>Essex</i>
<i>Decision</i>			<i>CO13 0JN</i>

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

Adopted Policy SP7 of Section 1 of the 2013-33 Local Plan seeks high standards of urban and architectural design, which responds positively to local character and context. Policies SPL3 and LP4 of Section 2 of the 2013-33 Local Plan also require, amongst other things, that developments deliver new dwellings that are designed to high standards and which, together with a well-considered site layout that relates well to its site and surroundings, create a unique sense of place. Policy LP8 Criterion (c) states that the proposal must avoid "tandem" development using a shared access. Criterion (e) states that the site must not be on the edge of defined settlements where likely to produce a hard urban edge or other form of development out of character in its particular setting. Criterion (f) states that proposals must not be out of character with the area or set a harmful precedent for other similar forms of development.

The new dwelling would be set on a parcel of land directly behind the host dwelling known as Ferndene. This section of Main Road is made up of mainly bungalows and chalet bungalows set on similar positions on their plots thereby creating a linear pattern of development which attributes to the local character. The introduction of a dwelling in a backland location here would disrupt this form of development and is completely at odds with this established pattern and the existing character of the area. As such the development represents a harmful and incongruous form of tandem development which would set an undesirable precedent for the area.

Consequently, the development it would fail to maintain local distinctiveness and does not adhere with the above noted local and national planning policies.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/00981/FUL HH Approval - Full 13.08.2024 Delegated Decision	Mr Bruce Freeman	Proposed single storey front extension with balcony above, a replacement front elevation dormer, and proposed single storey rear extension.	Seacrest 5 Easton Way Frinton On Sea Essex CO13 9NU

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 Numbers 570-001 and 570-002 Rev A.

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

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form

this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

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

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<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/01036/WTP O Split decision 16.08.2024 Delegated Decision	Bateson	Works related to Tree Preservation Order (10/00037/TPO) - G1- line of 4 declining Lombardy poplar trees at back boundary of plot (Northwest) - fell 3 Northern most trees. Hollowing visible at base of largest tree of 3 to fell. Replant with hedging, inter planted with smaller, more appropriate tree species such as birch, flowering cherry and magnolia. G2- line of 19 declining Lombardy poplar trees NNE to SSW - fell 12 northern most trees. G3- line of 14 severely declining Lombardy poplar trees NNE to SSW - fell 8 northern most trees. G4- line of Lombardy poplar trees along roadside (Kirby Road). Untouched to retain current aesthetics from the road.	High Trees Kirby Road Great Holland Essex CO13 0HZ

01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

NOTE/S FOR CONDITION:

- 1) Please note that any approval given to by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way Act 2000, the Conservation (Natural Habitats etc.) Regulations 1994 or any Acts offering protection to wildlife. All birds (except those listed in schedule 2 of the Wildlife and Countryside Act 1981), their nests and eggs are protected by law. It is an offence to intentionally or recklessly kill, injure or take any wild bird, or damage, destroy or intentionally disturb the nest of any wild bird

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whilst it is in use or being built. For this reason tree work should not be undertaken during the nesting season (broadly March to August) unless a survey for nesting birds confirms their absence. Should you require any further information on nesting birds, please contact Natural England on 03000 603900.

- 2) You are advised that trees have the potential to support roosting bats. Bats and their roosts are legally protected. It is an offence to disturb or harm a bat, or damage, destroy or obstruct any place used by bats for shelter, whether they are present or not. Trees should be inspected before any works commence and if the presence of bats is suspected works must cease and advice sought from The Bat Conservation Trust on 0845 1300228.
- 3) This decision is valid for two years from the date of this decision or until the work is completed, whichever is the sooner. You are advised that the appropriate standards for tree work are set out in British Standard 3998:2010. Failure to ensure the proposed works are carried out to these standards may result in damage to the tree(s) and may result in legal action by the Council.
- 4) The council not objecting to/approving the proposal does not give the legal right for a person to enter another person's land to prune or fell their tree(s). Permission should be sought from the tree owner before works to a tree(s) are carried out.

01 Refusal - All other works to trees contained in G1, (fell 2 northernmost trees), G2 (fell 12 northernmost trees) and G3 (Fell 8 northernmost trees) is not supported by evidence relating to their condition and consequently consent is not granted for their removal.

Reason - The trees are viable despite some defects and continue to make a positive contribution to the amenity of the locality.

24/01080/NMA Approval Non Material Amendment 14.08.2024 Delegated Decision	Mr Richard Max	Non Material Amendment to 23/01027/VOC - minor amendments to the utility room (amended location of a window and amended location of a door, skylight removed). Minor amendments to the garage (two side windows added).	St Michaels 37 Third Avenue Frinton On Sea Essex CO13 9EQ
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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.

21/00339/FUL

Drawing No. EX0

24/01080/NMA

Drawing No. PP1 Revision A

Drawing No. PP2 Revision A

Drawing No. PP3 Revision A

Drawing No. PP4 Revision A

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

NOTE/S FOR CONDITION:

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

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

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

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Great Bentley Parish Council

24/01101/NAC ON To be determined by another Authority 13.08.2024 Delegated Decision	Elliot Stamp - Town Planning Manager (Anglia)	Proposed request for Deemed Planning: Condition 5 (Archaeology) and Condition 8 (Schedule Monument) associated with Network Rail Essex and Others Level Crossing Reduction Transport and Works Act Order (TWAO).	Abbotts (E56)
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Great Bromley Parish Council

24/00891/FUL HH Approval - Full 15.08.2024 Delegated Decision	Mr Mike Corduff	Householder Planning Application - single storey side and rear extension following demolition of existing extensions.	Bosco House Harwich Road Great Bromley Colchester Essex CO7 7UL
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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

100

210

211

101 A

220 A

REASON: For the avoidance of doubt.

NOTE/S FOR CONDITION:

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

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

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

Great Oakley Parish Council

[24/01211/S106](#)
*Legal
Agreement
Completed
12.08.2024*

*Great Oakley
Community Hub*

*Legal Agreement in
relation to RAMS for
application reference
24/00280/FUL.*

*Red House
High Street
Great Oakley
Harwich
Essex
CO12 5AQ*

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Harwich Town Council

24/00930/FUL HH Refusal - Full 13.08.2024 Delegated Decision	Mr Karalius	Second floor rear addition.	9 Talbot Street Harwich Essex CO12 3JQ
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- 01 The existing dwelling is located at the end of a row of 4 no. terraced properties that are relatively uniform in their appearance with a linear building pattern, narrow plot widths and 1.5 storey high rear projections all of which contribute to the character of the area.

The proposed second floor rear extension will increase the overall height of the existing rear projection creating an incongruous form of development within the streetscene due to its excessive height and depth, appearing out of scale with the prevailing pattern of development at the host and neighbouring dwellings. Additionally, the proposals close proximity to the neighbouring dwellings would appear overbearing to the detriment of their light and outlook whilst the inclusion of a window at first floor level will result in both an incongruous design and loss of privacy over the gardens of the neighbouring terrace of properties.

The proposal is therefore contrary to the aims of paragraphs 131, 132 and 135 of the National Planning Policy Framework 2023 and policies SP7 and SPL3 of the Tendring District Local Plan 2013-2033 and Beyond.

24/01060/S106 Legal Agreement Completed 13.08.2024	Sandie Mitchell	Legal Agreement in relation to RAMS for application reference 24/00682/FUL.	1 Lee Road Dovercourt Harwich Essex CO12 3SJ
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Lawford Parish Council NO DETERMINATIONS

Little Bentley Parish Council NO DETERMINATIONS

Little Bromley Parish Council NO DETERMINATIONS

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Little Clacton Parish Council NO DETERMINATIONS

Little Oakley Parish Council NO DETERMINATIONS

Manningtree Town Council NO DETERMINATIONS

Mistley Parish Council NO DETERMINATIONS

Ramsey & Parkeston Parish Council

<u>24/00776/FUL</u> Approval - Full 13.08.2024 Delegated Decision	Mr J Macaulay	Retrospective change of use of agricultural land to B8 commercial outside storage (including logistic vehicles and trailers), including installation of hardstanding.	Poplar Hall Primrose Lane Ramsey Harwich Essex CO12 5NB
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- 01 **CONDITION:** The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Drawing Numbers 334 - Location Plan, S01, BP01, PCD621/001, PCD621/TR01 (1), PCD621/TR01 (2), PCD621/TR01 (3), and the documents titled 'Planning Statement', 'Transport Statement', and 'Technical Note'.

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.

02 **CONDITION:** Goods, products, raw materials, scrap material or other materials of any other sort shall not be deposited, stacked or stored on site (defined by the red line plan of this permission) to a height exceeding five metres outside the confines of any building, except for agricultural crops.

REASON: The external storage of these items over the stated height would be harmful to the local amenity, character and appearance of the area.

NOTE/S FOR CONDITION:

1) This condition shall engage and restricts the operation of the development from the first commencement of the use and/or operation hereby approved. This condition is imposed to ensure the development avoid unreasonable impact on the residential amenity of neighbouring dwellings, especially given the location of the development with considerations to the prevailing character and amenity currently enjoyed in this location. Without the imposing of this condition, the development would be refused due to the risk of harm and this condition is considered necessary, enforceable and reasonable in all other respects.

2) Buildings do not include any temporary and/or movable structure/building. Storage inside buildings is unaffected by this condition.

03 **CONDITION:** Within 3 months 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;

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f) details of initial aftercare and long-term maintenance (where relevant).

The works shall then be implemented in accordance with the approved details within 2 months of written approval and shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species and habitats.

04 **CONDITION:** Prior to the erection/installation of any floodlighting or other means of external lighting at the site, details to include position, height, aiming points, lighting levels and a polar luminance diagram shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall be carried out and retained as may be approved. There shall be no other means of external lighting installed and/or operated on/at the site except that approved.

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

St Osyth Parish Council

<u>24/00915/FUL</u> <u>HH</u> Approval - Full 14.08.2024 Delegated Decision	Ms Carly Burrows	Householder Planning Application - Alterations to existing fenestration and balconies, rear extension with balcony above, and loft conversion with rooflights, solar PV panels and large rear gable window within new roof.	100 Dumont Avenue St Osyth Clacton On Sea Essex CO16 8JS
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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. 1458-01-05D

Drawing No. 1458-01-06E

Drawing No. 1458-01-07D

Drawing No. 1458-01-08-D

Drawing No. 1458-01-09E

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

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shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

03 PRIVACY SCREENS

CONDITION: Notwithstanding the submitted details, drawings shall be submitted to and approved in writing by the Local Planning Authority detailing the proposed privacy screens to the first floor terrace which shall be of solid construction. The privacy screens as approved shall be installed on both sides of the hereby approved first floor terrace prior to first use and retained as approved thereafter.

REASON: In the interests of reducing overlooking to neighbouring properties.

NOTE FOR CONDITION:

The privacy screens shall be of solid construction e.g. a solid timber panel (not louvres) or obscure glazed screens.

<u>24/01039/WTP</u>	Mr Darren	Works related to Tree	Haven Orchard
<u>O</u>	Burton - Haven	Preservation Order	Point Clear
Approval - Full	Orchard	(95/00016/TPO) -	Clacton On Sea
16.08.2024		Broadleaf black Poplar	Essex
Delegated		trees around Hollows	CO16 8LJ
Decision		99 at Haven Orchard	
		require re.pollarding.	

01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

NOTE/S FOR CONDITION:

- 1) Please note that any approval given to by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way Act 2000, the Conservation (Natural Habitats etc.) Regulations 1994 or any Acts offering protection to wildlife. All birds (except those listed in schedule 2 of the Wildlife and Countryside Act 1981), their nests and eggs are protected by law. It is an offence to intentionally or recklessly kill, injure or take any wild bird, or damage, destroy or intentionally disturb the nest of any wild bird whilst it is in use or being built. For this reason tree work should not be undertaken during the nesting season (broadly March to August) unless a survey for nesting birds confirms their absence. Should you require any further information on nesting birds, please contact Natural England on 03000 603900.

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- 2) You are advised that trees have the potential to support roosting bats. Bats and their roosts are legally protected. It is an offence to disturb or harm a bat, or damage, destroy or obstruct any place used by bats for shelter, whether they are present or not. Trees should be inspected before any works commence and if the presence of bats is suspected works must cease and advice sought from The Bat Conservation Trust on 0845 1300228.
- 3) This decision is valid for two years from the date of this decision or until the work is completed, whichever is the sooner. You are advised that the appropriate standards for tree work are set out in British Standard 3998:2010. Failure to ensure the proposed works are carried out to these standards may result in damage to the tree(s) and may result in legal action by the Council.
- 4) The council not objecting to/approving the proposal does not give the legal right for a person to enter another person's land to prune or fell their tree(s). Permission should be sought from the tree owner before works to a tree(s) are carried out.

Tendring Parish Council

<u>24/00861/ROC</u> Approval - Full 16.08.2024 Delegated Decision	<i>Naphthine Family - Clipper Retail Ltd</i>	<i>Application under Section 73 of the Town and Country Planning Act for Removal of Condition 5 (Care Home Worker Occupancy) of application NE/TEN/323/65 to allow the use of a Care Home to be removed.</i>	<i>Stanley House Heath Road Tendring Clacton On Sea Essex CO16 0BX</i>
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01 No Conditions.

Thorpe-le-Soken Parish Council

<u>24/01003/COU</u> <u>NOT</u> Prior aprv req - deemed appl refused 14.08.2024 Delegated Decision	<i>Mr Polkinghorne</i>	<i>Prior Approval Application under Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for change of use of an agricultural building into two dwellings.</i>	<i>Whitehall Farm Whitehall Lane Thorpe Le Soken Essex CO16 0AE</i>
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01 The development under Class Q(b) will see significant alterations to the building, with the removal of two bays of the existing building as well as a lean-to extension, which combined equate to approximately half of the existing building. Beyond that a new external wall is proposed to the eastern elevation, a first floor is to be created, as well as the installation of solar panels, doors and windows. In addition, there are proposed materials of fibre slate roof tiles, natural stoned render and black stained feather edged weatherboarding. The combination of all the above go beyond the scope of the requirements.

The proposal is therefore contrary to item Q.1. (j) (i) and (ii), and Q.2 (1) (f) of The Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 3, Class Q.

Thorrington Parish Council

24/00878/FUL Approval - Full 14.08.2024 Delegated Decision	Mr Gary Tomlin	Planning Application - Extension of residential curtilage and erection of ancillary domestic development. Retention of outdoor swimming pool, utility and plant rooms.	Cross Farm Station Road Thorrington Colchester Essex CO7 8JA
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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. 4968 - 205 B
- Drawing No. 4968 - 210 C
- Drawing No. 4968 - 212 C

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

NOTE/S FOR CONDITION:

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

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

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

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

CONDITION: Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification):- no garage, car port, fence, gate, wall or any

other means of enclosure, building or structure shall be erected except pursuant to the grant of planning permission on an application made in that regard.

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

04 **CONDITION:** The development hereby approved shall be carried out in accordance with the details as submitted within 'Construction Method Statement' received 12.06.2024.

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.

05 **CONDITION:** Prior to the erection/installation of any floodlighting or other means of external lighting at the site, details to include position, height, aiming points, lighting levels and a polar luminance diagram shall be submitted to and approved, in writing, by the Local Planning Authority. The lighting shall be carried out and retained as may be approved. There shall be no other means of external lighting installed and/or operated on/at the site except that approved.

REASON: In the interests of amenity to reduce the impact of nighttime illumination on the character of the area and in the interests of residential amenity.

06 **ACTION REQUIRED IN THE EVENT OF UNEXPECTED GROUND CONDITIONS**

CONDITION: The Local Planning Authority shall be contacted in the event of unexpected ground conditions being encountered during construction and the below minimum precautions shall be undertaken immediately.

Minimum requirements for dealing with unexpected ground conditions being encountered during construction.

1. All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.
2. A suitably trained geo-environmental engineer should assess the visual and olfactory

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- observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.
3. The suspected contaminated material will be investigated and tested appropriately in accordance with assessed risks. The investigation works will be carried out in the presence of a suitably qualified geo-environmental engineer. The investigation works will involve the collection of solid samples for testing and, using visual and olfactory observations of the ground, delineate the area over which contaminated materials are present.
 4. The unexpected contaminated material will either be left in situ or be stockpiled (except if suspected to be asbestos) whilst testing is carried out and suitable assessments completed to determine whether the material can be re-used on site or requires disposal as appropriate.
 5. The testing suite will be determined by the independent geo-environmental specialist based on visual and olfactory observations.
 6. Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.
 7. Where the material is left in situ awaiting results, it will either be reburied or covered with plastic sheeting.
 8. Where the potentially contaminated material is to be temporarily stockpiled, it will be placed either on a prepared surface of clay, or on 2000-gauge Visqueen sheeting (or other impermeable surface) and covered to prevent dust and odour emissions.
 9. Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into a Verification Report.
 10. A photographic record will be made of relevant observations.
 11. The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions.
 12. After consultation with the Local Planning Authority, materials should either be: re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment; or treatment of material on site to meet compliance targets so it can be re-used; or removal from site to a suitably licensed landfill or permitted treatment facility.
 13. A Verification Report shall be submitted to and approved in writing by the Local Planning Authority before development can proceed.

REASON: It is the responsibility of the developer to ensure the safe development of the site and to carry out any appropriate land contamination investigation and remediation works. The condition is to ensure the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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24/00969/VOC Approval - Full 12.08.2024 Delegated Decision	Ms Karen Pawsey	Application under Section 73 of the Town and Country Planning Act for Variation of Condition 2 (Approved Plans) of application 24/00149/FUL to amend the design of the dwelling.	Apple Blossom Paddocks Brightlingsea Road Thorrington Essex CO7 8JL

01 **CONDITION:** The development hereby permitted shall be begun not later than 28th May 2027.

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

NOTE/S FOR CONDITION:

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

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

24/00149/FUL:

Drawing Numbers ABP/0012, ABP/0020, 0014d, and 0019, and the documents titled 'Foul Drainage Assessment Form', 'Statement of Demolition of Original Buildings', 'Preliminary Ecological Appraisal' and 'Bats Emergence and Re-Emergence Survey'.

24/00969/VOC:

Drawing Number ABP/0024, and the documents titled 'Revised Proposed Elevations - AR-1', 'Revised Proposed Elevations - AR-2', 'Revised Proposed Elevations - AR-3', and 'Revised Proposed Elevations - AR-4'.

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

NOTE/S FOR CONDITION:

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

on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement. Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations. Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

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

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

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

NOTE/S FOR CONDITION:

This condition establishes the necessity to ensure the implementation of appropriate

mitigation measures due to the impact of the approved development. Such mitigation may be required on-site, off-site, or a combination of both.

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

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

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

- An electric car charging point per dwelling;
- Agreement of a scheme for water conservation including greywater recycling and rainwater capture/re-use for new dwellings;
- Agreement of a scheme to achieve as far as possible a water consumption rate of not more than 110 litres, per person, per day;
- Agreement of heating of each dwelling;
- 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.

NOTE/S FOR CONDITION:

Slab level is normally refers to the concrete slab supported on foundations or directly on the

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

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

05 **CONDITION:** Prior to demolition of the existing agricultural building, all mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (MM Environmental Ltd, March 2024) and Bats Emergence and Re-Emergence Survey (MM Environmental Ltd, May 2024) and thereafter maintained as approved.

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

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

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
- 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.

07 **CONDITION:** Prior to first occupation of the hereby approved dwellinghouse, the existing agricultural building (subject of 23/00739/COUNOT and shown as being demolished on drawing ABP/0012 of 24/00149/FUL) 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 building be removed from the site to justify their replacement with a single dwelling which ordinarily would be contrary to the development plan which directs new development to sites within settlement development boundaries.

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

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

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

NOTE/S FOR CONDITION:

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

- 09 **CONDITION:** If during construction/demolition works evidence of potential contamination is encountered, works shall cease, and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not recommence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

- a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
- b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.
- c) If no contamination has been discovered during the build, then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

REASON - To ensure that any risks from land contamination to the future users of the land and neighbouring land are minimised.

Weeley Parish Council

<u>24/00671/LBC</u> <i>Application Withdrawn 12.08.2024 Delegated Decision</i>	<i>Mrs Alex Ball</i>	<i>Application for Listed Building Consent - Proposed conversion of existing outbuilding into ancillary accomodation/rented units, and erection of an extension to the outbuilding to be used as a gym.</i>	<i>Knights (Tocketts) Thorpe Road Weeley Essex CO16 9JJ</i>	<i>Bridge</i>	<i>House</i>
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<u>24/00672/FUL</u> <i>Application Withdrawn 12.08.2024 Delegated Decision</i>	<i>Mrs Alex Ball</i>	<i>Planning Application - Proposed conversion of existing outbuilding into ancillary accommodation/rented units, and erection of an extension to the outbuilding to be used as a gym.</i>	<i>Knights (Tocketts) Thorpe Road Weeley Essex CO16 9JJ</i>	<i>Bridge</i>	<i>House</i>
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Application No.
Decision
Date of Decision
Conditions/Reasons

Applicant's Name

Proposal

Location

Wix Parish Council

NO DETERMINATIONS

Wrabness Parish Council

NO DETERMINATIONS