

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

**Alesford Parish Council**

**No Determination**

**Ardleigh Parish Council**

<a href="#"><u>24/01408/FUL</u></a> Approval - Full 13.11.2024 Delegated Decision	Ms M Smith	Planning Application - erection of a single self- build unit (in lieu of Prior Approval, Class Q, of a single dwelling subject of application 24/00478/COUNOT.	31 Harwich Road Lawford Manningtree Essex CO11 2LS
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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 Numbers SHR-03 Revision A, and the documents titled 'Location Block Plan', 'Construction Method Statement', 'Electric Vehicle Charging', 'Klargester BioDisc Domestic Sewage Treatment Plant', 'Water, Energy and Resource Efficiency Measures', 'PHASE 1 GEO-ENVIRONMENTAL DESK STUDY AND PRELIMINARY RISK ASSESSMENT', and 'Preliminary Ecological Assessment'.

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

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**NOTE/S FOR CONDITION:**

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

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

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

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

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

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

**NOTE/S FOR CONDITION:**

This condition establishes the necessity to ensure the implementation of appropriate mitigation measures due to the impact of the approved development. Such mitigation may be required on-site, off-site, or a combination of both. Typically, a contribution towards visitor management measures at the protected Habitats Site(s) is the preferred and simplest approach to fulfil the requirements of this condition. To fulfil this requirement, you can contribute funds towards a range of mitigation projects in the protected areas. It is essential to

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secure this provision through a legal agreement between the Council, Developer/Applicant, and site owners before commencement. If this is the approach to fulfilling this condition you wish to take, you are strongly advised to finalise the legal agreement with the Council before submitting any request to discharge this condition. Failure to conclude the agreement within the discharge of condition application timeframe may lead to the refusal to discharge the condition.

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

#### LEGAL AGREEMENT REQUIRED TO DISCHARGE CONDITION

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

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

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

04      **CONDITION:** The dwelling approved by this permission shall be occupied only by persons who have built or commissioned the building of the dwelling/s for their own occupation and use as a self-build project in accordance with the Self-build and Custom Housebuilding Act 2015 for a minimum of 24 hours from first occupation by said persons.

Furthermore, the following scheduled actions shall be undertaken.

- Prior to commencement of the development, details of the (a) individuals, (b) associations of individuals, or (c) persons working with or for individuals or associations of individuals, both building the development and who are to occupy the dwelling/s if different shall be confirmed in writing to the local planning authority. Should there be any changes to these details during construction, these shall be updated in writing to the local planning authority.
- On first occupation details of the first occupier of the dwelling/s shall be confirmed in writing to the local planning authority and subsequently the Local Planning Authority shall be informed of if and when that occupier changes within the first year of occupation.

**REASON:** The dwelling/s approved by this permission shall be occupied only by persons who have built or commissioned the building of the dwelling/s for their own occupation and use as a self-build project in accordance with the Self-build and Custom Housebuilding Act 2015 (as amended) and to accord with provisions of the Local Plan and NPPF.

05      **CONDITION:** Prior to the installation of any external lighting, a lighting design scheme for biodiversity in accordance with GN:08/23 Bats and Artificial External Lighting (ILP) shall be

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

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

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

06      **CONDITION:** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (ACJ Ecology, September 2024).

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

07      **CONDITION:** Prior to the commencement of any development a Precautionary Method Statement for mobile species shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to protected and Priority species during the construction phase. The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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

08      **CONDITION:** No development shall commence above slab level until a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

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

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

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REASON: To enhance protected and Priority species and habitats.

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 re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

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.

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

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

11      **CONDITION:** Prior to first occupation of the hereby approved dwellinghouse, the existing agricultural building (subject of 24/00478/COUNOT and shown as being demolished on the submitted Block Plan Drawing - Scale 1:750) on the site must be completely demolished and all materials resulting therefrom shall be cleared from the site.

REASON - The development hereby permitted has only been supported on the basis that the existing agricultural 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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12      **CONDITION:** Prior to the first occupation of the development precise details of the provision, siting, design and materials of all screen walls and fences shall be submitted to and approved, in writing, by the Local Planning Authority. The screen walls and fences as may be approved shall be erected prior to the dwelling/s/building/s to which they relate being first occupied/used and thereafter be retained in the approved form.

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

13      **CONDITION:** The details and measures contained within the submitted 'Water, Energy and Resource Efficiency Measures' 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.

14      **CONDITION:** The methodology as contained within the submitted 'Construction Method Statement' shall be implemented in its entirety and shall operate at all times during the construction phase.

REASON - To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development.

**Beaumont Parish Council**

**No Determination**

**Bradfield Parish Council**

**No Determination**

**Brightlingsea Town Council**

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<a href="#">24/01393/FULH</a> <a href="#">H</a> Approval - Full 11.11.2024 Delegated Decision	Mrs L Young	Householder Planning Application - Single storey rear extension.	10 Richard Avenue Brightlingsea Colchester Essex CO7 0LP
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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. P02

Drawing No. P01

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

**NOTE/S FOR CONDITION:**

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

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

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

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<a href="#"><u>24/01493/COUN OT</u></a> <i>Determination prior approval not reqred 13.11.2024 Delegated Decision</i>	<i>Mr Arif Ozerin - AM Realty Ltd</i>	<i>Prior Approval Application under Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for conversion of part of the rear of the building which incorporated the ancillary office accommodation to the bank, to create 1 no. 2 bedroom / 3 person flat whilst keeping the 'shop' area to the front with some ancillary, office accommodation to the rear.</i>	<i>18 High Street Brightlingsea Colchester Essex CO7 0AE</i>

01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

REASON: In order to comply with Schedule 2, Part 3, Class MA of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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

02 CONDITION: Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order (as amended) and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.

REASON: To comply with the requirements of the relevant legislation.

03 CONDITION: During the construction/conversion phases of the development no vehicle connected with these works shall arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Mondays to Saturdays (finishing at 13:00 on Saturdays) with no working of any kind permitted on Sundays or any Public/Bank Holiday whilst construction works and alterations are being carried out.



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REASON: Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

04      **CONDITION:** No materials produced as a result of the site development/conversion works or clearance shall be burned on site.

REASON: Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

05      **CONDITION:** Areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

REASON: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.

06      **REASON:** Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, always covered and provided prior to first occupation and retained.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

07      **CONDITION:** Prior to occupation of the development details of the storage for refuse/recycling bins and any collection areas shall be submitted to and approved, in writing, by the Local Planning Authority. The refuse areas shall be provided as approved prior to first occupation and thereafter retained.

REASON: In the interest of highway safety to ensure that refuse/recycling bins do not cause any obstruction or danger on the highway and in the interests of an attractive well designed development that is not detrimental to visual amenity in the conservation area.

**NOTE/S FOR CONDITION:**

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

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## Clacton-on-Sea

<a href="#">24/01320/FULH</a> <i>H</i> <i>Refusal - Full</i> <i>15.11.2024</i> <i>Delegated</i> <i>Decision</i>	<i>Miss Khaliya</i> <i>Lewis</i>	<i>Householder Planning</i> <i>Application -</i> <i>Repositioning existing</i> <i>fence on the south-west</i> <i>elevation closer to the</i> <i>property boundary to</i> <i>increase inner garden</i> <i>area.</i>	<i>47 Grenfell Avenue</i> <i>Holland On Sea</i> <i>Clacton On Sea</i> <i>Essex</i> <i>CO15 5XW</i>
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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.

Grenfell Avenue consists of properties with open front gardens without any walls or fences along the boundary. Kents Avenue has a mixture of frontages featuring low walls and fences which are all less than a metre high. The proposal to move the existing fence closer to the property boundary of this corner plot will result in the fence appearing prominent within the street scene. The height of the fence at 1.8 metres as well as the new position in front of the building line of the properties along Kents Avenue would be detrimental to visual amenity and the character of the surrounding area. The proposed repositioning of the fence would therefore be contrary to the aforementioned national and local planning policies.

<a href="#">24/01406/FUL</a> <i>Approval - Full</i> <i>13.11.2024</i> <i>Delegated</i> <i>Decision</i>	<i>Mr Derek Milliken</i> <i>- Diagrama</i> <i>Foundation</i>	<i>Planning Application -</i> <i>new passenger lift for</i> <i>disabled people.</i>	<i>Edensor</i> <i>3 - 9 Orwell Road</i> <i>Clacton On Sea</i> <i>Essex</i> <i>CO15 1PR</i>
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- 01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

### NOTE/S FOR CONDITION:

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

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## 02 APPROVED PLANS & DOCUMENTS

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

Drawing No.s  
 UK133 2 A-100  
 UK133 2 A-200  
 UK133 2 A-250  
 UK133 2 A-102 A

REASON: For the avoidance of doubt.

### NOTE/S FOR CONDITION:

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<a href="#"><u>24/01425/FULH</u></a> <a href="#"><u>H</u></a> Approval - Full 14.11.2024 Delegated Decision	Mr and Mrs Howes	Householder Planning Application - Single storey rear extension.	31 Severn Road Clacton On Sea Essex CO15 3RB
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## 01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later the expiration of three

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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

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Drawing No.s

P01

P02

REASON: For the avoidance of doubt.

NOTE/S FOR CONDITION:

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

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03 SPECIFIC RESTRICTION ON DEVELOPMENT: PROVISION OF OBSCURE GLASS

CONDITION: Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the ground floor window on the side elevation of drawing No. P01 shall be glazed in obscured glass before the development hereby permitted is first occupied/used and shall thereafter be permanently retained in this approved form. The obscured glass shall be designed as equal or higher than Pilkington Textured Glass Level 5 Standard as published January 2010 (as amended).

REASON: 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.

<a href="#"><u>24/01432/COUN OT</u></a>	<i>Penny - Penny Investments Ltd</i>	<i>Prior Approval Application under Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for change of use of a commercial unit (Use Class E) to a residential (one bedroom) C3 dwelling unit.</i>	<i>161 Old Road Clacton On Sea Essex CO15 3AU</i>
<i>Determination prior approval not reqred 13.11.2024 Delegated Decision</i>			

01 CONDITION: Development under Class MA is permitted subject to the condition that development must be completed within a period of 3 years starting with the prior approval date.

REASON: In order to comply with Schedule 2, Part 3, Class MA of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

02 CONDITION: Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order (as amended) and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse.

REASON: In the interest of protecting residential amenity

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03      **CONDITION:** No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Mondays to Saturdays (finishing at 13:00 on Saturdays) with no working of any kind permitted on Sundays or any Public/Bank Holiday whilst construction works and alterations are being carried out.

**REASON:** Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

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

**REASON:** Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

05      **CONDITION:** Areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

**REASON:** To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety

<a href="#"><u>24/01454/LUPR OP</u></a> <i>Lawful Use/development Refused 12.11.2024 Delegated Decision</i>	<i>Mr Patrick Morrissey</i>	<i>Application for Lawful Development Certificate for Proposed Use or Development for conversion of ground floor car port and integral garage. Installation of new entrance to door and window to car port voids. Installation of new box dormer to rear slope of roof.</i>	<i>67 Camellia Crescent Clacton On Sea Essex CO16 7EU</i>
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01      The proposed conversion of the garage is considered to fall under Class A of Part 1 of Schedule 2 of the General Permitted Development Order. However, a planning condition (Condition 8 of planning permission reference TEN/82/857) is in place which confirms these provisions do not apply to this dwelling as the condition removes the relevant permitted

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development rights.

The proposed dormer window enlargement is considered to fall under Class B of Part 1 of Schedule 2 of the General Permitted Development Order. However, a planning condition (Condition 10 of planning permission reference TEN/82/857) is in place which confirms these provisions do not apply to this dwelling as the condition removes the relevant permitted development rights.

02 The proposed conversion of the carport would result in the enclosure of the space below the living accommodation part of the house with a wall, window and entrance door. This enclosure is considered an enlargement of the existing house which would extend beyond the front wall of the existing house and also fronts a highway. This element of the proposal therefore fails Criteria E of Class A of the GPDO and planning permission is required.

<a href="#"><u>24/01617/TELLI C</u></a> Deemed Consent 13.11.2024 Delegated Decision	Sneha Kadam - Openreach	Proposed installation of two fixed line broadband electronic communications apparatus.	Near 118 Golf Green Road Jaywick Essex CO15 2RL
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<a href="#"><u>24/01628/TELLI C</u></a> Deemed Consent 13.11.2024 Delegated Decision	Pavan Badepalli - Openreach	Installation of fixed line broadband apparatus.	34 Agincourt Road Clacton On Sea Essex CO15 3ED
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**Elmstead Market Parish Council                      No Determination**

**Frating Parish Council                                      No Determination**

**Frinton & Walton Town Council**

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<a href="#">24/01410/FULH</a> <a href="#">H</a> Approval - Full 12.11.2024 Delegated Decision	Mr Keen	Householder Planning Application - side and rear extensions with changes to external facade.	Timberley Edith Road Kirby Le Soken Frinton On Sea Essex CO13 0DH

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.

BLOCK PLAN

SITE PLAN

101 Rev A - PROPOSED FLOOR PLANS

102 Rev A - PROPOSED ELEVATIONS

201 - EXISTING AND PROPOSED ROOF PLANS

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



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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.

<a href="#">24/01538/TCA</a> Approval - Full 15.11.2024 Delegated Decision	Mr Bridgeman	1 No. Eucalyptus - re-pollard to previous cutting points at approx. 4m above ground level.	1 Garden Court The Esplanade Frinton On Sea Essex CO13 9DR
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#### 01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

#### NOTE/S FOR CONDITION:

- 1) Please note that any approval given to by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way Act 2000, the Conservation (Natural Habitats etc.) Regulations 1994 or any Acts offering protection to wildlife. All birds (except those listed in schedule 2 of the Wildlife and Countryside Act 1981), their nests and eggs are protected by law. It is an offence to intentionally or recklessly kill, injure or take any wild bird, or damage, destroy or intentionally disturb the nest of any wild bird whilst it is in use or being built. For this reason tree work should not be undertaken during the nesting season (broadly March to August) unless a survey for nesting birds confirms their absence. Should you require any further information on nesting birds, please contact Natural England on 03000 603900.
- 2) You are advised that trees have the potential to support roosting bats. Bats and their roosts are legally protected. It is an offence to disturb or harm a bat, or damage, destroy or obstruct any place used by bats for shelter, whether they are present or not. Trees should be inspected before any works commence and if the presence of bats is suspected works must cease and

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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.

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<a href="#"><u>24/01540/WTPO</u></a>	<i>Mr Bridgeman</i>	<i>5 No. Silver Birch Trees -</i>	<i>1 Garden Court</i>
<i>Approval - Full</i>		<i>Reduce by approx. 30-</i>	<i>The Esplanade</i>
<i>15.11.2024</i>		<i>35% each.</i>	<i>Frinton On Sea</i>
<i>Delegated</i>			<i>Essex</i>
<i>Decision</i>			<i>CO13 9DR</i>

#### 01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

#### NOTE/S FOR CONDITION:

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

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4) The council not objecting to/approving the proposal does not give the legal right for a person to enter another person's land to prune or fell their tree(s). Permission should be sought from the tree owner before works to a tree(s) are carried out.

## Great Bentley Parish Council

<a href="#"><u>24/01355/VOC</u></a> <i>Approval - Full</i> 15.11.2024 <i>Delegated</i> <i>Decision</i>	<i>Mr Nigel Bones -</i> <i>West Glen Ltd</i>	<i>Application under</i> <i>Section 73 of the Town</i> <i>and Country Planning</i> <i>Act for Variation of</i> <i>Condition 2 (Drawings) of</i> <i>application</i> <i>23/01312/FUL to</i> <i>enable/allow the</i> <i>inclusion of a Cart Lodge</i> <i>to the rear.</i>	<i>Fir Tree House</i> <i>Plough Road</i> <i>Great Bentley</i> <i>Colchester</i> <i>Essex</i> <i>CO7 8NA</i>
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### 01 COMPLIANCE REQUIRED: COMMENCEMENT SECTION 73 TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later the expiration 20th December 2024.

REASON: To comply with the requirements of Section 73 and 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 (if not already commenced) within the timeframe provided unchanged from the permission varied. 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. 2409-01
- Drawing No. 2409-04-P2

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- Drawing No. 2409-05-P2
- Drawing No. 2409-03-P2

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: HIGH-SPEED BROADBAND CONNECTION**

CONDITION: The dwelling hereby approved shall not be occupied until a high-speed broadband connection is installed utilising resistant tubing to the dwelling.

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

**04 COMPLIANCE WITH DETAILS & TIMESCALE REQUIRED: LANDSCAPING SCHEME**

CONDITION: All changes in ground levels, soft/hard landscaping shown on the approved landscaping details drawing number 2409-03-P2, 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

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local planning authority.

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

05 COMPLIANCE: MEASURES TO IMPROVE SUSTAINABILITY OF DEVELOPMENT

CONDITION: CONDITION: The sustainability measures as set out within the 'Sustainability of Development Statement' received 09.09.24 and drawing no. 2409-03-P2 shall be fully implemented and made available for use prior to the first occupation of the dwelling and shall thereafter be maintained and retained in perpetuity.

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 and Local Plan Policy.

06 COMPLIANCE REQUIRED - VISIBILITY SPLAY

CONDITION; Prior to occupation of the development hereby approved, the access at its centre line shall be provided with a visibility splay with dimensions as shown on submitted drawing no. 2409-03-P2, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of obstruction above 600mm at all times.

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

07 COMPLIANCE REQUIRED - ACCESS

CONDITION; Prior to occupation of the development hereby approved the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be more than 3.6 metres (equivalent to 4 low kerbs), shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge.

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

08 COMPLIANCE REQUIRED - MATERIALS

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

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

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09 COMPLIANCE REQUIRED - BOUNDARY PLANTING

CONDITION; Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety

**Great Bromley Parish Council**                      **No Determination**

**Great Oakley Parish Council**                      **No Determination**

**Harwich Town Council**

<a href="#"><u>24/01266/FUL</u></a> Approval - Full 12.11.2024 Delegated Decision	<i>Proudreed Real Estate Limited</i>	<i>Change of use from retail (Class E(a)) to gym (Class E(d)).</i>	<i>Unit 3 Harwich Gateway Retail Park Freshfields Road Harwich Essex CO12 4EN</i>
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01      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      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 NOV23-LP-001, SEP24-PL-001, SEP24-PL-002, and the document titled 'Flood Risk Assessment'.

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

NOTE/S FOR CONDITION:

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

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

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

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

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

<a href="#"><u>24/01317/FUL</u></a> Refusal - Full 13.11.2024 Delegated Decision	Mr R Hurst	Planning Application - conversion of dwelling (C3) to two apartments (C3).	17 Pepys Street Harwich Essex CO12 3HG
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01 Paragraph 165 of the National Planning Policy Framework (NPPF) (2023) states inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk

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elsewhere. Paragraph 173 of the NPPF (2023) says that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere, and where appropriate, applications should be supported by a site-specific flood-risk assessment.

Policy PPL1 (Development and Flood Risk) of the adopted Tendring District Local Plan (2022) states that all development classified as "More Vulnerable" or "Highly Vulnerable" within Flood Zone 2 and 3 should set finished floor levels 300mm above the known or modelled 1 in 100 annual probability (1% AEP) flood level including an allowance for climate change, and development proposals should include appropriate measures to respond to the risk of flooding on and/or off site. In addition, within Flood Zones 2 and 3, development proposals must be accompanied by a Flood Risk Assessment.

The application site is located within Flood Zones 2 and 3, therefore an area at the greatest risk of flooding. On this occasion the submitted Flood Risk Assessment provided does not comply with the requirements set out in the Planning Practice Guidance and does not, therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. Specifically, the Assessment fails to consider the requirement for flood emergency planning, including flood warning and evacuation of people for a range of flooding events up to and including the extreme event, fails to provide finished floor levels at ground and first floor level, and fails to assess breach risk for the proposed development.

It has not, therefore, been adequately demonstrated that the development, which would see the creation of an additional dwelling which is classified as a more vulnerable use, could be undertaken without causing potential harm to the future occupants and does not ensure that the development will be made safe throughout its lifetime. As such, the proposal is considered to be unacceptable and contrary to the above national and local planning policies.

02 Paragraph 167 of the NPPF (2023) confirms that all plans should apply a sequential, risk-based approach to the location of development, taking into account all sources of flood risk and the current and future impacts of climate change, so as to avoid, where possible, flood risk to people and property. This should be done by initially applying the Sequential Test and then, if necessary, the Exception Test.

Adopted Policy PPL1 states all development proposals will be considered against the National Planning Policy Framework's 'Sequential Test', to direct development toward sites at the lowest risk of flooding, unless they involve land specifically allocated for development on the Policies Maps or Local Maps.

Having regard to the sequential test approach, the application site falls within Flood Zones 2 and 3 and the submission has failed to provide evidence of a Sequential Test being undertaken, which would outline whether there are any alternative sites capable of accommodating the development in a location less at risk of flooding. The Council consider that the Sequential Test should be applied District wide and it considers that there are a significant number of reasonably available alternative sites which could contain the development that are located within a lower flood zone. The Council therefore concludes that the sequential test requirement has not been satisfied, and the proposal is considered to be unacceptable and contrary to the above national and local planning policies.

03 Paragraph 135(f) of the NPPF states that planning decisions should ensure that



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developments create places that are safe with a high standard of amenity for existing and future users.

Adopted Policy SPL3 (Part B)(f) seeks to ensure that provision is made for adequate private amenity space, waste storage and recycling facilities, vehicle and cycle parking. Policy LP4 states the design and layout of new residential developments is expected to provide for amenity space of a size and configuration that meets the needs and expectations of residents, and which is commensurate to the size of the dwelling and character of the area.

The dwelling predominantly to be sited at the basement level (Flat A) will have a reduced level of light, and the outlook from the rear elevation windows in particular is of a poor nature. Moreover, this dwelling is not shown to have a lounge area. Furthermore, the amenity space to the eastern section of the site is of a very small and cramped nature, that is not considered to be truly private or pleasant for the future occupants of the property, with this identified harm exacerbated with its overlooked nature. Whilst this is an existing situation, the proposal in creating two dwellings worsens the existing position.

Policy LP3(b) states new residential development must comply with the government's latest 'Technical housing standards - nationally described space standard', which for a two bedroom property for three persons across two storeys requires the dwelling to be a minimum of 70 square metres. The floor layout plans submitted demonstrate that Flat A is approximately 53sqm, with Flat B approximately 52.5sqm, thereby failing to accord with the above requirements.

Taking all of the above into consideration, the living accommodation will be of an insufficient size, with poor outlook and lack of light to Flat A, whilst the private amenity area is equally insufficient for the needs of the future occupants. As such the proposal does not provide a high standard of amenity for the future occupants of the dwellings, and therefore fails to accord with the requirements of the above local and national planning policies.

<a href="#"><u>24/01399/ADV</u></a>	<i>Mr Mark Hepburn</i>	<i>Application for</i>	<i>Unit 1</i>
<i>Approval -</i>	<i>- 23.5 Degrees</i>	<i>Advertisement Consent -</i>	<i>Harwich Portside Retail Park</i>
<i>Advertisement</i>	<i>Limited</i>	<i>Totem pole, directional</i>	<i>Mariners Way</i>
<i>Consent</i>		<i>signs, clearance bar,</i>	<i>Parkeston</i>
<i>12.11.2024</i>		<i>menu boards, order</i>	<i>Harwich</i>
<i>Delegated</i>		<i>point, fascia wordmarks</i>	<i>Essex</i>
<i>Decision</i>		<i>and fascia roundels.</i>	<i>CO12 4YA</i>

## 01 ADVERTISEMENT (SCHEDULE 2 CONDITIONS)

### CONDITIONS:

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to:
  - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
  - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

<i>Application No.</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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- (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
  4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
  5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

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

## 02 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). 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 Drawing no: 39.177/01.1 Rev # received 16 September 2024.

Drawing no: 39.177/02.1 Rev #

Drawing no: 39.177/02.2 Rev #

Drawing no: 39.177/02.3 Rev #

Drawings titled as follows:

- 1 - 9M Internally Illuminated Totem Pole Sign
- 2 - Drive Thru Directional Sign
- 3 - Clearance Bar
- 4 - Preview Menu Board
- 5 - Starbucks EG Order Canopy
- 6 - 5 Panel Menu Boards
- 7 - Evo 1 255mm Wordmark - Wall Mounted
- 9 and 11 - 2 Off 1500mm External Single Sided Roundel
- 10 and 12 - Built up Acrylic Drive Thru Text
- 13 - No Entry/Thank You Directional Sign
- 14 - Evo 1 305mm Wordmark - Wall Mounted
- 15 - 750mm External Single Sided Roundel

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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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 ONGOING REQUIREMENT IMPOSED: LEVEL OF ILLUMINATION

CONDITION: The maximum luminance of the sign/s shall not exceed 300 candelas/m<sup>2</sup> at any time.

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

#### NOTE/S FOR CONDITION:

Candelas/m<sup>2</sup> (cd.m<sup>2</sup>) is a measure of light emitted per unit area, this unit is frequently used to specify the brightness of a display device. For example, most consumer desktop liquid crystal displays have luminance of 200 to 300 cd/m<sup>2</sup>. A HDR television display can range from 450 to up to 1600 cd/m<sup>2</sup>

<a href="#">24/01550/HHPN</a> <a href="#">OT</a> HHPN - Prior Approval Not Required 14.11.2024	Mr Mark and Mrs Michaela Thurston	Prior Approval Application under Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for single storey rear extension constructed in matching brickwork, tiles, windows and doors etc.	6 Devon Way Dovercourt Harwich Essex CO12 4RA
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<i>Application No.</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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01                    33-2024-02P  
                           33-2024-03P

### **Lawford Parish Council**

<a href="#"><u>24/01445/NMA</u></a> <i>Application</i> <i>Withdrawn</i> <i>11.11.2024</i> <i>Delegated</i> <i>Decision</i>	<i>Reverend</i> <i>Dominic Turner -</i> <i>St Marys Church</i> <i>Lawford</i>	<i>Non Material</i> <i>Amendment to</i> <i>23/00821/FUL - change</i> <i>of compound size to</i> <i>5200cm x 2605cm x</i> <i>2000cm to consolidate</i> <i>the equipment into a</i> <i>single enclosure</i>	<i>Church of St Mary</i> <i>Church Hill</i> <i>Lawford</i> <i>Essex</i> <i>CO11 2JX</i>
<a href="#"><u>24/01487/WTPO</u></a> <i>Approval - Full</i> <i>15.11.2024</i> <i>Delegated</i> <i>Decision</i>	<i>Mr Robert Baker</i>	<i>Works related to Tree</i> <i>Preservation Order</i> <i>(80/00003/TPO) - T1-T7</i> <i>Limes - Reduce garden</i> <i>side of trees by 1.5 - 2</i> <i>metres back to previous</i> <i>points and remove limb</i> <i>over hanging shed on</i> <i>T1. T1-T7 Limes -</i> <i>Reduce branches</i> <i>overhanging footpath</i> <i>and road by 2 metres up</i> <i>to a hight of 6 metres.</i> <i>T8-T9 Holly - Reduce</i> <i>and shape crowns pack</i> <i>to previous points.</i>	<i>7 Lawford Place</i> <i>Lawford</i> <i>Manningtree</i> <i>Essex</i> <i>CO11 2PT</i>

01        COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

NOTE/S FOR CONDITION:

- 1) Please note that any approval given to by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way Act 2000, the Conservation (Natural Habitats etc.) Regulations 1994 or any Acts offering protection to wildlife. All birds (except those listed in

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

schedule 2 of the Wildlife and Countryside Act 1981), their nests and eggs are protected by law. It is an offence to intentionally or recklessly kill, injure or take any wild bird, or damage, destroy or intentionally disturb the nest of any wild bird whilst it is in use or being built. For this reason tree work should not be undertaken during the nesting season (broadly March to August) unless a survey for nesting birds confirms their absence. Should you require any further information on nesting birds, please contact Natural England on 03000 603900.

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

<a href="#"><u>24/01522/TCA</u></a>	<i>Mr Stuart James</i>	<i>1 No. Holly - Remove overhanging branches back to fence line. 1 No. Apple - reduce crown by 1-1.5 metres and prune sides to balance.</i>	<i>The Mount Wignall Street Lawford Manningtree Essex CO11 2JJ</i>
<i>Approval - Full</i>			
<i>15.11.2024</i>			
<i>Delegated Decision</i>			

#### 01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

#### NOTE/S FOR CONDITION:

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

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

<a href="#">24/01589/LBC</a> Application Withdrawn 15.11.2024 Delegated Decision	Mr Gary Nunn	Application for Listed Building Consent - Replacement garage outbuilding and change of use.	Lower Barn Farm Hungerdown Lane Lawford Essex CO11 2LY
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**Little Bentley Parish Council                      No Determination**

**Little Bromley Parish Council                      No Determination**

**Little Clacton Parish Council**

<a href="#">24/01200/FULH</a> <a href="#">H</a> Approval - Full 12.11.2024 Delegated Decision	Ms Crystal Hide	Householder Planning Application - Single storey rear extension (following demolition of existing conservatory). Erection of detached annexe.	91 Holland Road Little Clacton Essex CO16 9RT
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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.

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**NOTE/S FOR CONDITION:**

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

**02 APPROVED PLANS & DOCUMENTS**

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

SITE PLAN - REC'D 09/08/24  
A03  
A05

**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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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 91 Holland Road, Little Clacton, Essex, CO16 9RT (or as may be renamed in the future) and does not permit the use of the approved accommodation as a separate household unrelated and not incidental/ancillary to the principal dwelling.

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

NOTE/S FOR CONDITION

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

**Little Oakley Parish Council**

**No Determination**

**Manningtree Town Council**

**No Determination**

**Mistley Parish Council**

<a href="#"><u>24/01181/VOC</u></a> <i>Approval - Reserved Matters/Detailed</i>  <i>Delegated Decision</i>	<i>Tendring Farms Limited</i>	<i>Application under Section 73 of the Town and Country Planning Act for variation of Condition 1 (Approved Plans); Condition 2 (Internal Road, Footway Layout, Turning and Parking Areas) and Condition 6 (Cycle Parking Facilities) of application 22/01104/VOC to allow for design changes.</i>	<i>Land South of Long Road Mistley Essex CO11 2HN</i>
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01 COMPLIANCE: APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the local planning authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the local planning



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authority as a non-material amendment following an application in that regard.

Drawing Ref No.	Rev	Drawing / Document Titles
<b>Site Plans</b>		
CC-Y321-LP2500	-	Site Location Plan
24-0043-002	A	Site Layout Plan
24-0043-003	A	Site Massing Plan
24-0043-004	A	Refuse & Cycling Strategy Plan
24-0043-010	A	Garden Areas Plan
20-3074-008	U	Parking Plan
24-0043-005	A	Materials Layout
24-0043-006	A	Boundary Treatments Plan
24-0043-010	A	Back-to-Back Distances
24-0043-007	A	Parking Plan
24-0043-011	A	Accessibility and Adaptability
20-3074-017	A	Solar Panel Location Plan
CC-S0354-PP001	A	Phasing Plan (superseding 21/00494/DISCON)

<b>Buildings</b>		
20-3074-020	A	Type 910 - Floor Plans
20-3074-021	A	Type 910 - Elevations
20-3074-023	A	Type 1016 - Floor Plans
20-3074-024	A	Type 1016 - Elevations
20-3074-026	A	Type 1110 - Floor Plans
20-3074-027	A	Type 1110 - Elevations
20-3074-029	A	Type 1285 - Floor Plans
20-3074-030	A	Type 1285 - Elevations
20-3074-031	-	Type 1285 - Elevations V1
20-3074-032	A	Type 1286 - Floor plans
20-3074-033	A	Type 1286 - Elevations
20-3074-034	A	Type 1286 - Elevations Detached
20-3074-035	A	Type 1331 - Floor Plans
20-3074-036	A	Type 1331 - Elevations
20-3074-038	A	Type 1465 - Floor Plans
20-3074-039	A	Type 1465 - Elevations
20-3074-041	A	Type 1596 - Floor Plans
20-3074-042	A	Type 1596 - Elevations (Weatherboard)
20-3074-043	A	Type 1596 - Elevations (Brick)
20-3074-043.1-		Type 1596 - Floor plans (1.5 Storey)
20-3074-043.2-		Type 1596 - Elevations (1.5 Storey)
20-3074-044	B	Type 1683 - Floor plans
20-3074-045	A	Type 1683 - Elevations (Weatherboard)
20-3074-046	B	Type 1683 - Elevations (Brick)
20-3074-046.1A		Type 1683 - Floor Plans (1.5 Storey)
20-3074-046.2A		Type 1683 - Elevations (1.5 Storey)

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20-3074-047	A	Type 1747 - Floor Plans	
20-3074-048	A	Type 1747 - Elevations (Weatherboard)	
20-3074-049	A	Type 1747 - Elevations (Brick)	
20-3074-050	B	Type 1750 - Floor Plans	
20-3074-051	C	Type 1750 - Elevations	
20-3074-053	B	Type 2014 - Floor Plans	
20-3074-054	B	Type 2014 - Elevations	
20-3074-054.1A		Type 2014 - Floor Plans (1.5 Storey)	
20-3074-054.2A		Type 2014 - Elevations (1.5 Storey)	
20-3074-056	B	Type 2089 - Floor Plans	
20-3074-057	B	Type 2089 - Elevations Front & Side (Brick)	
20-3074-058	B	Type 2089 - Elevations Rear & Side (Brick)	
20-3074-058.1A		Type 2089 - Floor Plans Front & Side (Part Weatherboard)	
20-3074-058.2A		Type 2089 - Floor plans Rear & Side (Part Weatherboard)	
20-3074-060	A	Type 2200 - Floor Plans	
20-3074-061	B	Type 2200 - Elevations Front & Side (Brick)	
20-3074-062	C	Type 2200 - Elevations Rear & Side (Brick)	
20-0374-063	C	Type 2200 - Elevations Front & Side (Weatherboard)	
20-3074-063.1C		Type 2200 - Elevations Rear & Side (Weatherboard)	
20-3074-100	E	Flat Block A - Floor Plans	
20-3074-101	E	Flat Block A - Elevations	
20-3074-103	C	Flat Block E - Floor Plans	
20-3074-104	C	Flat Block E - Elevations	
20-3074-105	-	Flat Block B - Floor Plans	
20-3074-105.1-		Flat Block B - Elevations	
20-3074-108	A	Flat Block D - Floor Plans	
20-3074-109	A	Flat Block D - Elevations	
20-3074-110	A	1B FOG - Floor Plans	
20-3074-111	B	1B FOG - Elevations	
20-3074-120	A	Double Garage 01 - Floor Plans & Elevations	
20-3074-121	A	Double Garage 02 - Floor Plans & Elevations	
20-3074-122	B	Single Garage - Floor Plans & Elevations	
20-3074-123	A	Bin & Cycle Store - Floor plans & Elevations	
20-3074-126	-	Cycle Store - Floor Plan & Elevations	
20-3074-127	-	Car Port V1 - Plans & Elevations	
20-3074-128	-	Car Port V2 - Plans & Elevations	
20-3074-130	-	Sub-Station - Plans & Elevations	
20-3074-500	A	Flat Block B - Ground Floor Part M4(3) Compliance Type 1 & 2	
20-3074-505	A	Type 1016 - Part M4(2) compliance Plans	

Phase 1 Only Buildings (superseding 22/00773/NMA)

20-3074-131	-	Flat Block C - Cycle Store - Plans & Elevations	
20-3074-132	B	Flat Block C - Commercial Bin Store - Plans & Elevations	
20-3074-600	C	Terrace Block 3 - Floor Plans	
20-3074-601	A	Terrace Block 3 - Elevations	
20-3074-603	-	Type 1016 V1 - Floor Plans (Semi)	
20-3074-604	-	Type 1016 V1 - Elevations (Semi)	
20-3074-606	-	Type 1016 V1 - Floor Plans (Detached)	
20-3074-607	-	Type 1016 V1 - Elevations (Detached)	
20-3074-609	A	Terrace Block 4.1 - Floor plans	
20-3074-610	-	Terrace Block 4.1 - Elevations	

<i>Application No.</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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20-3074-612	A	Terrace Block 4 - Floor Plans	
20-3074-613	-	Terrace Block 4 - Elevations	
20-3074-614	A	Type 1285A - Floor Plans	
20-3074-615	-	Type 1285A - Elevations	
20-3074-617	A	Type 1286 V1 - Floor Plans (Detached)	
20-3074-618	-	Type 1286 V1 - Elevations (Detached)	
20-3074-619	A	Type 1286 V2 - Floor Plans (Semi)	
20-3074-620	-	Type 1286 V2 - Elevations (Semi)	
20-3074-621	-	Type 1465 V1 - Floor Plans	
20-3074-622	-	Type 1465 V1 - Elevations	
20-3074-624	A	Type 1596 V1 - Floor Plans	
20-3074-625	-	Type 1596 V1 - Elevations	
20-3074-627	A	Type 1747 V1 - Floor Plans	
20-3074-628	-	Type 1747 V1 - Elevations	
20-3074-630	-	Type 1750 V1 - Floor plans	
20-3074-631	-	Type 1750 V1 - Elevations	
20-3074-633	B	Type 2014 V1 - Floor Plans	
20-3074-634	A	Type 2014 V1 - Elevations	
20-3074-636	B	Type 2200 V1 - Floor Plans	
20-3074-637	A	Type 2200 V1 - Elevations	
20-3074-639	D	Flat Block C - Floor Plans & Elevations	
20-3074-641	-	1B FOG V1 - Floor Plans	
20-3074-642	-	1B FOG V1 - Elevations	
20-3074-643	-	Terrace Block 8 - Floor Plans	
20-3074-644	-	Terrace Block 8 - Elevations	
20-3074-645	A	Terrace Block 5 - Floor Plans	
20-3074-646	A	Terrace Block 5 - Elevations	
20-3074-647	B	Terrace Block 6 - Floor plans	
20-3074-648	A	Terrace Block 6 - Elevations	
20-3074-650	B	Terrace Block 7 - Floor Plans	
20-3074-651	A	Terrace Block 7 - Elevations	
20-3074-670	-	Single Garage - Floor Plans & Elevations	
20-3074-671	-	Twin Garage - Floor Plans & Elevations	
20-3074-672	-	Double Garage - Floor Plans & Elevations	
20-3074-673	-	Car port - Floor Plans & Elevations	
CC-S0354-P23-SG04-		Single Garage Plot 90 Only	
CC-S0354-P23-SG05-		Double Garage Plots 92 & 93 Only	

#### Phases 2 & 3 only Buildings

CC-S0354-P23-H01		Elmdon Semi - Floor Plans Plots 97,98,110,484	
CC-S0354-P23-H02	-	Elmdon Semi - Elevations Plots 97,98,110,484	
CC-S0354-P23-H03	-	Stock Semi - Floor plans Plots 114-116, 118,143-144	
CC-S0354-P23-H04	-	Stock Semi - Elevations Plots 114-116, 118	
CC-S0354-P23-H05	-	Stock Semi - Elevations Plots 143-144	
CC-S0354-P23-H06	-	Barrow Terrace - Types A&B Floor Plans Plots 154-156	
CC-S0354-P23-H07	-	Barrow Terrace - Elevations Plots 154-156	
CC-S0354-P23-H08	-	Barrow Semi - Types A&B Floor Plans Plots 121-122	
24 - 0043 - 058	A	Terrace 06 Floor Plans Plots 43 & 44	
CC-S0354-P23-H10	-	Barrow Semi - Types A & B Elevations Plots 121-122	
CC-S0354-P23-H11	-	Chrishall Detached - Type B Floor Plans Plots 101,103 & 187	
CC-S0354-P23-H12	-	Chrishall Detached - Elevations Plots 101,103 & 187	

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CC-S0354-P23-H13	-	Chrishall Semi - Type A&B Floor Plans Plots 95-96, 99-100, 105-106, 141-142, 151-152	
CC-S0354-P23-H14	-	Chrishall Semi - Elevations Plots 105-106	
CC-S0354-P23-H15	-	Chrishall Semi - Elevations Plots 95-96, 99-100, 141-142, 151-152	
CC-S0354-P23-H16	-	Rowley Semi - Type A Floor Plans Plots 112-113	
CC-S0354-P23-H17	-	Rowley Semi - Types B&C Floor Plans Plots 147-148	
CC-S0354-P23-H19	-	Rowley Semi - Gable End Elevations plots 112 & 113	
CC-S0354-P23-H20	-	Rowley Semi - Gable End Elevations Plots 147-148	
CC-S0354-P23-H21	-	Rowley Type B & Stock - Floor Plans Plots 119-120	
CC-S0354-P23-H22	-	Rowley Type B & Stock - Elevations Plots 119-120	
CC-S0354-P23-H23	-	Rowley Type C & Barrow Type B - Floor Plans Plots 123-124	
CC-S0354-P23-H24	-	Rowley Type C & Barrow Type B- Elevations Plots 123-124	
CC-S0354-P23-H25	-	Clayton - Floor Plans Plots 02,126,150	
CC-S0354-P23-H26	-	Clayton - Gable - Elevations plots 102,150	
CC-S0354-P23-H27	-	Clayton - Hip - Elevations Plot 126	
CC-S0354-P23-H33	-	Langley Semi - Type B - Ground & 1st Floor Plans. Plots 185,186	
CC-S0354-P23-H34	-	Langley Semi - Type B - 2nd Floor Plans Plots 185,186	
CC-S0354-P23-H35	-	Langley Semi - Elevations Plots 185,186	
CC-S0354-P23-H36	-	Langley Terrace - Type A - Ground & 1st Floor Plans Plots 182-184	
CC-S0354-P23-H37	-	Langley Terrace - Type A - 2nd Floor Plans Plots 182-184	
CC-S0354-P23-H38	-	Langley Terrace - Elevations Plots 182-184	
CC-S0354-P23-H39	-	Ashdon Detached - Floor Plans Plots 104 and 111	
CC-S0354-P23-H40	-	Ashdon Detached - Elevations Plots 104 and 111	
CC-S0354-P23-H41	-	Coggeshall Detached - Floor Plans Plots 107,108,125,149,153	
CC-S0354-P23-H42	-	Coggeshall /detached - Elevations Plots 107,108,125,149,153	
CC-S0354-P23-H43	-	Langdon Detached - Floor Plans Plots 146,160	
CC-S0354-P23-H44	-	Langdon Detached - Elevations Plots 146,160	
CC-S0354-P23-H45	-	Langdon 2.5 Detached - Floor Plans Plot 181	
CC-S0354-P23-H46	-	Langdon 2.5 Detached - Elevations Plot 181	
CC-S0354-P23-H47	-	Lambourne Detached - Floor Plans Plots 145,161,162	
CC-S0354-P23-H48	-	Lambourne Detached - Elevations Plots 145,161,162	
24 - 0043 - 043	A	Walden - Floor Plans Plot 16 Phase 2	
24 - 0043 - 044	A	Walden - Elevations Plot 16 Phase 2	
CC-S0354-P23-H53	-	Stamford 2.5 Detached - Floor Plans Plot 163	
CC-S0354-P23-H54	-	Stamford 2.5 Detached - Elevations Plot 163	
24 - 0043 - 041	A	Thundersley 2.5 Detached - Floor Plans Plots 4,427	
24 - 0043 - 042	A	Thundersley 2.5 Detached - Elevations Plots 4,427	
CC-S0354-P23-H57	A	Danbury Detached - Floor Plans Plot 159	
CC-S0354-P23-H58	A	Danbury Detached - Elevations Plot 159	
CC-S0354-P23-M42-CHRA	A	Part M4(2) compliance Chrishall Type B	
CC-S0354-P23-M42-ROWA	-	Part M4(2) compliance Rowley Type A	
CC-S0354-P23-SG01	-	Single Garage	
CC-S0354-P23-SG02	A	Single Garage Plot 108 only	
CC-S0354-P23-SG03	-	Double Single garage Plots 153 & 162 only	
CC0S0354-P23-DG01	A	Double Garage	
CC0S0354-P23-DG02	-	Double Garage Plot 125 only	
CC0S0354-P23-CP01	-	2 Bay Carport Plots 20 & 111	
CC0S0354-P23-CP02	-	3 Bay Carport Plot 16	
CC0S0354-P23-CP03	-	4 Bay Carport 107 & 108	
CC0S0354-P23-CP04	-	4 Bay Carport 151 & 152	
CC0S0354-P23-CP05	-	6 Bay Carport Plots 141,147 & 118	

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Phase 2 only buildings

24 - 0043 - 020	A	Ashdon Floor Plans Plots 18,36,426 & Plot 35 handed
24 - 0043 - 021	A	Ashdon Elevations Plots 18,36,426 & Plot 35 handed
24 - 0043 - 022	A	Clayton Floor Plans Plots 32 & 45 handed
24 - 0043 - 023	A	Clayton Elevations Plots 32 & 45 handed
24 - 0043 - 024	B	Coggeshall Floor Plans Plots 17, 20 & Plot 31 handed
24 - 0043 - 025	B	Coggeshall Elevations Plots 17, 20 & Plot 31 handed
24 - 0043 - 26 B		Lambourne Floor Plans Plot 5 & Plots 9 and 19 handed
24 - 0043 - 027	B	Lambourne Elevations Plot 5 & Plots 9 and 19 handed
24 - 0043 - 037	A	Stamford 2.5 Floor Plans Plots 1 & 425
24 - 0043 - 038.1	A	Stamford 2.5 Elevations Plots 1 & 425
24 - 0043 - 038	A	Stamford 2.5 Elevations Plots 1 & 425
24 - 0043 - 045	A	Saffron Floor Plans Plots 428 & Plot 8 handed
24 - 0043 - 046	A	Saffron Elevations Plots 428 & Plot 8 handed
24 - 0043 - 47 A		Nantucket Floor Plans Plot 4
24 - 0043 - 48 A		Nantucket Elevations Plot 4
23 - 0008 - 049	A	Langdon 2.5_Floor Plans Plots 3 & 6
23 - 0008 - 050	A	Langdon 2.5 Elevations Plots 3 & 6
24 - 0043 - 052	A	Terrace 03 Floor Plans Plots 29 & 30
24 - 0043 - 053	A	Terrace 03 Elevations Plots 29 & 30
24 - 0043 - 054	A	Terrace 04 Floor Plans Plots 33 & 34
24 - 0043 - 055	A	Terrace 04 Elevations Plots 33 & 34
24 - 0043 - 056	A	Terr 5 Barrow Floor Plans Plots 39-42
24 - 0043 - 057	A	Terr 5 Barrow Elevations Plots 39-42
24 - 0043 - 059	A	Terrace 06 Elevations Plots 43 & 44
24 - 0043 - 060	A	Terr 13 Rowley Plans Plots 12 & 13
23 - 0008 - 061	A	Terr 13 Rowley Elevations Plots 12 & 13
24 - 0043 - 062	A	Terrace 17 HT Saffron Floor Plans Plots 10, 11, 14 & 15
24 - 0043 - 063	A	Terrace 17 HT Saffron Elevations Plots 10, 11, 14 & 15
24-0043/015 A		015_P2_ Street scenes

Landscape Plans

2446-LLA-ZZ-XX-DR-L-0301 P08	Landscape Specification & Details
2446-LLA-GF-00-DR-L-0001 P15	Landscape Strategy Plan
2446-LLA-GF-00-DR-L-0003 P01	Trim Trail Link - Dog Bin & Signage Strategy Plan

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

02 COMPLIANCE: INTERNAL ROAD, FOOTWAY, TURNING & PARKING AREAS

CONDITION: Prior to the occupation of any unit, the associated internal road, footway layout, turning and parking areas shall be provided in principle and accord with revised drawing numbers:

- o 24-0043-002 A Site Layout Plan
- o 24-0043-004 A Refuse & Cycling Strategy Plan
- o 24-0043-011 A Accessibility and Adaptability
- o 24-0043-007 A Parking Plan

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

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#### NOTE FOR CONDITION

It has been agreed with the developer that the proposed internal road layout, footway layout, turning area surface water drainage or any form of street lighting will not be adopted by the Highway Authority.

#### 03 COMPLIANCE & FURTHER APPROVAL: ESTATE ROADS & FOOTWAYS

CONDITION: Unless otherwise agreed in writing, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be carried out in accordance with the approved phasing plan and details approved under:

- o Phase 1 22/00024/DISCON
- o Phase 2 22/00302/DISCON
- o Phase 3 22/00303/DISCON
- o Phase 4 22/00406/DISCON

Prior to the commencement of any further phase of the development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) for all remaining phases shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that roads and footways are constructed to an acceptable standard, in the interests of highway safety.

#### 04 COMPLIANCE: PARKING BAY DIMENSIONS

CONDITION: Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres and each tandem vehicular parking space shall have minimum dimensions of 2.9 metres x 11 metres to accommodate two vehicles.

REASON: To ensure adequate space for parking off the highway is provided in the interest of highway safety.

#### 05 COMPLIANCE: GARAGE INTERNAL DIMENSIONS

CONDITION: All single garages should have a minimum internal measurement of 7m x 3m and all double garages should have a minimum internal measurement of 7m x 5.5m.

REASON: To encourage the use of garages for their intended purpose and to discourage on-street parking, in the interests of highway safety.

#### 06 COMPLIANCE: POWERED TWO-WHEELER/CYCLE PARKING FACILITIES

CONDITION: Prior to the occupation of each unit, the associated powered two-wheeler/cycle parking facilities as shown on the approved plans ref. 24-0043-004 A Refuse & Cycle Strategy Plan and 20-3074-123 B Bin & Cycle Store - Floor plans & Elevations are to be provided and

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retained at all times.

REASON: To ensure appropriate powered two-wheeler and bicycle parking is provided.

07 COMPLIANCE: PLANTING 1 METRE BACK FROM HIGHWAY

CONDITION: Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

REASON: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety.

08 COMPLIANCE: RAMS MITIGATION & PEA

CONDITION: All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the On-Site Recreational Disturbance Avoidance and Mitigation Strategy (City and Country, August 2021) and the Preliminary Ecological Appraisal (DF Clark, July 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

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

09 COMPLIANCE: SETT CLOSURE IN ACCORD WITH 22/01162/DISCON

CONDITION: The sett closure identified within the Preliminary Ecological Appraisal (DF Clark, July 2021) shall be carried out in full accordance with the details/information set out within the submitted 'Updated Badger Survey' (as prepared by LUC and dated 4th July 2022) and having regard to Natural England's comments received via email dated 1st September 2022 as approved under discharge of condition application reference 22/01162/DISCON, unless otherwise agreed in writing by the local planning authority in consultation with Natural England.

REASON: To conserve protected species and allow the LPA to discharge its duties under and Badger Protection Act 1992 and s17 Crime & Disorder Act 1998.

10 COMPLIANCE: BIODIVERSITY ENHANCEMENT IN ACCORD WITH 23/00212/DISCON

CONDITION: Prior to the occupation of any dwelling, the biodiversity enhancement measures shall be implemented in accordance with the details approved under discharge of condition

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application reference 23/00212/DISCON and all features shall be retained in that manner thereafter, 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).

#### 11 COMPLIANCE & FURTHER APPROVAL: EXTERNAL LIGHTING

CONDITION: Prior to the occupation of any dwelling, all external lighting for Phase 0 and Phase 1, as set out within approved phasing plan, shall be installed in accordance with the specifications and locations set out in the scheme approved under discharge of condition application reference 23/00313/DISCON and maintained thereafter in accordance with the approved scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Prior to the occupation of any dwelling a lighting design scheme for all remaining phases, as set out within approved phasing plan, based on Appendix 6 of the Preliminary Ecological Appraisal (DF Clark, July 2021), shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. The scheme shall be devised by a competent person and fully comply with the Code of Practice for the Reduction of Light Pollution issued by the Institution of Lighting Engineers, the DETR document 'Lighting in the Countryside: Towards Good Practice' and all current official guidance. Such light pollution control measures as shall have been approved shall be installed prior to coming into beneficial use and thereafter be retained and maintained to the agreed specification and working order.

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

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

#### 12 COMPLIANCE: LEMP IN ACCORD WITH 23/00212/DISCON

CONDITION: Prior to the occupation of any dwelling the Landscape and Ecological Management Plan (LEMP) shall be implemented in accordance with the scheme approved under discharge of condition application reference 23/00212/DISCON, unless otherwise agreed in writing by the local planning authority.

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



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13 COMPLIANCE: MATERIALS

CONDITION: The development shall be carried out in accordance with the approved materials details set out within the approved drawing number 24-0043-005 A Materials Layout, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory development in relation to external appearance and in the interests of residential amenity.

14 COMPLIANCE: LEAP IN ACCORD WITH 22/02140/DISCON

CONDITION: Prior to the first occupation of any dwelling on site, the LEAP equipment shall be installed in accordance with the details approved under discharge of condition application reference 22/02140/DISCON, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory development in relation to public open space and in the interests of residential amenity.

15 FURTHER APPROVAL: LAP DETAILS

CONDITION: Prior to the occupation of any dwelling within a phase that contains a LAP, details of the equipment used in the LAP shall be submitted to and approved in writing by the local planning authority. The approved details shall be those used in the development.

REASON: To ensure a satisfactory development in relation to public open space and in the interests of residential amenity.

16 COMPLIANCE: RENEWABLE ENERGY IN ACCORD WITH 23/00479/DISCON

CONDITION: The development shall be carried out in accordance with the amended Renewable Energy Statement as approved under discharge of condition application reference 23/00479/DISCON. The approved details shall be retained in working order thereafter.

REASON: To ensure the development contributes to minimising the effects of and can adapt to a changing climate.

17 FURTHER APPROVAL: HARD & SOFT LANDSCAPING

CONDITION: Notwithstanding the details approved under discharge of condition application reference 22/02140/DISCON, for the avoidance of doubt, prior to the occupation of any residential dwelling on each phase, the details of the hard and soft landscaping for all remaining phases of the development, in accordance with the approved phasing plan, shall be submitted to and approved in writing, by the local planning authority. The scheme of hard and soft landscaping works for each phase, shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and

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hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction.

All changes in ground levels, hard landscaping, planting, seeding or turfing 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 each phase of the development in accordance with the approved phasing plan. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority agrees in writing to a variation of the previously approved details.

REASON: To ensure that the landscaping scheme is suitably implemented within an appropriate timescale, in the interest of visual amenity and the character of the area.

#### 18 FURTHER APPROVAL: ATTENUATION BASINS

CONDITION: Notwithstanding the details approved under discharge of condition application reference 22/02140/DISCON, for the avoidance of doubt, prior to the occupation of any dwelling on site, full details of the attenuation basins and associated knee rail, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the details as approved and maintained as such, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory development in relation to public open space and in the interests of residential safety.

#### 19 FURTHER APPROVAL: COMMERCIAL USE DETAILS

CONDITION: Prior to any works above slab level of the commercial units hereby approved, as shown on approved drawing number 20-3074-639 Revision D Flat Block C Floor Plans & Elevations, full details of the use and operation, opening hours, and any associated extraction and air handling units shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. The uses shall operate in accordance with the approved uses and operating hours, unless otherwise agreed in writing by the local planning authority.

REASON: The proposals for Block C have changed somewhat with this scheme. The previous Reserved Matters had two relatively small retail units, but this scheme is proposing a café with sitting out area, farm shop, and bicycle shop. The kitchen for the café is likely to require extraction and air handling units. No details are provided with the application. Due to the proximity to residential uses, it is reasonable to seek details of any such equipment, restrict the uses to those proposed and restrict opening hours.

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<a href="#">24/01542/TCA</a> Approval - Full 15.11.2024 Delegated Decision	Mrs George	2 No. Cherry Trees - Reduce by approx. 4m from height back to approx. previous cutting points, reduce side branches by 2-3m, back to previous cutting points.	Railway Cottage 34 New Road Mistley Manningtree Essex CO11 1BU

01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

**Ramsey & Parkeston Parish Council      No Determination**

**St Osyth Parish Council**

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<a href="#">24/01398/LUEX</a> <i>Lawful Use/development Refused</i> 12.11.2024 <i>Delegated Decision</i>	<i>Mr and Mrs Thomas and Sonia Grantham</i>	<i>Application for Lawful Development Certificate for Existing Use or Development for flat above cart lodge to be used as accommodation.</i>	<i>St Cleres Hall Farm St Cleres Hall Lane St Osyth Clacton On Sea Essex CO16 8RX</i>

01 The applicant has failed to provide sufficient and precise evidence to demonstrate that the application site shown edged red on the plan annexed to this decision notice has been used for the claimed lawful use for a continuous period of ten (10) years prior to the date of this application. The onus is on the applicant to provide the necessary factual information and evidence in order to substantiate the application.

In this case the evidence submitted is insufficient, inconsistent and sparse and does not prove on the balance of probabilities that such use is lawful.

Taking all these factors into account the Council considers that there is insufficient evidence to demonstrate that, on the balance of probability, the cart lodge has been used continuously as a separate and independent dwellinghouse for a period in excess of 10 years.

<a href="#">24/01404/LBC</a> <i>Approval - Listed Building Consent</i> 11.11.2024 <i>Delegated Decision</i>	<i>Mr Andy Booth - Naglotech Ltd</i>	<i>Application for Listed Building Consent - reinstatement of historic opening in party wall (not within listed building) and installation of timber floating floor construction (within listed building) - (Retrospective).</i>	<i>5 Clacton Road St Osyth Clacton On Sea Essex CO16 8PA</i>
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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.

Site Plan - Received 17.09.24

Drawing No. PA-12 - Floating Floor Details - Received 17.09.24

Drawing No. PA-13 - Schematic Elevations & Floor Plans - Received 17.09.24

Planning & Heritage Statement - Received 17.09.24

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

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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.

<a href="#"><u>24/01405/FUL</u></a> Approval - Full 11.11.2024 Delegated Decision	Mr Andy Booth - Naglotech Ltd	Planning Application - Change of Use from C3 to E(c)(ii) (Professional Services (other than medical services)) (partly within listed building) and installation of timber floating floor construction (within listed building) - (Retrospective).	5 Clacton Road St Osyth Clacton On Sea Essex CO16 8PA
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**01 APPROVED PLANS & DOCUMENTS**

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Site Plan - Received 17.09.24

Drawing No. PA-12 - Floating Floor Details - Received 17.09.24

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Drawing No. PA-13 - Schematic Elevations & Floor Plans - Received 17.09.24  
 Planning & Heritage Statement - Received 17.09.24

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.

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<a href="#"><u>24/01520/TCA</u></a> Approval - Full 15.11.2024 Delegated Decision	St Osyth Church	1 No. Cedar - Crown lift, and 1 No. Prunus - remove lower branches to provide ground clearance of approximately 2.5m.	St Osyth Church Church Square St Osyth Clacton On Sea Essex CO16 8NU
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**01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT**

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

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

**NOTE/S FOR CONDITION:**

- 1) Please note that any approval given to by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way Act 2000, the Conservation (Natural Habitats etc.) Regulations 1994 or any Acts offering protection to wildlife. All birds (except those listed in

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schedule 2 of the Wildlife and Countryside Act 1981), their nests and eggs are protected by law. It is an offence to intentionally or recklessly kill, injure or take any wild bird, or damage, destroy or intentionally disturb the nest of any wild bird whilst it is in use or being built. For this reason tree work should not be undertaken during the nesting season (broadly March to August) unless a survey for nesting birds confirms their absence. Should you require any further information on nesting birds, please contact Natural England on 03000 603900.

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

**Tendring Parish Council**

**No Determination**

**Thorpe-le-Soken Parish Council**

<a href="#"><u>24/01461/FULH</u></a> <u>H</u> Approval - Full 11.11.2024 Delegated Decision	Mr Berry	Householder Planning Application - Proposed side extension (part first floor over existing ground floor), two rear facing dormers and clad property with hardie plank.	The Cottage 2 Tendring Road Thorpe Le Soken Essex CO16 0AA
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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

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conditions requiring agreement prior to commencement have been complied with.

## 02 APPROVED PLANS & DOCUMENTS

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

SITE PLAN - REC'D 30/09/24  
BTR-502 D

**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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## 03 SPECIFIC RESTRICTION ON DEVELOPMENT: PROVISION OF OBSCURE GLASS

**CONDITION:** Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the first-floor dormer windows in the rear



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

REASON: 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.

<b>Thorrington Parish Council</b>	<b>No Determination</b>
<b>Weeley Parish Council</b>	<b>No Determination</b>
<b>Wix Parish Council</b>	<b>No Determination</b>
<b>Wrabness Parish Council</b>	<b>No Determination</b>