

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

## Alresford Parish Council

<a href="#">24/01593/FULHH</a>	Mr Andy	Householder Planning	61 Station Road
Refusal - Full	Robinson	Application - Proposed	Alresford
14.01.2025		side dormer (following	Colchester
Delegated		demolition of chimney	Essex
Decision		stack).	CO7 8AA

01 Paragraph 135 of the National Planning Policy Framework 2024 (NPPF) requires that developments are visually attractive as a result of good architecture, are sympathetic to local character and history, including the surrounding built environment, function well and add to the overall quality of the area, and establish or maintain a strong sense of place.

Adopted Tendring District Local Plan Section 1 (TDLPS1) Policy SP7 seeks high standards of design that responds positively to local character and context. Policy SPL3 states that development must relate well to its site and surroundings particularly in relation to its siting, height, scale and massing. Furthermore, the development must respect or enhance existing street patterns. The Essex Design Guide (2018) offers detailed guidance on what is an acceptable design in relation to dormers. It states that they should be a minor incident in the roof plane and not over-dominant in their composition. Their purpose should be to light the roofspace not gain extra headroom over any great width.

The proposed dormer will be prominent to the streetscene being in a conspicuous position on the side elevation of the dwelling immediately adjacent to a railway line. The length, bulk and flat roof nature when compared to the modest roof design of the host dwelling and surrounding properties creates an incongruous form of development. The addition would therefore result in a significant detrimental impact upon visual amenity, failing to preserve the character and appearance of the surrounding area.

The proposed dormer therefore amounts to a harmful form of development to the detriment of visual amenity and the quality of the local environment, contrary to the aims of the National Planning Policy Framework (2024), Essex Design Guide and Policies SP7 and SPL3 of the Tendring District Local Plan 2013-2033 and Beyond.

<a href="#">24/01727/FULHH</a>	Mr and Mrs	Householder Planning	138 Wivenhoe Road
Approval - Full	Reynolds	Application - Single	Alresford
16.01.2025		storey rear extension.	Essex
Delegated			CO7 8AQ
Decision			

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.

<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>			

---

**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  
 2764 P01 (including materials details)  
 2764 P02

**REASON:** For the avoidance of doubt.

**NOTE/S FOR CONDITION:**

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

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

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

**Ardleigh Parish Council**

<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>			
<a href="#">24/01402/FUL</a> Approval - Full 16.01.2025 Delegated Decision	Mr M Woods	Planning Application - Retrospective change of use to residential curtilage and the erection of a holiday lodge in association with Yaffles	Yaffle Crown Lane North Ardleigh Colchester Essex CO7 7RA

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 COMPLIANCE REQUIRED: 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. 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. WCLN-101 A  
AMENDED SITE PLAN - REC'D 02.12.24
- Landscape Strategy Plan - Received 17.09.24
- Preliminary Ecological Assessment - dated 12.7.2024 - written by ACJ Ecology - prepared by Andrew May

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

<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>			

---

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: HOLIDAY OCCUPATION CONDITION:

CONDITION: Unless condition 4 applies, the holiday lodge hereby approved, and as clearly indicated on approved drawing no WCLN-101 A and Amended Site Plan received 02.12.24, are exclusively designated for holiday purposes of the occupiers only and shall not be utilised as a person's sole or main place of residence nor permanent residential dwelling of individuals not engaged in such holiday purpose at any time, including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended.

Furthermore, the following restrictions shall apply:-

1. Occupation Period: No continuous occupation period of an individual person shall exceed 42 days without a break of at least 10 days between occupation.
2. Primary Residence Prohibition: The approved holiday lodge shall only be occupied by persons who have available an alternative primary residential address, it shall not be utilised as a person's sole or main place of residence.
3. Register of Occupants: A comprehensive register containing the names, full details of permanent home addresses, and vehicle registrations (if travelling by car) of occupants shall be maintained for all periods of occupation each year. This register must be made available to the Local Planning Authority for inspection at any time in a form that can be digitally provided upon request, and all records shall be retained for a minimum of ten years.

REASON: The site of the permission is outside any area where planning permission would normally be forthcoming for residential development without either harm or conflict with planning policies. The development is expressly permitted for holiday use to contribute significantly to local tourism and the economic well-being of the area. This contribution is considered paramount, justifying the exceptional approval of this development that would otherwise be a departure of the Local Plan and unsustainable development.

NOTE FOR CONDITION: Holiday Purpose: This term refers to the usage of the development site for short-term stays, primarily for recreational or leisure purposes, individuals occupying the site are doing so for holidays and vacations. Continuous Occupation: Continuous occupation, as mentioned in the condition, indicates the uninterrupted stay of an individual on the

<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>			

---

development site. In this context, the condition restricts the continuous occupation of any individual person to no more than 42 days without a break of at least 10 days between periods of occupation. This restriction is designed to ensure that the site is not used as a permanent residence and aligns with its intended holiday purpose to generate active tourism within the District.

#### 04 SPECIFIC RESTRICTION ON DEVELOPMENT

CONDITION: When the hereby approved holiday lodge is not in use for holiday purposes as required under condition 3, it shall only be used and occupied for purposes incidental and ancillary to the principal dwelling known as Yaffle (or as may be renamed in the future).

REASON: The holiday lodge hereby approved 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 unrestricted residential dwelling. 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 unrestricted dwelling/non-ancillary unit.

#### 05 FURTHER APPROVAL: MITIGATION TO BE AGREED - RAMS

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

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

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

#### NOTE/S FOR CONDITION:

This condition establishes the necessity to ensure the implementation of appropriate mitigation measures due to the impact of the approved development. Such mitigation may be required on-site, off-site, or a combination of both.

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

<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>			

---

condition you wish to take, you are strongly advised to finalise the legal agreement with the Council before submitting any request to discharge this condition. Failure to conclude the agreement within the discharge of condition application time frame may lead to the refusal to discharge the condition.

#### LEGAL AGREEMENT REQUIRED

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>

#### 06 FURTHER APPROVAL: BIODIVERSITY ENHANCEMENT STRATEGY

CONDITION: Prior to any above ground works, a Biodiversity Enhancement Strategy for protected and priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include, but not be limited to, the following:

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

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

REASON: To enhance protected and Priority species and habitats.

#### 07 FURTHER APPROVAL: BIODIVERSITY NET GAIN PLAN

CONDITION: The development may not be begun unless (a) a biodiversity gain plan has been submitted to the planning authority (see note), and (b) the planning authority has approved the plan (see note).

REASON: In order to accord with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and amended by The Biodiversity Gain (Town and Country Planning) Modifications and Amendments (England) Regulations 2024.

<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>			

---

#### NOTE - CONTEXT AND APPLICATION:

Planning conditions are typically established upon the granting of planning permission under sections 70(1) and 72 of the Town and Country Planning Act 1990. However, it's essential to note that the biodiversity gain condition operates under a distinct statutory framework, specifically outlined in paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990.

This condition is deemed to apply to all planning permissions granted for land development in England, unless specific exemptions or transitional provisions are applicable (for further details, please refer to the provided web link <https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments> or contact us directly.

The government advises against including this condition in decision notices to avoid confusion. However, for clarity and accountability, we have opted to highlight this condition within the decision notice. This ensures that all involved parties are aware of its requirements, facilitating effective tracking and monitoring throughout the development process, including the discharge of conditions.

In certain instances, this condition may be imposed even if the applicant believes that biodiversity net gain (BNG) does not apply. Based on the available information, it is determined that this permission necessitates the approval of a biodiversity gain plan before commencing development, as none of the statutory exemptions or transitional arrangements apply.

For further details, please consult the officer report as needed. If you believe this condition does not apply, we strongly recommend contacting the Local Planning Authority (LPA) for clarification. Tendring District Council serves as the planning authority responsible for determining the approval of a Biodiversity Gain Plan in relation to this permission.

#### BIODIVERSITY GAIN PLAN REQUIREMENTS:

For the Biodiversity Gain Plan requirements, please refer to both paragraphs 14 and 15 of the Environment Act Sch 14 Part 2 as amended by The Biodiversity Gain (Town and Country Planning) Modifications and Amendments (England) Regulations 2024.

<https://www.legislation.gov.uk/ukpga/2021/30/schedule/14/enacted>

In summary, the Biodiversity Net Gain (BNG) plan must achieve a minimum biodiversity net gain of 10% and should typically include the following:

- Steps taken or to be taken to minimize adverse effects of the development on the biodiversity of the onsite habitat and any other habitat.
- Pre-development and post-development biodiversity assessments of the onsite habitat.
- Allocation of any registered offsite biodiversity gain to the development and its biodiversity value in relation to the development.
- Details of any biodiversity credits purchased for the development.
- Plans for maintaining and securing the net gain on and/or off site for at least 30 years after completion of the development.

The Local Authority will ensure the submitted details meet the requirements of the Town and Country Planning Act 1990 as amended, Environment Act as amended, associated legalisation and guidance.

Ways to achieve 10% BNG may include:

<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>			

---

- 1) Enhancement and restoring biodiversity on-site (within the red line boundary of a development site).
- 2) If proposals can only achieve part of their BNG on-site, they can deliver through a mixture of on-site and off-site. Developers can either make off-site biodiversity gains on their own land outside the development site or buy off-site biodiversity units on the market as close as possible to the site.
- 3) If developers cannot achieve on-site or off-site BNG, they must buy statutory biodiversity credits from the government. This must be a last resort. The government will use the revenue to invest in habitat creation in England.

Developers may combine all 3 options but must follow the steps in order. This order of steps is called the biodiversity gain hierarchy.

#### CONDITIONS AND LEGAL AGREEMENT:

The Local Authority is responsible for ensuring that the biodiversity gain objective is achieved, whether it be onsite, offsite, or through the purchase of credits, and that it is secured by legal agreement as necessary. It is essential to highlight that planning conditions operate within a strict timeframe. Therefore, any legal agreements required to secure the biodiversity gain must be completed prior to the consideration of the planning condition. Failure to comply with this requirement may result in the refusal of the condition.

#### 08 COMPLIANCE: TREE PROTECTION MEASURES

**CONDITION:** The approved tree protection measures as shown on drawing reference 'Tree Protection Fence Plan' received 07.11.24, shall be retained throughout the duration of any building and engineering works in the vicinity of the tree/s to be protected. Any tree/s dying or becoming severely damaged as a result of any failure to comply with these requirements shall be replaced with a tree or trees of appropriate size and species during the first planting season, or in accordance with such other arrangement as may be approved, in writing, with the Local Planning Authority up to first use or first occupation of the development, following the death of, or severe damage to the tree/s.

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

#### 09 SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS EXTENSION AND ALTERATIONS

**CONDITION:** Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification):- - no enlargement, improvement, insertion of new openings or other alteration of the hereby approved building shall be carried out, except pursuant to the grant of planning permission on an application made in that regard.



<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>			

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.

<a href="#">24/01693/COUN OT</a>	Mr Day	Prior Approval Application under Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for change of use, conversion and extension of an agricultural building to create a two bedroom dwelling.	Gods House Harts Lane Ardleigh Colchester Essex CO7 7QQ
Determination prior approval not reqred 13.01.2025 Delegated Decision			

#### 01 COMPLIANCE: COMMENCEMENT

CONDITION: The development must not begin before the occurrence of the receipt by the applicant from the local planning authority of a written notice of their determination that such prior approval is not required.

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

#### 02 COMPLIANCE: TIME LIMIT

CONDITION: Development under Class Q is permitted subject to the condition that development under Class Q(a), and under Class Q(b) or (c), if any, must be completed within a period of 3 years starting with the prior approval date.

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

#### 03 COMPLIANCE: APPROVED PLANS AND DOCUMENTS

CONDITION: The development must be carried out (b) where prior approval is not required, or where sub-paragraph (11)(c) applies, in accordance with the details provided in the application referred to in sub-paragraph (1), unless the local planning authority and the developer agree otherwise in writing, as follows:

- Drawing No. 1.0
- Drawing No. 1.1
- Phase 1 Desk Study and Preliminary Risk Assessment - Project Ref - CON240-COLC-001 Dated 29 June 2023

REASON: In order to comply Schedule 2, Part 3, Class Q of The Town and Country Planning



<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>			
<a href="#">24/01897/NMA</a> Approval Non Material Amendment 16.01.2025 Delegated Decision	Mr Rupert Marks - Pioneer Sailing Trust	Non Material Amendment to 18/00635/FUL - Alterations to windows and doors, introduction of metal cladding to match existing and alterations to fire escape staircase.	Pioneer Boat Yard Shipyard Estate Brightlingsea Essex CO7 0AR

## 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.

The development hereby permitted shall be carried out in accordance with the following approved plans/documents;

18/00635/FUL  
425/05A  
425/06A  
425/07A  
425/08A  
425/09A  
425/10A

and the submitted Flood Risk Assessment.

24/01897/NMA  
425/01 D  
425/02 D  
425/03 E  
425/04 D

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

<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>			

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.

## **Clacton-on-Sea**

<a href="#"><u>24/01261/FUL</u></a> Refusal - Full 15.01.2025 Delegated Decision	FGH (Essex)Ltd	Planning Application - Erection of six bungalows following previously approved demolition of existing house	Saxons 105 Holland Road Clacton On Sea Essex CO15 6HB
--	----------------	--	---

01 Paragraph 135 of the National Planning Policy Framework 2024 (NPPF) requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, including the surrounding built environment and maintain a strong sense of place. It also states that planning decisions should always seek to secure a good standard of amenity for all existing and future occupants. Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design, which responds positively to local character and context and requires that the amenity of existing and future residents is protected. Policy SPL3 Part A (b) requires that development relates well to its site and surroundings, particularly in relation to its siting, height, scale, massing, form, design and materials. Part C also seeks to ensure that development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

The proposed development, through the introduction of a higher density bungalow development and the loss of the characteristic detached two storey house set within a generous plot, would dilute the prevailing character of the area and the adjoining Gardens Area of Special Character. Furthermore, the erection of six bungalows by virtue of their single storey scale, bulk, and massing, as well as the layout of the development and smaller plot sizes in relation to surrounding built form, would be out of keeping with the pattern of development in this locality, resulting in a cramped and incongruous appearance which would be harmful to the character and appearance of both the adjoining Gardens Area of Special Character and the surrounding area.

Furthermore, given the current extent of their open aspect it is considered that the proposed

<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>			

development would adversely affect the amenities of the occupiers of no.107 Holland Road and the two bungalows on Lyon Close immediately to the west of the northwest corner of the site, creating a sense of enclosure that would be harmful to and diminish the enjoyment of their properties. As such the proposal would be contrary to the above policies.

- 02 Paragraph 135 of the National Planning Policy Framework 2024 (NPPF) requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place. Adopted Policy SP7 of Section 1 of the 2013-33 Local Plan seeks high standards of urban and architectural design, which responds positively to local character and context. Policies SPL3 and LP4 of Section 2 of the 2013-33 Local Plan also require, amongst other things, that developments deliver new dwellings that are designed to high standards and which, together with a well-considered site layout that relates well to its site and surroundings, create a unique sense of place.

Policy LP 8(f) of Section 1 of the 2013-2033 Local Plan states proposals for the residential development of "backland" sites must not be out of character with the area or set a harmful precedent for other similar forms of development.

This part of Holland Road and Southcliff Park comprises dwellings which front onto the highway, and which have large plots and deep gardens. The siting of two dwellings located to the rear of dwellings that front the highway would be uncharacteristic of the planned layout of this part of the settlement, with the dwellings not adhering to the established pattern of development. Accordingly, the development would not be in-keeping with the surrounding area, would be harmful to its existing character and would set a harmful precedent for similar development and would therefore be contrary to the above local and national planning policies.

<a href="#"><u>24/01722/LUPR</u></a> <a href="#"><u>OP</u></a> Lawful Use Certificate Granted 16.01.2025 Delegated Decision	Mrs Alex Gray	Application for Lawful Development Certificate for Proposed Use or Development for loft conversion that will incorporate a rear dormer.	144 Chilburn Road Clacton On Sea Essex CO15 4PF
--	---------------	---	--

- 01 The proposed development constitutes permitted development by virtue of the provisions of Schedule 2, Part 1, Class B of The Town and Country Planning (General Permitted Development) (England) Order 2015.

**Elmstead Market Parish Council**                      **No Determination**

**Frating Parish Council**                                      **No Determination**

**Frinton & Walton Town Council**

<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>			
<a href="#">24/01695/FULH</a> <a href="#">H</a> Approval - Full 13.01.2025 Delegated Decision	Mr and Mrs A Voller	Householder Planning Application - First floor rear extension and single storey side and front extension.	Sapper Cottage 4 The Street Kirby Le Soken Frinton On Sea Essex CO13 0EE

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  
2023-43 03  
2023-43 04  
2023-43 05  
2023-43 06

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

<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>			

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="#">24/01699/VOC</a> Approval - Full 13.01.2025 Delegated Decision	Mr Peter Conway - Pecon Properties Ltd	Application under Section 73 of the Town and Country Planning Act for Variation of Conditions 2 (Approved Plans) of application 24/00448/FUL to extend the existing commercial unit.	27 - 29 Thorpe Road Kirby Cross Frinton On Sea Essex CO13 0LT
--	--	--	---

#### 01 COMPLIANCE REQUIRED: COMMENCEMENT SECTION 73 TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later the expiration 17th 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.

<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>			

---

100A  
92A  
93  
94A  
95  
96  
97  
98  
98A

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 EXTERNAL MATERIALS DETAILS

CONDITION: The exterior materials to be used in the construction of the development shall be in full accordance with those materials listed under on drawing no's 94A, 95, 96 and 97 submitted under this application.

REASON: In the interests of the character, integrity and preservation of the building and in the interests of visual amenity and principles of good design in accordance with the NPPF.

04 CONDITION: No development shall commence above slab level until) a scheme for the provision and implementation of water, energy and resource efficiency measures for the lifetime of the development shall be submitted to and approved, in writing, by the Local



<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>			

---

Planning Authority. The scheme shall include as a minimum:-

- A communal electric vehicle charging point
- Agreement of a scheme for water conservation including greywater recycling and rainwater capture/re-use.
- Renewable energy sources.
- Agreement of scheme for waste reduction

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

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

NOTES FOR CONDITION:

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

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

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

## 05 CONSTRUCTION MANAGEMENT

CONDITION: Construction of the hereby approved development shall be carried out in accordance with the Construction Method Statement detailed on drawing no 99A.

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

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

## 06 HIGHWAYS CONDITION

CONDITION: The powered two-wheeler/cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the extension and retained at all times thereafter.

<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>			

---

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

#### 07 HIGHWAYS CONDITION

The proposed extension 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 if required, 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 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.

#### 08 BURNING OF MATERIALS

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

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).

REASON: to protect the amenity of nearby residential premises

#### 09 ONGOING REQUIREMENT IMPOSED - RESTRICTION ON OPERATION TIMES

CONDITION: The hereby permitted unit shall only operate between the hours of 07:30am and 18:00pm Mondays to Fridays and between the hours of 08:00am and 18:00pm on Saturday. There shall be no working and/or use operated on Sundays and Bank Holidays. There shall be no deliveries to the development/use arranged for outside of these approved hours.

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

#### NOTE/S FOR CONDITION:

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

2) If the development operates outside of the hours stated this may result in unlawful

<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>			

development/use at risk of Enforcement Action. You are encouraged to discuss any concerns with this condition with the Local Planning Authority.

<a href="#"><u>24/01742/FULH</u></a> <a href="#"><u>H</u></a> Approval - Full 16.01.2025 Delegated Decision	Lisa Farrell	Householder Planning Application - single storey rear extension.	6 Crossfield Way Kirby Cross Frinton On Sea Essex CO13 0LL
--	--------------	--	--

#### 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  
2051 07 rev A  
2051 06 rev C

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.

<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>			

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>24/01770/FULH</u></a> <a href="#"><u>H</u></a> Refusal - Full 17.01.2025 Delegated Decision	Mrs Emma Buckley	Householder Planning Application - Pitched roof dormer to front roof slope.	27 Hadleigh Road Frinton On Sea Essex CO13 9HQ
---	---------------------	--	---

- 01 The existing house benefits from a two storey front bay window style projection which forms a prominent visual aspect of the house. The remainder of the dwelling is recessed slightly further back, allowing this projection to appear as a noticeable feature and adding to its character within the variety of houses present in the street scene. The introduction of a dormer within the front elevation would appear as a noticeable feature within Hadleigh Road and be viewed in conjunction with these characteristic aspects of the host dwelling. The proposal is considered to steal focus from this existing feature, resulting in a cluttered appearance when viewing the house. Furthermore, the size and design of the enlargement would result in a contrived and incongruous feature to the existing dwelling, which would be detrimental to the appearance of the host dwelling and consequently detrimental to the character and appearance of the area. The proposal therefore fails National Policy paragraph 135 and Local Plan Policy SP7.

<a href="#"><u>24/01775/LBC</u></a> Refusal - Listed Building Consent 16.01.2025 Delegated Decision	Mr Jeremy and Mrs Lada Young	Application for Listed Building Consent - Proposed single storey rear extension and upstairs bathroom with velux window, and the demolition of an existing lean-to structure.	White Ladies 205 Thorpe Road Kirby Cross Essex CO13 0NH
--	---------------------------------	--	---

- 01 The proposed rear extension to the Grade II Listed Building is of a significant depth similar to that of the host dwelling, and together with its part gabled form roof, would appear substantial against the cottage's simple form, thereby detracting from and diminishing its architectural interest. Moreover, the contemporary appearance and materials, as well as the use of vertically fixed larch cladding, is considered inappropriate by emphasising the juxtaposition compared to the host dwelling. Further, the proposed Velux rooflight will result in the cutting of existing rafters of the protected building, resulting in a significant impact to historic features.

<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>			

The combination of this ensures that there would be a level of less than substantial harm to the significance of this Grade II Listed Building, with no public benefits identified to outweigh this.

The proposal is therefore contrary to paragraphs 212, 213 and 215 of the National Planning Policy Framework (2024) and policy PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Section 2.

<a href="#"><u>24/01776/FULH</u></a> <a href="#"><u>H</u></a> Refusal - Full 16.01.2025 Delegated Decision	Mr Jeremy and Mrs Lada Young	Householder Planning Application - Proposed single storey rear extension and upstairs bathroom and velux window, following demolition of an existing lean-to structure.	White Ladies 205 Thorpe Road Kirby Cross Frinton On Sea Essex CO13 0NH
---	---------------------------------	--	---

- 01 The proposed rear extension will be a noticeable addition to the existing house, which due to its differing height and use of modern materials would highlight the inconsistencies between it and the host dwelling. Due to the large open space between the application house and 203 Thorpe Road, these views would be further exacerbated within the street scene, resulting in a detrimental visual impact to the character of the host dwelling and local area. Further, the modern design and scale of the proposed extension would not be sympathetic to the listed building, resulting in a level of less than substantial harm to the character and appearance of the building and its setting, and there are no public benefits that would outweigh this harm.

The proposal is therefore contrary to paragraphs 135, 195, 212, 213 and 215 of the National Planning Policy Framework 2024 and policies SP7 and PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Section 2.

<a href="#"><u>24/01873/TCA</u></a> Approval - Full 17.01.2025 Delegated Decision	William Sharp	Trees in a Conservation Area Notification - 1no. Ash tree - Pollard. 1no. Eucalyptus tree - Fell.	69 Connaught Avenue Frinton On Sea Essex CO13 9PP
---	---------------	--	--

- 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:

<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>			

- 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.

### **Great Bentley Parish Council**

<a href="#"><u>24/01709/FULH</u></a> <i>H</i> <i>Refusal - Full</i> <i>17.01.2025</i> <i>Delegated</i> <i>Decision</i>	<i>Mr and Mrs</i> <i>Steven Marshall</i>	<i>Householder Planning</i> <i>Application -</i> <i>Replacement garage,</i> <i>creation of off street</i> <i>parking, and part single,</i> <i>part two storey rear</i> <i>extensions and</i> <i>remodelling of dwelling.</i>	<i>Pathside Cottage</i> <i>The Path</i> <i>Great Bentley</i> <i>Essex</i> <i>CO7 8PN</i>
---	---	---	--

- 01 Paragraph 135 of the National Planning Policy Framework 2024 (NPPF) requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, including the surrounding built environment and maintain a strong sense of place. It also states that planning decisions should always seek to secure a good standard of amenity for all existing and future occupants. Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design, which responds positively to local character and context and requires that the amenity of existing and future residents is protected. Part C also seeks to ensure that development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

In this instance, it is considered that the extensions will have an unacceptable impact upon the residential amenity levels of the occupiers at Allen House, to the north and east of the site, by

<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>			

virtue of the significant loss of amenity to their rear garden. The proposals would significantly increase the massing and bulk of the application property and this, in turn, would result in the property appearing oppressive and overbearing when viewed from the neighbour's garden and rear facing windows. Moreover, the rear garden at Allen House is located directly to the north of the application site and is narrow in form. The proposed works aim to increase the scale and bulk of the application property in close proximity to the shared boundary resulting in significant overshadowing to the garden area and rear elevation of the property, to the significant detriment of its use as a usable private amenity space and severely harming the resident's amenity.

The development is therefore contrary to the aims and aspirations of both National and Local Policy, as noted above, with regards to residential amenity impacts.

<a href="#"><u>24/01747/FULH</u></a> <u>H</u> Approval - Full 16.01.2025 Delegated Decision	Mr and Mrs Carney	Householder Planning Application - Front Porch.	Field View Sturrick Lane Great Bentley Essex CO7 8PT
--	----------------------	--	--

#### 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  
2772 P01 (including materials details)  
2772 P02

<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>			

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. 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>24/01874/WTPO</u></a>	<i>Mr Murray</i>	<i>Works related to Tree</i>	<i>Oak House</i>
<i>Approval - Full</i>	<i>Sinclair</i>	<i>Preservation Order</i>	<i>Sturrick Lane</i>
<i>17.01.2025</i>		<i>(89/00002/TPO - Oak</i>	<i>Great Bentley</i>
<i>Delegated</i>		<i>Tree and 95/00027/TPO</i>	<i>Colchester</i>
<i>Decision</i>		<i>- Sycamore Tree) - T1</i>	<i>Essex</i>
		<i>Oak - Reduce by 2</i>	<i>CO7 8PT</i>
		<i>metres back to previous</i>	
		<i>pruning points. T2</i>	
		<i>Sycamore - Reduce by 3</i>	
		<i>metres back to previous</i>	
		<i>pruning points.</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



<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>			

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.

### **Great Bromley Parish Council**

<a href="#"><u>24/00508/FUL</u></a> <i>Approval - Full</i> 16.01.2025 <i>Delegated</i> <i>Decision</i>	<i>Mr and Mrs</i> <i>Brooks</i>	<i>Planning Application -</i> <i>Replacement self/custom</i> <i>built dwelling and</i> <i>demolition of existing</i> <i>dwelling following</i> <i>construction.</i>	<i>Kenley</i> <i>Harwich Road</i> <i>Great Bromley</i> <i>Colchester</i> <i>Essex</i> <i>CO7 7UH</i>
--	------------------------------------	--	---

#### 01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

#### NOTE/S FOR CONDITION:

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.

<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>			

---

## 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 DWG. NO. P03b received 29 May 2024  
DWG. NO. P02c

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 CONTAMINATION

CONDITION: In the event that contamination is found which was not previously identified, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken and, where remediation is necessary, a new Remediation Scheme shall be prepared and submitted to and approved in writing by the Local Planning Authority. Following completion of all necessary measures identified in such

<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>			

---

Remediation Scheme as may be approved, a verification report shall be submitted to and approved in writing by the Local Planning Authority. In such circumstances, no further works of development shall be carried out to that part of the site until such time as the requirements of this paragraph have been satisfied.

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

#### 04 COMPLIANCE REQUIRED

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

REASON: To protect the amenity of nearby residential properties.

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

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

- a) Details of how construction and worker traffic and parking shall be managed.
- b) Details of the loading/unloading/storage of construction materials on site, including details of their siting and maximum storage height.
- c) Storage of plant and materials used in the construction of the development.
- d) Details of measures to control the emission of dust and dirt during construction and including details of any wheel washing to be undertaken, management and location it is intended to take place.
- e) Details of the hours of work/construction of the development within which such operations shall take place and the hours within which delivery/collection of materials for the said construction shall take place at the site.

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

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

#### NOTE/S FOR CONDITION:

You are strongly advised to discuss this condition with the Local Planning Authority and if possible/available local residents likely to be affected by this development prior to submission of details. Please note the provisions of the Highways Act 1980 Para 131 are likely to apply and may need to be discussed with the Highways Authority, this legislation includes details and penalties for any damage and/or alterations to the highway including verge, highway

<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>			

---

signage and surface materials of pavement/footpath and carriageway.

**06 FURTHER APPROVAL - ACTION REQUIRED: SUBMISSION OF A COPY OF NATURAL ENGLAND MITIGATION LICENCE FOR GREAT CRESTED NEWT (PRE-COMMENCEMENT)**

Prior to the commencement of development one of the following, a), b) or c) shall be submitted to and approved, in writing, by the Local Planning Authority.

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) a GCN District Level Licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- c) a statement in writing from the Natural England to the effect that it does not consider that the specified activity/development will require a licence.

**REASON:** To conserve protected 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 s17 Crime & Disorder Act 1998.

**07 FURTHER APPROVAL REQUIRED - BIODIVERSITY ENHANCEMENT STRATEGY**

**CONDITION:** No development shall commence above slab level until a Biodiversity Enhancement Strategy for protected, Priority and threatened species prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal and Roost Assessment (Arbtech, July 2024) shall be submitted to and approved in writing by the local planning authority.

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

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

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

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

**08 ACTION REQUIRED: ECOLOGICAL APPRAISAL RECOMMENDATIONS**

**CONDITION:** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal and Roost Assessment (Arbtech, July 2024)

<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>			

---

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

09 COMPLIANCE REQUIRED: AGREEMENT OF MEASURES TO IMPROVE SUSTAINABILITY OF DEVELOPMENT

CONDITION: Prior to occupation the scheme for the provision of an electric car charging point and the scheme for waste reduction as shown on DWG. NO. P02c in addition to the provision of a broadband connection as detailed in the Planning Statement received 22 April 2024 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 water, 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 and homeworking reducing the need for unsustainable travel.

10 ACTION REQUIRED: MEASURES TO IMPROVE SUSTAINABILITY OF DEVELOPMENT

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

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

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.

<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>			

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.

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

<a href="#">24/01696/FULH</a> <a href="#">H</a> Approval - Full 14.01.2025 Delegated Decision	Mr and Mrs Shimwell	Householder Application - single storey rear/side extension.	Essex House Harwich Road Great Bromley Colchester Essex CO7 7UL
--	------------------------	--	--

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

<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>			

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. P01  
Drawing No. P02

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

NOTE/S FOR CONDITION:

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

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

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

**Great Oakley Parish Council**

**No Determination**

**Harwich Town Council**

**No Determination**

**Lawford Parish Council**

<a href="#">24/01697/FULH</a> <a href="#">H</a> Refusal - Full 15.01.2025 Delegated Decision	Mr and Mrs A Barge	Householder Planning Application - Erection of 1.8m high close boarded fencing (following removal of existing post and rail fencing).	1 Cranswick Place Lawford Manningtree Essex CO11 2FY
---	-----------------------	--	--

01 The application site is situated in a semi-rural location which has an open and uncluttered character. The introduction of a 1.8m high close board fence adjacent to the highway would result in the proposal being extremely prominent to the street scene. The fence, which is stark in nature, will appear as an incongruous feature within the locale, and will result in a

<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>			

significant and detrimental impact to the character of the local area. Further, it would set a precedent for similar applications on the opposite side of the access to Cranswick Place and potentially beyond.

The proposal therefore amounts to a harmful form of development to the detriment of visual amenity and the quality of the local environment, contrary to paragraphs 131 and 135 of the National Planning Policy Framework and policies SP7 and SPL3 of the Tendring District Local Plan 2013-2033 and Beyond.

<a href="#"><u>24/01798/FULH</u></a> <a href="#"><u>H</u></a> Approval - Full 17.01.2025 Delegated Decision	Mr Daniel Collison	Householder Planning Application - Single storey rear extension.	29 Stourdale Close Lawford Essex CO11 2HY
--	-----------------------	--	--

#### 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.

Document titled; Location Plan at a scale of 1:1250 - Received on 04/12/2024

Drawing No. 0507/PL/01

Drawing No. 0507/PL/03

Drawing No. 0507/PL/02 Revision A



<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>			

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.

<b>Little Bentley Parish Council</b>	<b>No Determination</b>
<b>Little Bromley Parish Council</b>	<b>No Determination</b>
<b>Little Clacton Parish Council</b>	<b>No Determination</b>
<b>Little Oakley Parish Council</b>	<b>No Determination</b>
<b>Manningtree Town Council</b>	<b>No Determination</b>
<b>Mistley Parish Council</b>	

<a href="#">24/01468/FULH</a> <a href="#">H</a> Approval - Full 17.01.2025 Delegated Decision	Mr Matthew Kerridge	Householder Planning Application - Rear extension and rear dormer window to accommodate loft conversion.	3 Nelson Villas The Park Mistley Manningtree Essex CO11 2AJ
--	------------------------	---	--

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.</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
<i>Decision</i>			
<i>Date of Decision</i>			
<i>Conditions/Reasons</i>			

---

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.

5731 - AMENDED PROPOSED FLOOR PLAN, ELEVATIONS AND INTERNAL SECTION - REC 12/01/25

5731 A - AMENDED SITE PLAN, BLOCK PLAN, EXISTING AND PROPOSED FLOOR PLANS - REC 12/01/25

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.

<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>			

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

03 FURTHER APPROVAL: AGREEMENT OF MATERIALS

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

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

NOTE/S FOR CONDITION:

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

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

<a href="#"><u>24/01767/FULH</u></a> <i>H</i> <i>Approval - Full</i> <i>16.01.2025</i> <i>Delegated</i> <i>Decision</i>	<i>Mr and Mrs</i> <i>Salmon</i>	<i>Householder Planning</i> <i>Application - Single</i> <i>storey extension</i> <i>(following removal of</i> <i>existing conservatory),</i> <i>new conservatory and</i> <i>garage conversion to</i> <i>form annexe.</i>	<i>Whymarks</i> <i>Heath Road</i> <i>Mistley</i> <i>Essex</i> <i>CO11 2QH</i>
--	------------------------------------	--	---

01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

<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>			

---

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.

P02 - SITE PLAN - REC'D 02.12.24

P01B - BLOCK PLAN, EXISTING AND PROPOSED FLOOR PLANS AND ELEVATIONS - REC'D 15.01.2025

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

### NOTE/S FOR CONDITION:

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

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

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

## 03 SPECIFIC RESTRICTION ON DEVELOPMENT: OCCUPATION

<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>			

CONDITION: This permission shall only authorise the use and occupation of the annexe accommodation hereby approved for purposes incidental and ancillary to the principal dwelling known as Whymarks Heath Road Mistley Essex CO11 2QH (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.

<a href="#"><u>24/01891/TCA</u></a>	<i>Mr Robin Mills -</i>	<i>Trees in a Conservation</i>	<i>Welcome Home Field</i>
<i>Approval - Full</i>	<i>Mistley Cricket</i>	<i>Area Notification - 5 Oak</i>	<i>New Road</i>
<i>17.01.2025</i>	<i>Club</i>	<i>trees and 1 Hourse</i>	<i>Mistley</i>
<i>Delegated</i>		<i>Chestnut - Crown lifting.</i>	<i>Essex</i>
<i>Decision</i>			<i>CO11 1ER</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

<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>			

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**

<a href="#"><u>24/01869/TCA</u></a>	<i>Mr Red Lee -</i>	<i>Trees in a Conservation</i>	<i>98 Clacton Road</i>
<i>Approval - Full</i>	<i>RBL Tree</i>	<i>Area Notification -</i>	<i>St Osyth</i>
<i>17.01.2025</i>	<i>Surgery</i>	<i>Pollard Acacia tree in</i>	<i>Essex</i>
<i>Delegated</i>		<i>front garden of property.</i>	<i>CO16 8PG</i>
<i>Decision</i>		<i>Remove dead Holly tree</i>	
		<i>in front garden.</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.

<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>			

---

- 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.

<b>Tendring Parish Council</b>	<b>No Determination</b>
<b>Thorpe-le-Soken Parish Council</b>	<b>No Determination</b>
<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>