

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

24/01478/FULHH Approval - Full 18.11.2024 Delegated Decision	Mr Edwards	Householder Planning Application - Proposed single storey side extension, privacy fence, replacement garage and wider driveway (Resubmission of 24/01032/FULHH with changes to garage and inclusion of soft landscaping to southern boundary).	5 Station Road Alresford Colchester Essex CO7 8BS
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

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

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

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the

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

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

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

03 SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS NEW OPENINGS

CONDITION: SPECIFIC RESTRICTION ON DEVELOPMENT:

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), no new openings shall be inserted in the north-east facing side elevations of the hereby approved garage except pursuant to the grant of planning permission on an application made in that regard.

REASON: In the interests of the amenities of the occupants of neighbouring property

04 HIGHWAYS PROVISION OF VISIBILITY SPLAYS

There should be no obstruction above ground level within a 2.4 m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be retained free of obstruction above 800mm at all times.

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

05 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.

06 COMPLIANCE WITH DETAILS AND TIMESCALE REQUIRED - LANDSCAPING SCHEME

CONDITION: All changes in ground levels, soft/hard landscaping shown on the approved landscaping details shall be carried out in full during the first planting and seeding season

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

REASON: In the interests of visual amenity, the character and appearance of the area and to underpin the Council's duty to enhance the biodiversity credentials of the development under the NPPF 2023 and s40 of the NERC Act 2006 (as amended).

Ardleigh Parish Council

NO DETERMINATIONS

Beaumont Parish Council

24/01499/FULH H Approval - Full 19.11.2024 Delegated Decision	Mr Glyn Foster	Householder Planning Application - single storey front, side and rear extensions and rendering of the front and side of the house.	17 Coronation Villas Harwich Road Beaumont Clacton On Sea Essex CO16 0AS
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

NOTE/S FOR CONDITION:

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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3 B

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1 D

SITE PLAN - REC'D 10.10.24

BLOCK PLAN - REC'D 10.10.24

Email confirming colour of proposed render - Rec 14/11/2024

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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Bradfield Parish Council

<u>24/01510/FULH</u> <u>H</u> Approval - Full 18.11.2024 Delegated Decision	Mrs Beverley Speck	Householder Planning Application - Single storey rear extension.	2 Heath Farm Windmill Road Bradfield Essex CO11 2QR
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

NOTE/S FOR CONDITION:

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0220-A-001
0220-A-002
0220-A-100 01

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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<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/01570/WTPO Approval - Full 22.11.2024 Delegated Decision	Mrs Penelope King	6 No. Lime - crown lift	Dial House Love Lane Brightlingsea Colchester Essex CO7 0QQ

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.

Clacton-on-Sea

24/01073/FUL Approval - Full 20.11.2024 Delegated Decision	Mr Tariq Amin	Planning Application - change of use from pub to HMO for eight persons (Sui Generis).	197 Old Road Clacton On Sea Essex CO15 3LT
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01 1. COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

NOTE/S FOR CONDITION:

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 2. APPROVED PLANS

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.

Amended Site Location Plan - Received 28.10.2024

Amended Block Plan - Drawing No. KL/1412-2 A - Received 14.11.2024

Amended Proposed Elevations & Floor Plans - Drawing No. KL/1412-1 B - Received 14.11.2024

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

NOTE/S FOR CONDITION:

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

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

Any indication found on the approved plans and documents to describe the plans as approximate

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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 3. CONSTRUCTION HOURS

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

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

NOTE/S FOR CONDITION:

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

04 4. ACTION REQUIRED: PROVISION OF CYCLE PARKING

CONDITION: Prior to first occupation of the hereby approved development, the cycle parking facilities as indicated on Drawing No. KL/1412-1 A shall be provided in full and retained at all times.

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

05 CONDITION: As indicated on drawing no. KI/1412-2 A and prior to occupation of the development, a minimum of 6 metres shall be provided behind each parking space to allow for manoeuvring and shall be maintained free from obstruction within the site at all times for that sole purpose, as per the Essex Parking Standards (Parking Standards: Design and Good Practice, Sept 2009).

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

06 CONDITION: Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.0 metres.

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

07 CONDITION: The hereby approved development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that

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are related to the use of the development unless otherwise agreed with the Local Planning Authority.

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

08 CONDITION: Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all construction vehicles, 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.

09 9 SUSTAINABLE EFFICIENCY MEASURES

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

- An electric car charging point
- Agreement of a scheme for water conservation including greywater recycling and rainwater capture/re-use
- Agreement of a scheme to achieve as far as possible a water consumption rate of not more than 110 litres, per person, per day for each of the tenancy units.
- Agreement of heating of the building
- Agreement of scheme for waste reduction
- Provision of a fibre optic broadband connection to the best possible speed installed on an open access basis and directly accessed from the nearest exchange, incorporating the use of resistant tubing. (If the applicant is unable to achieve this standard of connection, and can evidence through consultation that this would not be possible, practical or economically viable an alternative superfast (i.e. will provide speeds greater than 30mbps) wireless service will be considered.)

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

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

NOTES FOR CONDITION:

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

Broadband provision is included to ensure the development is able to be equipped with high speed broadband to enable opportunities for web-based communication and homeworking reducing the need for unsustainable travel.

A water consumption rate of not more than 110 litres, per person, per day adopted as Planning Policy and as imposed by this condition will directly change the building regulations water consumption rate to match as a result of this policy. The introduction of effective utilities, rainwater capture for watering plants, aerators to taps and other water saving options can be

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considered.

10 ACTION REQUIRED: REFUSE BINS AND COLLECTION AREAS

CONDITION: Prior to occupation of the hereby approved HMO details of secure refuse/recycling bins as indicated indicatively on the approved drawing number KL/1412-2 Rev A shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details and retained in perpetuity thereafter.

REASON: In the interest of highway safety to ensure that refuse recycling bin enclosures are appropriately designed and do not cause any obstruction or danger on the highway.

NOTE/S FOR CONDITION:

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

11 ACTION REQUIRED: MITIGATION TO BE AGREED, RAMS

CONDITION: No internal conversion or fit out work shall commence 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 would result in harm by new residents due to the development's impact on protected sites.

NOTE/S FOR CONDITION:

The above mitigation is relevant to the net uplift in dwellings on site only (i.e. two new dwellings). This condition establishes the necessity to ensure the implementation of appropriate mitigation measures due to the impact of the approved development. Such mitigation may be required on-site, off-site, or a combination of both.

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

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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 agreement.

24/01177/FULH H Refusal - Full 20.11.2024 Delegated Decision	Mr Prabu Dhanarman	Householder Planning Application -Erection of two storey and single storey extensions, including creation of first floor terrace and first floor balcony, for domestic use only.	2 Burnham Court Clacton On Sea Essex CO15 1RE
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- 01 The proposed two storey and single storey side extension would if approved be sited against and surrounding an operational electricity sub-station with the foundations and walls shown against the walls of the existing electricity sub-station. In addition, the side/rear wall of the proposed side extension will break the eaves line and roof overhang of the electricity sub-station. Currently the electricity substation is adjacent to one part of the property and separated by an uninhabited garage secured by condition not to be occupied as living space, only car storage. The application has failed to demonstrate that the proposed habitable accommodation immediately adjacent on two sides and close the above mentioned electricity sub-station, would not suffer unacceptable impact on amenity in terms of noise and vibration emanating from the electricity sub-station. The application has therefore failed to demonstrate compliance with adopted local plan policies SP7 and SLP3 as well as NPPF section 12 highlighting Para 135 f) that provides decisions should "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users..." As well as Para 193 that provides new development should be integrated without unreasonable restrictions placed on existing facilities / business them as a result of development permitted after they were established. The proposed would likely form an unnecessary form of constraint on the operation of the sub station serving the area.

24/01278/FULH H Approval - Full 21.11.2024 Delegated Decision	Mr Kevin Matthews	Householder Planning Application - Erection of wheelchair accessible front porch/storage room (following demolition of existing porch).	4 Oakwood Avenue Holland On Sea Clacton Essex CO15 5RN
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- 01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

NOTE/S FOR CONDITION:

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02 COMPLIANCE: APPROVED PLANS & DOCUMENTS

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- o Document showing the site outlined in RED and with the proposal indicated in BLUE at a scale of 1:1250 - Rec'd 30/09/2024
- o Document showing the existing and proposed elevations - Rec'd 23/08/2024
- o Document showing the proposed roof and floor plan at a scale of 1:50 - Rec'd 23/08/2024

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

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24/01452/FULH H Approval - Full 21.11.2024 Delegated Decision	Mrs Tara Low	Householder Planning Application - Single storey front extension, remodelling of dwelling and sloped path to achieve a step-free level threshold.	25 Frobisher Drive Jaywick Essex CO15 2QH

01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

Drawing No.s

2405-DMAC-00-GF-DR-A-30-S1-P04
2405-DMAC-00-XX-DR-A-01-S1-P01
2405-DMAC-00-ZZ-DR-A-31-S1-P01
2405-DMAC-00-ZZ-DR-A-32-S1-P01
2405-DMAC-00-ZZ-M3-A-33-S1-P04
2405-DMAC-00-ZZ-XX-A-29-S1-P01

REASON: For the avoidance of doubt.

NOTE/S FOR CONDITION:

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

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is

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

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

24/01637/NMA Approval Non Material Amendment 21.11.2024 Delegated Decision	Mr Ari Birnbaum - LB Land Holdings Ltd	Non Material Amendment to 24/00373/FUL - Change of approved description to Conversion of semi- detached property into 1no 2-bedroom flat, and 2no. 1-bedroom flats.	9 Hayes Road Clacton On Sea Essex CO15 1TX
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Elmstead Market Parish Council NO DETERMINATIONS

Frating Parish Council NO DETERMINATIONS

Frinton & Walton Town Council

24/01449/FULH H Approval - Full 18.11.2024 Delegated Decision	Mr Peter Huntingford	Householder Planning Application - New chrome handrails and transparent glass panels to existing balcony.	6 The Crescent Frinton On Sea Essex CO13 9AP
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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

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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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. 0151-A-001.
Drawing No. 0151-A-002
Drawing No. 0151-A-100 Revision 01.

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

NOTE/S FOR CONDITION:

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

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

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

<u>24/01486/FULH</u> <u>H</u> Approval - Full 19.11.2024 Delegated Decision	Mrs Emma Buckley	Householder Planning Application - Single storey rear extension.	27 Hadleigh Road Frinton On Sea Essex CO13 9HQ
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

0217-A-001
0217-A-100 01
0217-A-002

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.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/01564/TCA Approval - Full 22.11.2024 Delegated Decision	Mrs Luxton	1 No. Maple - fell	37 Fourth Avenue Frinton On Sea Essex CO13 9DY

01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

24/01604/TCA Application Not Required 22.11.2024	Mr David Cairns	Trees in a Conservation Area Notification - Lime Tree to be re-pollarded. Horse Chestnut Tree to be re-pollarded. Bay Tree to receive 2m height reduction.	20 The Crescent Frinton On Sea Essex CO13 9AP
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Great Bentley Parish Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/01412/FUL Refusal - Full 20.11.2024 Delegated Decision	Mr M Jones	Planning Application - Erection of a self-build dwelling.	Sturricks Sturrick Lane Great Bentley Colchester Essex CO7 8PT

01 Paragraph 136 states that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change, existing trees should be retained where possible and the solutions are found that are compatible with highways standards and the needs of different users.

Policy SP7 of the Local Plan requires all new development proposals to respond positively to local character and context and seek to preserve and enhance the quality of existing places and their environs. Policy PPL3 of the Local Plan seeks to protect the rural landscape and refuse planning permission for any proposed development which would cause overriding harm to its character or appearance, including to native hedgerows, trees and woodlands. Policy SPL3 of the Local Plan sets criteria where all new development should make a positive contribution to the quality of the local environment and protect or enhance local character including ensuring that the development relates well to its site and surroundings, that the development respects or enhances local landscape character and other locally important features while the design and layout of the development shall maintain or enhance important existing site features of landscape, ecological, heritage or amenity value.

There are two substantial Eucalyptus Trees (T1 & T2) present on the application site which are afforded formal legal protection by way of Tendring District Council Tree Preservation Order TPO/21/05 Sturricks, Sturricks Lane, Gt Bentley. The nearest part of the proposed dwelling will be approximately 13.7m and 15.7m away from the trunks of these trees. Where large trees are close to, or overhanging, residential properties there is likely to be future pressure from the property owner to reduce the size of the tree to address overshadowing, falling leaf litter and debris that would not be in the best interest of the tree.

Experience shows that residents of properties close to large trees also have concerns regarding the potential for partial or complete failure of tree and the impact that this has on the safe use of their property. Issues include concerns about possible damage to property and vehicles or physical harm to those using the garden that may be caused by falling branches.

Accordingly, due to the positioning of the dwelling, the application has failed to demonstrate that the dwelling will not have a long-term negative impact on the future growth, health or existence of the protected trees, by virtue of the requirement for the ongoing substantial maintenance and management of the trees.

The application has therefore failed to demonstrate that the proposed dwelling and the protected trees can co-exist over the long term, contrary to Paragraph 136 of the National Planning Policy Framework 2024 (NPPF) and Policies SP7, PPL3 & SPL3 of the Tendring District Local Plan 2013-2033 and Beyond.

02 Paragraph 135 of the NPPF states that decisions should ensure that developments create places with a high standard of amenity for existing and future users. Policy SPL3 of the Local Plan requires buildings and structures to be designed and orientated to ensure adequate daylight, outlook and privacy for future and existing residents. Policy SP7 states development proposals should protect the amenity of existing and future residents.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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Due to the positioning of the dwelling, the presence of the protected trees will result in significant overshadowing over the dwelling and the private amenity area, and loss of sunlight into key south facing habitable areas. The application has failed to demonstrate that these issues can be addressed through maintenance of the trees whilst ensuring their long-term health/survival. The proposal is therefore contrary to Paragraph 135 of the NPPF and Policies SP7 and SPL3 of the Tendring District Local Plan 2013-2033 and Beyond.

Great Bromley Parish Council **NO DETERMINATIONS**

Great Oakley Parish Council **NO DETERMINATIONS**

Harwich Town Council

<u>24/01525/LBDIS C</u> Part Discharged (Further work required) 21.11.2024 Delegated Decision	Quay Side Court Man. Co	Discharge of conditions application for 24/01138/LBC - Condition 3 (Fenestration Details).	Flat 3 Quayside Court The Quay Harwich Essex CO12 3HH
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Lawford Parish Council **NO DETERMINATIONS**

Little Bentley Parish Council

<u>24/01619/AGRIC</u> Determination prior approval not reqred 18.11.2024 Delegated Decision	Mr W King - W L King and Son	Prior Approval Application under Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for agricultural hay and silage storage building.	Mill Farm Church Road Little Bentley Tendring Essex CO7 8SH
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01 The development complies with the provisions of Class A of Part 6 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GDPO) (as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018; Statutory Instrument No. 343. The erection of the building for the purposes of agriculture are acceptable subject to the following conditions:

1. The development must not begin before the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required.
2. The development must, except to the extent that the local planning authority otherwise agree in writing, be carried out where prior approval is not required, in accordance with the details submitted with the application.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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3. The development must be carried out where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given.

24/01623/AGRIC <i>Determination prior approval not reqred 22.11.2024 Delegated Decision</i>	<i>Mr Dyson</i>	<i>Application to determine if prior approved is required under Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for agricultural storage barn.</i>	<i>Bentley Manor Church Road Little Bentley Essex CO7 8SE</i>
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- 01 The development complies with the provisions of Class A of Part 6 Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GDPO) (as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018; Statutory Instrument No. 343. The erection of the building for the purposes of agriculture are acceptable subject to the following conditions:

1. The development must not begin before the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required.
2. The development must, except to the extent that the local planning authority otherwise agree in writing, be carried out where prior approval is not required, in accordance with the details submitted with the application.
3. The development must be carried out where approval has been given by the local planning authority, within a period of 5 years from the date on which approval was given.

Little Bromley Parish Council **NO DETERMINATIONS**

Little Clacton Parish Council **NO DETERMINATIONS**

Little Oakley Parish Council

24/01014/FULH <i>H Approval - Full 21.11.2024 Delegated Decision</i>	<i>Mr Jamie Woodward</i>	<i>Householder Planning Application - Outbuilding and swimming pool with paving, decking, install pre built sauna and steam room.</i>	<i>St Clair Rectory Lane Ramsey Essex CO12 5HA</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.

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. 05 received 27 September 2024

Drawing no. 01 received 27 September 2024

Drawing no. 04 Revision G received 27 September 2024

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

NOTE/S FOR CONDITION:

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

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

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

03 SUDS WATER DRAINAGE AND FLOOD RESILIENCE MEASURES

CONDITION: The hereby permitted development shall be carried out in accordance with all proposals

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and recommendations (measures) contained within the approved Flood Risk Assessment titled 'Flood Risk Assessment and SuDS Report September 2024' received on 27 September 2024. The measures shall be carried out in their entirety in accordance with any timetable approved as part of the approved Flood Risk Assessment, or if not available shall be carried out in their entirety prior to first use of the development unless otherwise agreed in writing by the Local Planning Authority. All measures shall be maintained thereafter as approved.

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

Manningtree Town Council **NO DETERMINATIONS**

Mistley Parish Council **NO DETERMINATIONS**

Ramsey & Parkeston Parish Council

<u>24/01348/FUL</u> Refusal - Full 19.11.2024 Delegated Decision	Mr Joe Pedersen - Ramsey Master Butchers	Planning Application - construction of 4 bedroom dwelling and access alterations (following removal of existing delicatessen structure).	F Page Butchers 5 Main Road Ramsey Harwich Essex CO12 5EY
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01 The existing structures on the application site will be removed resulting in the refrigerator units, freezers and related equipment being moved to the remaining site of the butchers which will continue to operate to the south east, between the dwelling of Old School Cottage and the site of the proposed dwelling. There is no certainty about what equipment will be moved and where it will be located with the potential to impact on the residential amenity of Old School Cottage and the proposed dwelling in terms of noise and disturbance from the equipment.

A Noise Impact Assessment has not been submitted and at this time it has not been demonstrated that moving the refrigeration and freezer equipment will not have an adverse impact on neighbouring residential amenities.

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

02 The application site lies within Flood Zone 2 and partially within Flood Zone 3 and has a high probability of flooding from rivers and the sea.

Dwellinghouses are classified in Annex 3: Flood risk vulnerability classification of the NPPF as 'more vulnerable'.

In view of the location of the site within Flood Zones 2 and 3 and also involving a more vulnerable use it is necessary to carry out a Sequential Test as part of the FRA, however the applicant has not submitted an FRA and has therefore failed to apply the Sequential Test. The Local Planning Authority does not have a suitable basis for assessment to be made of the flood risks arising from the proposed development.

It is considered that the sequential test would fail as there are sites available for the construction of a single dwelling within Flood Zone 1 and outside of any identified area of flood risk within Harwich and Dovercourt to the east, and beyond on a District wide level.

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The proposed development is therefore contrary to Adopted Policy PPL1 of the Tendring District Local Plan 2013-2033 and Beyond, the National Planning Policy Framework and Planning Policy Guidance.

03 Main Road (B1352) is a Secondary Distributor Road in the County Council's route hierarchy whose function is to carry traffic safely and efficiently between substantial rural populations and on through routes in built up areas.

The application site is served by a dropped kerb at the north eastern corner of the site which also serves the neighbouring property of Andalucía. The application site provides two off road car parking spaces that meet the car parking standards where one space measures 2.9 metres x 5.5 metres; however, there is no space for turning off the road thereby restricting vehicles from entering and exiting the site in a forward gear requiring the occupiers of the new dwelling to either reverse out onto Main Road or reverse into the off road parking spaces from Main Road to the detriment of highway safety.

Two off road customer parking spaces and two off road staff parking spaces as approved under application reference 20/00196/FUL will be lost as a result of the proposal leaving no provision for customer parking on the butcher's site. It has not been demonstrated how the butchers on the site to the south east will be laid out and how appropriate parking will be provided.

The application site is situated on Main Road that is subject to a 30-mph speed limit which requires vehicular visibility splays in both directions of 2.4 metres x 43 metres as measured from and along the nearside edge of the carriageway. It has not been demonstrated whether the visibility splays can be achieved within the limits of public highway and/or land in the control of the applicant. In this case the Local Planning Authority is unable to say with confidence that the proposal will not have an adverse impact on highway safety.

The inadequacy of the off road parking and turning provision for the proposed dwelling and the off road car parking for the butchers business likely leading to inappropriate on-street parking, obstruction of the footway, and visibility splay for the proposed dwelling, detrimental to the general safety of all highway users is contrary to Policies SP7, SPL3, CP2 of the Local Plan and the National Planning Policy Framework.

St Osyth Parish Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/01414/VOC Approval - Reserved Matters/Detailed 21.11.2024	City and Country Wellwick Ltd	Application under Section 73 of the Town and Country Planning Act for Variation of Condition 1 (Approved Plans); Condition 2 (Landscaping Scheme); Condition 4 (Parking and Turning Areas) of application 24/00673/VOC to make changes to the layout and housetypes within phase 1, and to adjust the phasing plan.	St Osyth Priory The Bury St Osyth Clacton On Sea Essex CO16 8NZ

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.

- CC-0343-PL-02 D
- CC-0343-PL-03 D
- CC-0343-PL-04 D
- CC-0343-PL-05 D
- CC-0343-PL-06 D
- CC-0343-PL-07 D
- CC-0343-PL-08 C
- CC-0343-PL-11 D
- CC-0343-AA001
- 2745A2-LLA-ZZ-00-DR-L-0001 P05
- House Types HT-A1 and HT-A1a, Plans and Elevations CC009-HT-A1 rev. C
- House Type HT-A2, Plans and Elevations CC009-HT-A2 rev. B
- House Type HT-A3, Plans and Elevations CC009-HT-A3 rev. A
- House Types HT-A4 and HT-A4a, Plans and Elevations CC009-HT-A4 rev. A
- House Type HT-B1, Plans and Elevations CC009-HT-B1 rev. B
- House Types HT-B1a and HT-B1b, Plans and Elevations CC009-HT-B1a rev. B
- House Types HT-B2 and HT-B2a, Plans and Elevations CC009-HT-B2 rev. C
- House Type HT-B2b, Plans and Elevations CC009-HT-B2b rev. C
- House Type HT-B4A, Plans and Elevations CC009-HT-B4A rev. D
- House Type HT-D1 Edge, Plans and Elevations CC009-HT-D1 rev. B
- House Type HT-D1 Internal, Plans and Elevations CC009-HT-D1 01 rev. B
- House Type HT-D1 Core Plans and Elevations CC009-HT-D1 02 rev. B
- House Type HT-F, Floor Plans CC009-HT-F-01 rev. C
- House Type HT-F Edge, Elevations CC009-HT-F-02 rev. D
- House Type HT-F Core, Elevations CC009-HT-F-03 rev. D

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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- House Type HT-H1, Floor Plans CC009-HT-H1-01 rev. C
- House Type HT-H1 Edge, Elevations CC009-HT-H1-02 rev. D
- House Type HT-H1 Core, Elevations CC009-HT-H1-03 rev. C
- House Type HT-K, Floor Plans CC009-HT-K-01 rev. C
- House Type HT-K Edge, Elevations CC009-HT-K-02 rev. D
- House Type HT-K Internal, Elevations CC009-HT-K-03 rev. D
- House Type HT-K Core, Elevations CC009-HT-K-04 rev. D
- House Type HT-Saffron, Floor Plans CC009-HT-Saf-01 rev. C
- House Type HT-Saffron, Elevations CC009-HT-Saf-02 rev. C
- Garages SG1 and SG2, Plans and Elevations CC009-GR-01 rev. A
- Garages SG3 and SG4, Plans and Elevations CC9-GR-2
- Garage DG1, Plans and Elevations CC009-GR-03
- Garage DG2, Plans and Elevations CC009-GR-04
- Garage DG3, Plans and Elevations CC009-GR-05
- Car Port 1 Plans CC009-CP-01 rev. A
- Car Port 1 Elevations CC009-CP-02 rev. A
- Entrance Feature CC009-ST-04
- Site Cross Sections CC009-CS-001 rev. E
- CC-0343-ST-01- Rev A - Street Elevations A-A_B-B
- CC-0343-ST-03 - Street Elevations D-D, E-E, F-F
- S343-GT01 - Single Garage
- S343-GT02 - Double Single Garage
- S343-GT03 - Double Garage
- S343-GT04 - Double Garage with Studio
- S343-GT05 - Double Car Port
- S343-HT01 Rev B - Elmdon Terrace
- S343-HT02 Rev A - Stock Semi
- S343-HT03 Rev A - Saffron Detached
- S343-HT04 Rev A - Saffron Semi
- S343-HT05 Rev A - Chrishall Type A Semi
- S343-HT06 Rev A - Chrishall Type B Detached
- S343-HT07 - Rowley Type B_C semi
- S343-HT08 Rev A- Rowley Type C_C semi
- S343-HT09 - Clayton Detached
- S343-HT10 Rev A - Orford Detached
- S343-HT11 Rev A - Langley A_B Semi
- S343-HT12 Rev A - Ashdon Detached
- S343-HT13 - Coggeshall Detached
- S343-HT14 - Langdon Detached
- S343-HT15 - Lambourne Detached
- S343-HT16 Rev A - Nantucket Detached
- S343-HT17 - Barrow A Semi
- S343-HT18 - Stock Terrace
- S343-HT19 - Saffron Det with garage
- S343-HT20 - Chrishall A Detached
- S343-HT21 - Langdon 2.5 Detached

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

NOTE/S FOR CONDITION:

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

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

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

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

02 APPROVAL REQUIRED: LANDSCAPING SCHEME

CONDITION: No development shall take place within the relevant phase (as per approved phasing plan drawing no. CC-0343-PL-08 C) until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard, soft and boundary treatment landscaping works for the site, which shall include any proposed changes in ground levels.

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

NOTE/S FOR CONDITION:

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

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

03 COMPLIANCE WITH DETAILS AND TIMESCALE REQUIRED - LANDSCAPING SCHEME

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

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

04 COMPLIANCE WITH DETAILS AND TIMESCALE REQUIRED - PARKING AND TURNING AREAS

No dwelling shall be occupied until such time as the car parking and turning areas serving that dwelling have been provided in accordance with the submitted parking plan CC-0343-PL-04 D. These facilities shall be retained in this form at all times and shall not be used for any purpose other than the parking and turning of vehicles related to the use of the development thereafter.

REASON - To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety.

05 ACTION REQUIRED - RAMS MITIGATION

Prior to the first occupation of the development a scheme for the on-site mitigation of the recreational impact of the development on protected Essex Coast European sites shall have been submitted to and approved in writing by the Local Planning Authority.

This mitigation scheme shall comprise;

- a circular walking route; dog off-lead area; dog waste bins; and residents' information leaflets and interpretation boards.

Development shall be undertaken in strict accordance with the approved mitigation scheme and program and thereafter managed and retained as approved. Any approved information leaflet shall be included within the new resident's welcome pack to every dwelling.

REASON - To encourage the future residents to remain on-site for day to day recreation/dog walking, so as to minimise pressures upon the Colne Estuary SPA, pursuant to the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy.

Tendring Parish Council

NO DETERMINATIONS

Thorpe-le-Soken Parish Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
24/01084/VOC Approval - Full 20.11.2024 Delegated Decision	FGH (Essex) Ltd	Application under Section 73 of the Town and Country Planning Act for Variation of Condition 2 (Approved Plans); Condition 9 (Travel Information pack); Condition 13 (Fibre Optic Broadband Connection); Condition 15 (Biodiversity Enhancement Strategy); Condition 16 (Sustainability of development) of application 23/01804/FUL.	Land adjacent to Comarques Farm House Colchester Road Thorpe Le Soken Essex CO16 0LA

01 COMPLIANCE REQUIRED: COMMENCEMENT SECTION 73 TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later the expiration 24 May 2027.

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.

23/01804/FUL

Email received 18 January 2024 confirming that the new trees will have a girth of 8-10cm and the hedging will be 60-90cm in height at the time of planting.

24/01084/VOC

Drawing No. CMQ-20 Rev C

Drawing No. CMQ-21 Rev B

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

NOTE/S FOR CONDITION:

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

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

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

03 COMPLIANCE WITH DETAILS AND TIMESCALE REQUIRED - LANDSCAPING SCHEME

CONDITION: All changes in ground levels, soft/hard landscaping shown on the approved landscaping details Drawing No. CMQ-21 Rev B External Works/Landscaping, with the addition that the new trees will have a girth of 8-10cm and the hedging will be 60-90cm in height at the time of planting, shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development, or in such other phased arrangement as may be approved, in writing, by the Local Planning Authority up to the first use/first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted, or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and same species unless otherwise agreed in writing by the Local Planning Authority.

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

04 COMPLIANCE REQUIRED - CONTAMINATION

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

- a. All site works at the position of the suspected contamination will stop and the Local Planning Authority and Environmental Health Department will be notified as a matter of urgency.

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

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

05 HIGHWAYS PROVISION OF VISIBILITY SPLAYS

CONDITION: There should be no obstruction above ground level within a 2.4 metre wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage (taken to be 1.5 metres in depth back into the site). Such vehicular visibility splays shall be provided before the hereby approved access is first used by vehicular traffic to access the development and retained free of any obstruction at all times.

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

06 ACTION REQUIRED: HIGHWAYS TURNING SPACE AND PARKING

CONDITION: Prior to first occupation, the vehicular turning space and vehicle parking areas to serve the development as shown on approved Drawing No. CMQ-20 Rev C shall be provided in its entirety and shall then be retained in its approved form and used for no other purpose, unless

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otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure that vehicles can enter and leave the highway in a forward gear, to ensure that appropriate parking is provided and to ensure that on street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety.

07 SPECIFIC RESTRICTION: ACCESS WIDTH

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

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

NOTE/S FOR CONDITION:

Carriageway is the part of a road intended for vehicles rather than pedestrians normally define by kerb if available or edge of a bound surface. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the ECC Highway

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

08 COMPLIANCE REQUIRED: PUBLIC RIGHT OF WAY

CONDITION: The public's rights and ease of passage over public footpath no.8 (Thorpe Le Soken_180) shall be maintained free and unobstructed at all times.

REASON: To ensure the continued safe passage and accessibility of the public on the definitive right of way.

09 RESIDENTIAL TRAVEL INFORMATION PACK

CONDITION: Prior to first occupation of each dwelling, a Residential Travel Information Pack which includes a minimum of six one day travel vouchers for use with a local transport operator (travel pack) shall be provided to each dwelling for use of its first occupiers.

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

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

CONDITION: Notwithstanding the provisions of Article 3, Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no provision of fences, walls or other enclosures, shall be erected forward of the front elevation of the dwelling hereby approved except pursuant to the grant of planning permission on an application made in that regard.

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

11 COMPLIANCE REQUIRED: ELECTRIC VEHICLE CHARGING

CONDITION: The provision of one electric vehicle charging facility per dwelling detailed in the document titled 'ELECTRIC VEHICLE CHARGING' received on 19 December 2023 under planning application reference 23/01804/FUL and shown on Drawing No. CMQ-20 Rev C shall be installed

in a working order, prior to first occupation of the dwellings and thereafter shall be maintained.

REASON: In order to promote sustainable transport.

12 MEASURES TO IMPROVE SUSTAINABILITY OF DEVELOPMENT

CONDITION: The scheme of water conservation, heating and hot water via solar panels and an air source heat pump, and waste reduction measures, all as detailed in the document in the document titled 'Water, Energy and Resource Efficiency Measures' received on 18 July 2024 shall be implemented prior to first occupation of the dwellings hereby approved unless otherwise agreed in writing by the Local Planning Authority. The scheme shall be constructed and the measures provided and made available for use as may be agreed and thereafter shall be maintained.

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

13 FIBRE OPTIC BROADBAND CONNECTION

CONDITION: Prior to first occupation of the dwellings hereby approved a fibre optic broadband connection to the best possible speed installed on an open access basis and directly accessed from the nearest exchange, incorporating the use of resistant tubing for the lifetime of the

development shall be fully implemented 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 energy and resources; reduced harm to the environment; and result in wider public benefit in accordance with the NPPF.

NOTES FOR CONDITION:

Broadband provision is included to ensure the development is able to be equipped with high speed broadband to enable opportunities for web-based communication reducing the need for unsustainable travel.

If the applicant is unable to achieve this standard of connection, and can evidence through consultation that this would not be possible, practical or economically viable an alternative superfast (i.e. will provide speeds greater than 30mbps) wireless service will be considered.

14 COMPLIANCE REQUIRED: CONSTRUCTION METHOD STATEMENT

CONDITION: The Construction Method Statement received 19 December 2023 under planning application reference 23/01804/FUL shall be adhered to throughout the construction period of the development hereby approved, unless otherwise agreed in writing by the Local Planning

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Authority.

REASON: In the interests of residential amenity and highway safety.

15 COMPLIANCE REQUIRED: BIODIVERSITY ENHANCEMENT STRATEGY

CONDITION: Prior to first occupation of the dwellings hereby approved the Biodiversity Enhancement Strategy for protected and priority species as detailed within the Planning Statement dated September 2024 shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

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

24/01713/WTRE <u>X</u> Approval - Full 20.11.2024 Delegated Decision	David Bain	Exception to the normal requirement to serve a section 211 Notice on the local planning authority as set out in Section 15 (1) (a) (i) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.	Church of St Michael High Street Thorpe Le Soken Essex CO16 0DY
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Thorrington Parish Council	NO DETERMINATIONS
Weeley Parish Council	NO DETERMINATIONS
Wix Parish Council	NO DETERMINATIONS
Wrabness Parish Council	NO DETERMINATIONS