

<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 NO DETERMINATIONS

Bradfield Parish Council NO DETERMINATIONS

Brightlingsea Town Council

<u>24/00988/FUL HH</u> Refusal - Full 29.08.2024 Delegated Decision	Miss Francis Goodwin	Householder Planning Application - two- storey and single storey rear extension.	47 Ladysmith Avenue Brightlingsea Colchester Essex CO7 0JD
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- 01 One of the core planning principles of the National Planning Policy Framework (NPPF) as stated at paragraph 135 is to always seek to secure high quality design. Policies SP7 and SPL 3 of the Tendring District Local Plan 2013-2033 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its siting, height, scale, massing, form and design.

The proposed extension, by reason for its design, bulk and scale will result in a prominent feature, in particular due to its height being taller than the eaves of the existing property. Moreover, the property forms part of a pair of houses that are symmetrical in appearance, and in this context the proposed extension will appear bulky and out of keeping with both the host dwelling and surrounding properties. The flat roofed design will exacerbate the harm and will create an overly bulky additional that would be poorly proportioned to the host dwelling. For these reasons the proposal will conflict with the above-mentioned local plan policies relevant provisions in the NPPF.

- 02 Paragraph 135 of the National Planning Policy Framework (2023) confirms planning policies and decisions should create places 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 daylight or other amenities of occupiers of nearby properties.

The extension would be built along the boundary with the property known as No. 49 Ladysmith Avenue and would directly abut the rear garden and existing dwelling. Due to its close proximity, it would appear as a prominent and an overly dominant feature for the occupiers of No. 49, resulting in material harm to their outlook and their ability to use and enjoy the central and eastern sections of their rear garden area, contrary to the aims of the above national and local plan policies.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/01005/FUL HH Approval - Full 29.08.2024 Delegated Decision	P. Marchant and Hayley Plumb	Householder Planning Application - Single storey rear extension.	60 Red Barn Road Brightlingsea Colchester Essex CO7 0SJ

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.

P01
P02

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

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

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

Clacton-on-Sea

<u>24/00953/FUL</u> Refusal - Full 27.08.2024 Delegated Decision	Amanda Dunns	Planning Application - Erection of a 1 bedroom residential dwelling.	5 Swift Avenue Jaywick Essex CO15 2JF
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01 NEW DWELLING IN AN AREA AT HIGH RISK OF FLOODING

The application site is located entirely within Flood Zone 3a. Tendring District Local Plan 2013-2033 and Beyond Section 2 Policy PPL1 (Development and Flood Risk) states that all development proposals will be considered against the National Planning Policy Framework 2023 (NPPF) and Planning Practice Guidance: Flood Risk and Coastal Change (PPG) 'Sequential Test'. Paragraph 165 of the NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk.

The proposal results in a new dwelling in an area at high risk of flooding contrary to paragraphs 165 and 167 of the NPPF. This proposal fails the Sequential Test as set out in the NPPF and is therefore contrary to Tendring District Local Plan Policy PPL1.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/00998/FUL Approval - Full 28.08.2024 Delegated Decision	Nest Contractors Ltd	Planning Application - Change of use C2- Care home into C3- Dwelling (Part Retrospective).	21 Granville Road Clacton On Sea Essex CO15 6BX

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. ZAAVIA/21GR/304A - Proposed Ground Floor Plan - Received 03.07.24
- Drawing No. ZAAVIA/21GR/305A - Proposed First Floor Plan - Received 03.07.24
- Drawing No. ZAAVIA/21GR/306A - Proposed Loft Plan - Received 03.07.24
- Drawing No. ZAAVIA/21GR/308A - Proposed Elevations - Received 03.07.24
- Drawing No. ZAAVIA/21GR/309A - Existing and Proposed Roof Plan - Received 03.07.24
- Drawing No. ZAAVIA/21GR/310A - Existing and Proposed Section AA - Received 03.07.24
- Drawing No. ZAAVIA/21GR/311/A - Cycle Pod Details - Received 03.07.24
- Drawing No. ZAAVIA/21GR/313A - Proposed Block Plan - Received 03.07.24
- Design & Access Statement - Received 03.07.24

- Reasonable Exception Statement - Received 03.07.24

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

NOTE/S FOR CONDITION:

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

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

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

03 ACTION REQUIRED: RESIDENTIAL TRAVEL PACK PRIOR TO OCCUPATION

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

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

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

04 CONDITION: No internal conversion or fit out works shall commence until a scheme for the provision and implementation of water, energy and resource efficiency

measures for the lifetime of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme should include as a minimum the following:-

- Agreement of carbon level;
- Agreement of provisions to ensure the development is zero carbon ready;
- A Water-butt for the dwelling;
- Compost bin for the dwelling;
- Agreement of heating of the building; and
- Agreement of scheme for waste reduction
- Details of EV Charging Points

The scheme shall be fully implemented upon full completion of the internal conversion and fit out works and prior to the first full occupancy of the development. The scheme shall be constructed and the measures provided and made available for use as may be agreed and thereafter shall be maintained.

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

NOTE/S FOR CONDITION:

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

05 **CONDITION:** Within one month of approval, details for the storage of refuse/recycling bins for the hereby approved dwelling shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse/recycling bins storage details shall thereafter be implemented within 2 months of the approval of the said details and then retained in perpetuity.

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

NOTE/S FOR CONDITION:

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

06 **ACTION REQUIRED: PROVISION OF CYCLE PARKING**

CONDITION: The powered two-wheeler / cycle parking facilities as shown on the approved plan number ZAAVIA/21GR/311/A are to be provided within one month of approval of the development and retained at all times.

Reason: To ensure appropriate powered two-wheeler and bicycle parking is provided in accordance with Policy DM8.

07 FURTHER APPROVAL: MITIGATION TO BE AGREED, RAMS

CONDITION: No internal conversion or fit out works shall commence until 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 any internal conversion or fit out works commence. 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>

24/01106/HHP NOT HHPN - Prior Approval Not Required 30.08.2024 Delegated Decision	Richard Clark - Spectrum Glazing Ltd	Prior Approval Application under Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for replace existing conservatory with gable ended extension (Depth 6m, Maximum Height 3700mm, Eaves Height 2250mm).	4 Highview Avenue Clacton On Sea Essex CO15 4DY
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01 SITE PLAN - REC'D 23.07.24
 PROPOSED ELEVATIONS - REC'D 23.07.24

Elmstead Market Parish Council	NO DETERMINATIONS
Frating Parish Council	NO DETERMINATIONS
Frinton & Walton Town Council	NO DETERMINATIONS
Great Bentley Parish Council	NO DETERMINATIONS
Great Bromley Parish Council	NO DETERMINATIONS
Great Oakley Parish Council	NO DETERMINATIONS

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

24/00894/FUL Approval - Full 30.08.2024 Delegated Decision	Mr Ali Kaygisiz	Planning Application - Relocation of the entrance door for the flat on the side elevation and the relocation of the staircase.	35 Parkeston Road Dovercourt Harwich Essex CO12 4HF
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SITE PLAN - REC'D 14/06/24

AP101

AP102

AP201

AP301

AP302

PROPOSED BLOCK PLAN - RECD 8.07.24

PROPOSED FLOOR PLANS - RECD 8.07.24

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

NOTE/S FOR CONDITION:

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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>24/01119/NMA</u>	<i>Mr Daren</i>	<i>Non Material</i>	<i>Stanton Europark</i>
<i>Approval Non</i>	<i>Burney -</i>	<i>Amendment to</i>	<i>Freshfields Road</i>
<i>Material</i>	<i>Dovetail</i>	<i>23/00881/VOC -</i>	<i>Harwich</i>
<i>Amendment</i>	<i>Architects Ltd</i>	<i>inclusion of ancillary</i>	<i>Essex</i>
<i>27.08.2024</i>		<i>training element to Unit</i>	<i>CO12 4EN</i>
<i>Delegated</i>		<i>1.</i>	
<i>Decision</i>			

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

- PL02AG (Proposed Site Layout)

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

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/01182/NMA Refusal Non Material Amendment 30.08.2024 Delegated Decision	Farleigh - Myriad Housing Ltd (c/o Jemma Farleigh)	Non Material Amendment to 17/01658/FUL - Amendment to parking layout.	Land North of Williamsburg Avenue Harwich Essex CO12 4EN

01 The proposed amendments comprising the reorientation of Plot 1 90 degrees, and the provision of three parking spaces on land secured as public open space under the S106 agreement dated 13 December 2018 represent material changes to the existing planning permission reference 17/01658/FUL.

The changes in relation to provision of fenced rear amenity areas to plots 31-33 and 34-36 results in a minor reduction to the open space land and therefore has potential to impact detrimentally upon both the visual and recreational amenity of surrounding residents when accessing this public land. The changes relating to a new access to serve the public open space immediately adjacent plots 31-33 also has the potential to detrimentally impact upon the residential amenities of those residents. On both accounts these potential impacts need to be assessed as part of a formal minor material amendment application(s).

These combined changes to the previously approved planning consent are considered to be significant in relation to the planning permission reference 17/01658/FUL. Therefore, a minor material amendment application (a 'Section 73 application') and a deed of variation to the legal agreement is required to be submitted to fully assess the proposed changes.

Lawford Parish Council

24/01067/FUL HH Approval - Full 30.08.2024 Delegated Decision	Mr and Mrs Richard Kimberley	Householder Planning Application - Single storey outbuilding comprising an enclosed garage plus an open cart lodge parking space.	88 Hungerdown Lane Lawford Manningtree Essex CO11 2LY
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

NOTE/S FOR CONDITION:

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JRK/SK/01C

JRK/SK/10B

JRK/SK/21

JRK/SK/22

PLANNING STATEMENT - REC'D 16.07.24

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

NOTE/S FOR CONDITION:

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24/01314/WTR EX Approval - Full 29.08.2024 Delegated Decision	Terry-Ann Osborne	Exception from the normal requirement, to apply to the local planning authority as set out in Section 14 (1) (a) (i) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012. Removal of the dead Oak tree legally protected by TPO.	Land North East of Tan Lane Little Clacton Essex CO16 9PS
Little Oakley Parish Council		NO DETERMINATIONS	
Manningtree Town Council		NO DETERMINATIONS	
Mistley Parish Council		NO DETERMINATIONS	
Ramsey & Parkeston Parish Council		NO DETERMINATIONS	
St Osyth Parish Council			
24/00636/FUL Application Withdrawn 27.08.2024 Delegated Decision	Mr R.A, T.R, D.R, A.I Sargeant	Application for Planning Permission - taking down of a falling section of the boundary wall fronting the road in Mill Street and rebuilding it on a new reinforced concrete foundation to match the original appearance.	St Osyth Priory The Bury St Osyth Clacton On Sea Essex CO16 8NZ
24/01006/FUL HH Approval - Full 30.08.2024 Delegated Decision	Mrs Jill Martin	Householder Planning Application - Two bay car port to front of property.	Oakwood Rectory Road Weeley Heath Clacton On Sea Essex CO16 9BL

01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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0077-A-001

0077-A-002 - Revision 01 (Rec 27/08/2024)

0077-A-200 - Revision 02 (Rec 27/08/2024)

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

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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 Oakwood Rectory Road Weeley Heath Clacton On Sea Essex CO16 9BL

(or as may be renamed in the future) and does not permit the use of the approved accommodation as a separate household unrelated and not incidental/ancillary to the principal dwelling.

REASON: The proposed building 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.

Tendring Parish Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
23/01307/FUL Approval - Full 27.08.2024 Delegated Decision	Mr Hugo Naphthine	Proposed replacement dwelling (following partial demolition of the existing property).	Stanley House Heath Road Tendring Clacton On Sea Essex CO16 0BX

01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

The approved red line plan drawing is DRG. No. 1381/110A received 19 September 2023
 DRG. No. 1381/101C
 DRG. No. 1381/106F
 DRG. No. 1381/107C

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

NOTE/S FOR CONDITION:

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

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

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

03 COMPLIANCE REQUIRED - CONTAMINATION

CONDITION: Prior to and during construction, if any unexpected ground conditions are encountered, the following processes must be followed:

- a. 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.
- b. A suitably trained geo-environmental engineer should assess the visual and olfactory observations of the ground and the extent of contamination and the Client and the Local Authority should be informed of the discovery.
- c. 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.
- d. 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.
- e. The testing suite will be determined by the independent geo-environmental specialist based on visual and olfactory observations.
- f. Test results will be compared against current assessment criteria suitable for the future use of the area of the site affected.

- g. Where the material is left in situ awaiting results, it will either be reburied or covered with plastic sheeting.
- h. 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.
- i. Any areas where unexpected visual or olfactory ground contamination is identified will be surveyed and testing results incorporated into a Verification Report.
- j. A photographic record will be made of relevant observations.
- k. The results of the investigation and testing of any suspect unexpected contamination will be used to determine the relevant actions. After consultation with the Local Authority, materials should either be: o re-used in areas where test results indicate that it meets compliance targets so it can be re-used without treatment; or o treatment of material on site to meet compliance targets so it can be re-used; or o removal from site to a suitably licensed landfill or permitted treatment facility.
- l. A Verification Report will be produced for the work.

REASON: 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.

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

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

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

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 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.

06 SPECIFIC RESTRICTION: ACCESS WIDTH

CONDITION: Prior to occupation of the dwelling 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, shall be provided with an appropriate dropped kerb vehicular crossing of the footway/verge and shall then thereafter be retained.

REASON: In the interests of highway safety to ensure vehicles can enter and leave the site in a safe manner 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 AGREEMENT OF MEASURES TO IMPROVE SUSTAINABILITY OF DEVELOPMENT

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

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

08 FURTHER APPROVAL REQUIRED - BIODIVERSITY ENHANCEMENT STRATEGY CONDITION

Prior to first occupation of the dwelling a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority.

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

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

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

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

09 FURTHER APPROVAL REQUIRED: PRIVACY SCREEN

CONDITION: Notwithstanding the details submitted as part of this application, before the second floor rear balcony hereby approved is first brought into use, details of a 1.8 metre privacy screen to be erected along the south eastern side of the balcony shall be submitted to and agreed in writing by the Local Planning Authority. Details shall include the materials and extent of the screening. The privacy screen shall thereafter be installed in accordance with the agreed details before the balcony is first brought into use and shall thereafter be retained in perpetuity.

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

NOTE/S FOR CONDITION:

Confirmation of the height of the screen, as measured from the surface on which it is mounted. It will need to be at least 1.8 meters in height for the entire length of the screen.

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Confirmation of the exact length and position of the screen, by showing it on a scaled plan. It will need to extend out as far as the edge of the balcony.

Confirmation of the construction of the screen. The screen needs to permanently prevent overlooking. Obscured glass is acceptable so long as it is obscured to the same level of Pilkington Level 5. There should be no gaps in the screen, so a hit-and-miss design will not be acceptable.

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

10 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 first floor windows serving bedroom 4 and the en suite of bedroom 2 in south eastern side elevation 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 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.

11 FURTHER APPROVAL: AGREEMENT OF MATERIALS

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

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

NOTE/S FOR CONDITION:

Slab level is normally refers to the concrete slab supported on foundations or directly on the subsoil and is used to construct the ground floor of the development. In any other case, please assume slab level to be the point before any walls and/or development

can be visually above ground level or seek confirmation from the Local Planning Authority for your development.

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

12 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 and details of existing planting to be retained.

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.

13 COMPLIANCE WITH DETAILS AND TIMESCALE REQUIRED - LANDSCAPING SCHEME

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

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

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24/01315/WTR EX Approval - Full 29.08.2024 Delegated Decision	Simon Hutley	Exception from the normal requirement, to apply to the local planning authority as set out in Section 14 (1) (a) (i) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012. T4 Silver Birch, T5 Japanese Cherry and T11 Holly, works to fell listed trees to ground level.	Tendring Meadows Care Home Heath Road Tendring Essex CO16 0BZ

Thorpe-le-Soken Parish Council

NO DETERMINATIONS

Thorrington Parish Council

NO DETERMINATIONS

Weeley Parish Council

24/00942/VOC Approval - Reserved Matters/Detail d 27.08.2024 Delegated Decision	Mr M Egan - Bocking Homes	Variation of Condition 1 of 23/01148/DETAIL to make a handful of changes to the fenestration to the approved scheme, to omit the rendered walls in favour of facing brickwork and to install PV panels to each plot.	Freelands Thorpe Road Weeley Essex CO16 9JH
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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.

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Drawing No. 18 REV B
 Drawing No. M1 REV A
 Drawing No. M2 REV A
 Drawing No. M3 REV A
 Drawing No. M4 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.

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 ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Assessment (ACJ Ecology, October 2023) and Additional Ecology Response (ACJ Ecology, February 2024) as already submitted with 23/01148/DETAIL and agreed in principle with the local planning authority prior to determination.

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

<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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amended)

03 COMPLIANCE: ECOLOGY - 24/00977/DISCON

CONDITION: The development shall be carried out in accordance with the Discharge of Conditions Document Conditions 3 and 4, Land East of Freelands, Thorpe Road, Weeley' - Received 01/07/24 details approved under discharge of condition application reference number 24/00977/DISCON, 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).

04 COMPLIANCE - BIODIVERSITY ENHANCEMENT STRATEGY - 24/00977/DISCON

CONDITION - The development shall be carried out in accordance with the 'Discharge of Conditions Document Conditions 3 and 4, Land East of Freelands, Thorpe Road, Weeley' - Received 01/07/24, Drawing no. 1982 Rev D and Drawing no. 1982 Rev C details approved under the discharge of condition application reference number 24/00977/DISCON, unless otherwise agreed in writing by the Local Planning Authority.

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).

05 COMPLIANCE - SUSTAINABILITY - 24/00977/DISCON

CONDITION - The development shall be carried out in accordance with the details set out within 'Proposal letter' received 01/07/24 and Openreach Fibre Network Site Plan received 01/07/24 and Openreach Fibre Network Layout Plan received 01/07/24 unless otherwise agreed in writing by the Local Planning Authority.

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.

06 COMPLIANCE REQUIRED: EXISTING HEDGEROWS RETAINED AND MAINTAINED

CONDITION: The existing Hedgerows located within and along the eastern and western boundaries of the site as shown on approved drawing number drawing number. 03C under 23/01148/DETAIL shall be retained in perpetuity at a minimum height 1.8m for the entire length of the hedgerows as shown along the side boundaries on approved drawing number. 03C. Should any of the side hedgerows die, be seriously damaged

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or seriously diseased it shall be replaced in the next planting season with others of similar size and same species and retained in perpetuity.

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

07 COMPLIANCE REQUIRED: EXISTING HEDGEROWS RETAINED AND MAINTAINED

CONDITION: The existing Hedgerows located within and along the northern boundary of the site (either side of the access into the development) shall be retained in perpetuity at a minimum height 1.5m for the entire length of the two respective hedgerows along the southern boundary of the site as shown on approved drawing number 03C under 23/01148/DETAIL. Should the two hedges along the southern boundary die, be seriously damaged or seriously diseased it shall be replaced in the next planting season with others of similar size and same species and retained in perpetuity.

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

08 COMPLIANCE WITH DETAILS AND TIMESCALE REQUIRED - LANDSCAPING SCHEME

CONDITION: The planting details for the repair and improvement of the two hedgerows along the northern boundary of the site, and the two hedgerows along the eastern and western boundaries of the site, as shown on approved drawing number. 03C shall be carried out in full prior to first occupation of any of the residential units approved under planning reference 21/01935/OUT. Any hedgerow planting along any of the above mentioned boundaries of the site, as identified within the approved drawing number. 03C (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 that part of the approved landscaping scheme has sufficient time to establish, in the interests of visual amenity and the character and appearance of the area.

Wix Parish Council

NO DETERMINATIONS

Wrabness Parish Council

NO DETERMINATIONS