

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

<u>25/00451/FUL</u> Approval - Full 15.05.2025 Committee Decision	Mr & Mrs K Pope	Planning Application - Change of use of land to garden.	3 Orchard View Wivenhoe Road Alresford Colchester Essex CO7 8BD
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

Block Plan - Received 17.03.2025

Site Plan - Received 17.03.2025

Boundary Treatment Plan - Received 23.04.2025

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: REMOVAL OF PERMITTED DEVELOPMENT RIGHTS BUILDINGS, STRUCTURES AND ENCLOSURES

CONDITION: Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification):- no garage, car port, fence, gate, wall or any other means of enclosure, building or structure shall be erected except pursuant to the grant of planning permission on an application made in that regard.

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

Ardleigh Parish Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
<u>25/00176/FUL</u> Approval - Full 16.05.2025 Delegated Decision	HT Industrial Ltd	Planning Application - demolition of existing buildings, formation of an open-air storage facility (B8 Use Class) with associated yard space, parking and ancillary refuse and cycle storage.	Ardleigh Oaks Old Ipswich Road Ardleigh Essex CO7 7QR

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: PLANS AND SUPPORTING DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below (including materials details and block paving details) 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.

- 001 Site Location Plan - Rec'd 04.01.25
- 200 P03 Proposed Block Plan - Rec'd 04.01.25
- 200.4 P03 Proposed Block Plan with Dimensions - Rec'd 10.02.25
- 201 P2 Proposed Floor Plan, Roof Plan and Elevations - Rec'd 10.02.25
- 200 P4 Amended Proposed Site Layout Plan - Rec'd 04.03.2025
- 230961-TMA-LVA-L-F1 Location Plan - Rec'd 04.01.25
- 230961-TMA-XX-DR-L-3001-P01 Landscape Proposals Plan - Rec'd 04.01.25
- 230961-TMA-XX-DR-L-3005-P01 Detailed Planting Plan - Rec'd 04.01.25
- 230961-TMA-XX-DR-L-3006-P01 Planting Specification - Rec'd 04.01.25
- TMA-XX-RP-L-3400-P01 Landscape and Visual Appraisal & Appendices - 04.01.2025

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- Preliminary Ecological Appraisal- Rec'd 04.01.25
- Aerial Tree Bat Inspection - Rec'd 04.01.2025
- Bat Survey Report Ref: 230961-ED-06a January 2025 - REC'D 04.01.25
- Arboricultural Report Ref: SHA1720 January 2025 - Rec'd 04.01.25
- Flood Risk Assessment - Rec'd 04.01.25
- Sustainable Drainage Assessment - Rec'd 04.01.25
- LVIA Methodology - Rec'd 04.01.25
- Phase 1 Desk Study & Risk Assessment Ref: 233063a-R2 January 2025 – Rec'd 04.01.2025
- Transport Statement – Rec'd 04.01.25

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.

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: MAXIMUM HEIGHT OF STORAGE

CONDITION: Goods, products, raw materials, scrap material or any other materials of any kind shall not be deposited, stacked or stored on site (defined by the red line plan of this permission on drawing no. 001 Site Location Plan - Rec'd 04.01.25) outside the confines of any building to a height exceeding those defined on the approved drawing numbers:

- o 200 P03 Proposed Block Plan - Rec'd 04.01.25

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| o | 200.4 P03 | Proposed Block Plan with Dimensions - Rec'd 10.02.25 |
| o | 200 P4 | Amended Proposed Site Layout Plan - Rec'd 04.03.2025 |

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

NOTE/S FOR CONDITION:

1. This condition shall engage and restricts the operation of the development from the first commencement of the use and/or operation hereby approved. This condition is imposed to ensure the development avoids unreasonable impact on the residential amenity of neighbouring dwellings, especially given the location of the development with considerations to the prevailing character and amenity currently enjoyed in this location. Without the imposing of this condition, the development would be refused due to the risk of harm and this condition is considered necessary, enforceable and reasonable in all other respects.
2. Buildings do not include any temporary and/or movable structure/building. Storage inside buildings is unaffected by this condition.

04 FURTHER APPROVAL: RACKING OR FRAMES

CONDITION: No racking, frames, supports or structures of any kind required for the external storage uses hereby approved, shall be erected on site until the full details have been submitted to and approved in writing by the local planning authority. The structures shall only be erected in accordance with the approved details and retained in the approved form unless otherwise agreed in writing by the local planning authority.

REASON: Insufficient information has been provided with the application and further details are required by the local planning authority in the interests of visual amenity and the character of the area.

05 COMPLIANCE: IN ACCORDANCE WITH AIA

CONDITION: The development hereby approved shall be carried out in accordance with the recommendations detailed in the Arboricultural Report Ref: SHA1720 January 2025 and accompanying appendices received 04.01.25. The Tree Protection Details as shown on approved drawing no. SHA 1720 TPP A provided at Appendix 3 of the report shall be erected prior to commencement of development and retained throughout the construction period.

No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

REASON: To ensure existing trees, shrubs and hedges that are identified as being retained are not removed and are protected appropriately during the development, as they are considered essential to enhance the character of the development and contribute positively to the appearance of the area.

06 COMPLIANCE: IMPLEMENTATION OF LANDSCAPING SCHEME

CONDITION: All changes in ground levels and soft/hard landscaping shown on the approved landscaping plans and details:

- o 230961-TMA-XX-DR-L-3001-P01 Landscape Proposals Plan - Rec'd 04.01.25
- o 230961-TMA-XX-DR-L-3005-P01 Detailed Planting Plan - Rec'd 04.01.25
- o 230961-TMA-XX-DR-L-3006-P01 Planting Specification - Rec'd 04.01.25

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

REASON: To ensure that the approved landscaping scheme is implemented in accordance with the approved scheme and has sufficient time to establish, in the interests of visual amenity and the quality of the development.

07 FURTHER APPROVAL: ENERGY EFFICIENCY & SUSTAINABLE CONSTRUCTION

CONDITION: No above slab level works shall commence until a detailed scheme for the provision and implementation of water, energy and other resource efficiency measures for the lifetime of the development shall be submitted to and approved, in writing, by the local planning authority. The scheme such include, but not be limited to:

- Details of, including the location of all types of electric vehicle charging points
- Details of, including the location of a water resource efficiency measures
- Details of, including the location of any solar panels or other solar renewable energy measures
- Agreement of heating of the building hereby approved
- Agreement of scheme for waste reduction
- Provision of a fibre optic broadband connection to the best possible speed installed on an open access basis and directly accessed from the nearest exchange, incorporating the use of resistant tubing. If the applicant is unable to achieve this standard of connection and can evidence through consultation that this would not be possible, practical or economically viable an alternative superfast wireless service will be considered.

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

REASON: To enhance the sustainability of the development through reduce need, better use or savings in the use of water, energy and resources; reduce harm to the

environment; and result in wider public benefit in accordance with the NPPF.

08 COMPLIANCE: 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 (Tim Mayo Associates, Updated January 2025), Bat Survey Report (Tim Mayo Associates, Updated January 2025) and Aerial Tree BAT Inspection (Tim Mayo Associates, Version B, January 2024) accompanying the application.

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

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

09 FURTHER APPROVAL: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

CONDITION: Prior to the commencement of any demolition or construction, a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including Precautionary Working Method statements for Bats in trees, Great Crested Newts and Reptiles.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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

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Act 2006 (as amended). This condition is required to be agreed prior to the commencement of any development to ensure the protection and safeguarding of protected or priority species prior to the removal or displacement of any habitat or habitat rich features.

10 FURTHER APPROVAL: BIODIVERSITY COMPENSATION AND ENHANCEMENT STRATEGY

CONDITION: Prior to any works above slab level, a Compensation and Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority. The content of the Compensation and Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed compensation and enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights of proposed compensatory bat roost features and 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 compensatory bat roost features and 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 NPPF December 2025 and s40 of the NERC Act 2006 (as amended).

11 FURTHER APPROVAL: WILDLIFE SENSITIVE LIGHTING SCHEME

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

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

REASON: To allow the LPA to discharge its duties under the Conservation of Habitats and

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Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended).

12 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 the hours of work/construction of the development within which such operations shall take place and the hours within which delivery/collection of materials for the said construction shall take place at the site.
- b) Details of the loading/unloading/storage of construction materials on site, including details of their siting and maximum storage height.
- c) Details of how construction and worker traffic and parking shall be managed. This shall include the intended routing of HGV traffic on the surrounding road network, programme of restoration works to soft highway verges, and any directional signs to be installed and where.
- d) Details of any protection measures for footpaths and trees surrounding the site.
- e) Details of all access points to be used to access the site during construction only and any staging of provision.
- f) Details of the scheduled timing/phasing of development for the overall construction period.
- g) Details of measures to control the emission of dust and dirt during construction and including details of any wheel washing to be undertaken, management and location it is intended to take place.
- h) Details of the siting of any on site compounds and portaloo's.
- i) Details of the method of any demolition to take place, including the recycling and disposal of said materials resulting from demolition.
- j) Site waste management plan (that shall include reuse and recycling of materials)
- k) Scheme for sustainable construction management to ensure effective water and energy use.
- l) Scheme of review of complaints from neighbours.
- m) Registration and details of a Considerate Constructors Scheme to be joined prior to the commencement of development, and confirmation of registration to be provided in writing to the LPA before the start of works, or similar scheme for which full details shall be provided and complied with
- n) Before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense when caused by developer.

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

REASON: To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development, and to ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety. 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 signage and surface materials of pavement/footpath and carriageway.

13 COMPLIANCE: VISIBILITY SPLAYS

CONDITION: Prior to occupation of the development, the road junction / access at its centre line shall be provided with minimum dimensions of 2.4m x 127m to the north of the access junction 2.4m x 132m to the south of the access junction with no obstructions above 600mm in height in the visibility splay, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction / access is first used by vehicular traffic and retained free of any obstruction at all times. Any site boundary fence/wall/vegetation shall be located outside of the visibility splays.

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

14 COMPLIANCE: PARKING & TURNING

CONDITION: Prior to occupation of the development, the vehicle parking area and associated turning areas (including powered two-wheeler/cycle parking and parking spaces for the mobility impaired) as shown on the approved drawings, shall be hard surfaced, sealed, marked out and made available for use. The vehicle parking and turning areas shall be retained in the approved form and used solely for 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 vehicles can enter and leave the highway in a controlled manner, to ensure that appropriate vehicle parking, cycle parking, and turning is provided in accordance with current standards, and to ensure on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety.

15 COMPLIANCE: HIGHWAY WORKS

CONDITION: Prior to any above slab level works, a scheme of highway improvements shall be submitted in writing to the local planning authority for written approval that shall comprise of the following and include a timetable for implementation:

- a) A priority junction off Old Ipswich Road to provide access to the proposed site as shown in principle on planning application, amended visibility and access plan drawing number 2306470-D001 Rev A - contained within the Transport Statement

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- b) Internal carriageway measuring no less than 7m in width to the position of the access gates.
- c) Kerb radii measuring a minimum of 15 metres.
- d) A straight section of carriageway to be provided from the entrance junction for 22 metres.
- e) 2-metre-wide footway on the south side of the junction and continued around the kerb radii.
- f) Appropriate pedestrian crossing facilities (drop kerbs/ tactile paving).
- g) Waiting restrictions (Red route restriction) shall be provided on Old Ipswich Road either side of the site access junction and opposite the junction - the extent of the restrictions to be agreed in advance with the Highway Authority.

The improvements as may be agreed shall be implemented as approved in the timetable provided and completed in their entirety.

REASON: To ensure the access is in accordance with current policy standards, to protect highway efficiency of movement and safety, and to ensure the proposal site is accessible by more sustainable modes of transport such as public transport, and walking.

NOTES FOR CONDITION

Highways Approval:

- Prior to any works taking place in the highway the developer should enter into an S278 agreement or Minor Works Authorisation with the Highway Authority under the Highways Act 1980 to regulate the construction of the highway works.
- The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with the Highway Authority.
- A formal Stage 2 Road Safety Audit outlining the junction detail/ footway design/ improvements will be required.

Discharge of Condition Application:

- This condition will require a formal discharge of condition application to be submitted and approved by the local planning authority in consultation with the Highway Authority. All necessary highway agreements should be in place prior to the submission of any related discharge of condition application. Failure to submit a discharge of condition application with evidence of the necessary highways permits in place, may result in a refusal of the discharge application.

16 FURTHER APPROVAL: TRAFFIC MANAGEMENT PLAN

CONDITION: Prior to the occupation of the development hereby approved, a Traffic Management Plan (TMP) outlining a designated route to and from the development for all HGV movements via the Crown Interchange/A12/A120 shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Highway Authority. The development shall operate in strict accordance with the TMP for the duration of the approved use, unless otherwise agreed in writing by the local planning

authority in consultation with the Highway Authority.

REASON: To control the location and direction of HGV vehicle movements to and from the site in the interests of highway safety.

17 COMPLIANCE & FURTHER APPROVAL: CONTAMINATION RISKS

CONDITION: The development hereby approved shall be carried out in strict accordance with the methodology and recommendations set out within the accompanying Phase 1 Desk Study and Risk Assessment Geo-Tech report, dated January 2024.

In accordance with all recommendations outlined in section 10.7 of the report:

1. Prior to the demolition of any existing structures / buildings, an Asbestos Survey shall be commissioned to identify any asbestos containing materials and advice on their safe removal/disposal. The Asbestos Survey findings and recommendations shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.
2. Immediately following any demolition and clearance of the site, including the removal of the fuel tanks, a detailed inspection shall be undertaken by a suitably qualified geo-environmental engineer to assess potential sources of contamination (including some sampling of soils near the tanks). If there is evidence of significant contamination, a further phase of investigation will be required, likely to necessitate further drilling and testing along with monitoring of ground gases, and laboratory testing. Details of the findings, and the recommendations and methodology for further investigations (if necessary) shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To protect site workers and end users Having regard to the most recent use of the application site as a highway depot, (including the storage of fuel).

18 COMPLIANCE: PERMEABLE SURFACING & NO UNBOUND SURFACE MATERIALS

CONDITION: Any new parking areas or areas of hardstanding shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area within the site area. No unbound materials shall be used in the surface treatment of the altered access and throughout the site.

REASON: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety, and in the interests of sustainable development to minimise the risk of surface water flooding and surface water run-off / discharge onto the highway.

19 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.

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

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- 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:

- 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.

<https://www.tendringdc.gov.uk/content/discharging-the-biodiversity-net-gain-plan-condition-bng>

<u>25/00450/FUL</u> <u>HH</u> Approval - Full 14.05.2025 Delegated Decision	Ayomidotun Odupitan	Householder Planning Application - Installation of an air source heat pump.	5 Robert Cameron Mews Colchester Essex CO4 9AL
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

The approved red line plan drawing is Location Plan received 19.03.25
Drawing numbers 02 and 04
Daikin Altherma 3 brochure
ST15 OWP Noise Assessment

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.

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 MAINTENANCE OF AIR SOURCE HEAT PUMP

CONDITION: The hereby approved air source heat pump shall be maintained in accordance with the manufacturer's guidance for the lifetime of the equipment. If the air source heat pump is no longer operational/required it shall be removed from the property.

REASON: To ensure the equipment is in correct working order to minimise any potential adverse noise impact to nearby residential properties. To ensure redundant equipment is removed from the site in the interests of visual amenity.

25/00605/TCA	Mr Steven	Trees in a	5 Wheatlands
Approval - Full	Rudge	Conservation Area	Station Road
16.05.2025		Notification - Alder at	Ardleigh
Delegated		front, crown reduce to	Essex
Decision		upper old pruning	CO7 7RS
		points and shape	

01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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- 2) You are advised that trees have the potential to support roosting bats. Bats and their roosts are legally protected. It is an offence to disturb or harm a bat, or damage, destroy or obstruct any place used by bats for shelter, whether they are present or not. Trees should be inspected before any works commence and if the presence of bats is suspected works must cease and advice sought from The Bat Conservation Trust on 0845 1300228.
- 3) This decision is valid for two years from the date of this decision or until the work is completed, whichever is the sooner. You are advised that the appropriate standards for tree work are set out in British Standard 3998:2010. Failure to ensure the proposed works are carried out to these standards may result in damage to the tree(s) and may result in legal action by the Council.
- 4) The council not objecting to/approving the proposal does not give the legal right for a person to enter another person's land to prune or fell their tree(s). Permission should be sought from the tree owner before works to a tree(s) are carried out.

Beaumont Parish Council **No Determinations**

Bradfield Parish Council **No Determinations**

Brightlingsea Town Council **No Determinations**

Clacton-on-Sea

<u>25/00248/FUL</u> <u>HH</u> Approval - Full 13.05.2025 Delegated Decision	Mr and Mrs Lewis	Householder Planning Application - retrospective application for garage conversion to hobbies room to be used ancillary to host dwelling.	55 Redbridge Road Clacton On Sea Essex CO15 4UY
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful

works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

02 APPROVED PLANS & DOCUMENTS

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

Drawing No's:

LRR-01 A

Site Plan - Rec'd 17/03/25

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.

03 ONGOING REQUIREMENT: RETENTION OF HOBBIES ROOM

CONDITION: Notwithstanding the provisions of Article 3, Schedule 2 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) the hereby approved outbuilding shall only be used as a hobbies room and/or domestic storage ancillary to the principal dwelling known as 55 Redbridge Road (or as may be renamed in the future) and does not permit the use of the approved accommodation as a separate

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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household or business use unrelated and not incidental/ancillary to the principal dwelling.

REASON: The proposed building would not be acceptable under the established policies of the 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 and neighbouring properties were the development to be occupied as an unrelated dwelling or office

<u>25/00324/FUL HH</u> Approval - Full 14.05.2025 Committee Decision	Miss Bonnie- May Smith	Householder Planning Application - Rear extension with flat roof.	61 Colchester Road Holland On Sea Essex CO15 5DG
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

Drawing No. 01 Revision A

REASON: For the avoidance of doubt.

NOTE/S FOR CONDITION:

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

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

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

<u>25/00417/FUL</u> Approval - Full 15.05.2025 Delegated Decision	Mr Madawala Ruwantha - Warm Home Property Limited	Change of use from shop (Use Class E(a)) and takeaway (Class Sui Generis) to two residential flats (Use Class C3(a)), single storey side and rear extension (following demolition of existing store room), bin and cycle stores and external alterations.	82 and 84 High Street Clacton On Sea Essex CO15 6PL
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

MKM/25/HIG82/PL03 - Existing And Proposed Elevations

MKM/25/HIG82/PL03 - Existing And Proposed Ground Floor Plan

MKM/25/HIG82/PL03 - Site And Block Plan, Existing And Proposed Elevations And Floor Plans
Design And Access Statement

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

NOTE/S FOR CONDITION:

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

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

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

03 ACTION REQUIRED: REFUSE BINS AND COLLECTION AREAS

CONDITION: Prior to first occupation of the development, or in accordance with an alternative timetable for provision as may be agreed in writing by the Local Planning Authority, the area/s to be provided for storage of refuse/recycling bins as shown on the approved drawings shall be provided and then retained.

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

NOTE/S FOR CONDITION:

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

04 ACTION REQUIRED: BICYCLE STORAGE

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

REASON: To ensure appropriate powered two-wheeler and bicycle parking is provided in accordance with highway safety.

05 CONSTRUCTION HOURS

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

REASON: To protect the amenity of nearby residents.

06 MITIGATION TO BE AGREED: RAMS

CONDITION: Prior to any works slab level, 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 and secure 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 to the satisfaction of the Local Planning Authority. For any on site mitigation proposals approved, it shall be carried out in full prior to first occupation, 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 meaning the development must mitigate the burden of development regardless of scale of impact.

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) may be 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 District Council, Developer/Applicant, and site owners prior to commencement of development. You are strongly advised to finalise the legal agreement with the District Council before submitting any request to discharge this condition. Failure to conclude the agreement within the discharge of condition application timeframe may lead to the refusal to discharge the condition. Please note if there are other obligations needed for this development, for example to secure monitoring and maintenance of a Biodiversity Net Gain Plan, you may wish to combine these together as one agreement. Furthermore, please also note a legal agreement will include legal fees and may require obligations to secure monitoring and associated fees.

25/00442/FUL	Natwest Group	Planning Application -	ATM Machine
Approval - Full		Replacement of the	10 Station Road
14.05.2025		external ATM and new	Clacton On Sea
Delegated		pit formed internally.	Essex
Decision			CO15 1TA

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 13/03/2025
- Document titled; NW SSTEP Clacton, at a scale of 1:200 - Received 19/03/2025
- Drawing No. NWB-CLACTON ON SEA-NWSSTEP24-P2-600533-EXT-ISG-COMPLEX-001

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

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

<u>25/00543/HHP</u> <u>NOT</u> HHPN - Prior Approval Not Required 12.05.2025 Delegated Decision	Mrs Elda Ozatasoy	Application to Determine if Prior Approval is Required for a Proposed Larger Home Extension - Single Storey Rear Extension measuring 4m in depth, 2.91m high and 2.71m at the eaves, assessed under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2, Part 1, Class A.	29 Jubilee Avenue Clacton On Sea Essex CO16 9QU
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- 01 - 2522666 PL11 - Proposed Plans and Elevations
- 2522666 PL13 - Location and Block Plan

<u>25/00554/ADV</u> Refusal - Advertisement Consent 16.05.2025 Delegated Decision	Simon Warner - BT Group Plc	Application for Advertisement Consent - Installation of one BT Street Hub Unit and associated advertisement panels on either side of the unit.	Footpath outside Aldi Pier Avenue Clacton On Sea Essex CO15 1NJ
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- 01 Paragraph 135 of the National Planning Policy Framework 2025 (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 of the Tendring District Local Plan 2013-2033 and Beyond Publication states all new development must make a positive contribution to the quality of the local environment and must relate well to its site and surroundings particularly in relation to its siting, scale and form.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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This section of the public pavement is open in character with a prominent piece of public artwork and very little street furniture within its vicinity. The introduction of this illuminated digital advertisement unit would therefore interrupt this open character which would further be exacerbated by virtue of its size and unsympathetic design in terms of its size and illumination appearing as a prominent and harmful feature detrimental to visual amenity and the character and appearance of the local area.

The proposal is therefore considered not to respond accordingly to the character and appearance of the streetscene and locale and would result in a significantly harmful impact in terms of visual amenity contrary to the above-mentioned policies of the Tendring District Local Plan 2013-33 and the relevant sections of the NPPF.

02 Paragraph 141 of the NPPF States that the quality and character of places can suffer when advertisements are poorly sited and designed. Local Policy CP2 of Part 2 of the Adopted Local Plan 2013-2033 and Beyond states that planning permission will not be granted if there would be an unacceptable impact on highway safety.

The unit is located on the inside of a bend adjacent to a busy pedestrian friendly location and it will impact on the width of the footway directly outside the store in the vicinity of a formal crossing point.

Due to the size and height of the unit it is unclear from the submitted information what impact the proposal will have on the visibility of the existing vehicular access to the Aldi Store, and the interference which this proposal would engender for both pedestrians and approaching vehicles, and vehicles exiting the store. It has not been demonstrated that obstruction of these visibility splays would not result in an unacceptable degree of hazard to all road users to the detriment of general highway safety.

The proposal therefore conflicts with the above policies resulting in a harmful impact to public and highway safety contrary to the above-mentioned policies of the Tendring District Local Plan 2013-33 and the relevant sections of the NPPF.

<u>25/00566/FUL</u> <i>Refusal - Full</i> <i>16.05.2025</i> <i>Delegated</i> <i>Decision</i>	<i>Simon Warner -</i> <i>BT Group Plc</i>	<i>Application for</i> <i>Planning - Installation</i> <i>of one BT Street Hub</i> <i>Unit and associated</i> <i>advertisement panels</i> <i>on either side of the</i> <i>unit.</i>	<i>Aldi</i> <i>Pier Avenue</i> <i>Clacton On Sea</i> <i>Essex</i> <i>CO15 1NJ</i>
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01 Paragraph 135 of the National Planning Policy Framework 2025 (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. Adopted Policy CP3

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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states that proposals for new masts, buildings or other structures associated with the communications network will only be approved where the applicant can demonstrate that: c) the development cannot, for practical or economic reasons, be incorporated into or onto existing masts, buildings and other structures; and d) the development will be sympathetically designed, having regard to its appearance and impact upon local visual amenity and camouflaged if necessary.

This section of the public pavement is open in character with a prominent piece of public artwork and very little street furniture within its vicinity. The introduction of this illuminated digital advertisement unit would therefore interrupt this open character which would further be exacerbated by virtue of its size and unsympathetic design in terms of its size and illumination appearing as a prominent and harmful feature detrimental to visual amenity and the character and appearance of the local area.

The proposal is therefore considered not to respond accordingly to the character and appearance of the streetscene and locale and would result in a significantly harmful impact in terms of visual amenity contrary to the above-mentioned policies of the Tendring District Local Plan 2013-33 and the relevant sections of the NPPF.

02 Paragraph 141 of the NPPF States that the quality and character of places can suffer when advertisements are poorly sited and designed. Local Policy CP2 of Part 2 of the Adopted Local Plan 2013-2033 and Beyond states that planning permission will not be granted if there would be an unacceptable impact on highway safety.

The unit is located on the inside of a bend adjacent to a busy pedestrian friendly location and it will impact on the width of the footway directly outside the store in the vicinity of a formal crossing point.

Due to the size and height of the unit it is unclear from the submitted information what impact the proposal will have on the visibility of the existing vehicular access to the Aldi Store, and the interference which this proposal would engender for both pedestrians and approaching vehicles, and vehicles exiting the store. It has not been demonstrated that obstruction of these visibility splays would not result in an unacceptable degree of hazard to all road users to the detriment of general highway safety.

The proposal therefore conflicts with the above policies resulting in a harmful impact to public and highway safety contrary to the above-mentioned policies of the Tendring District Local Plan 2013-33 and the relevant sections of the NPPF.

<u>25/00603/NMA</u> Approval - Full 14.05.2025 Delegated Decision	Mr Anis Jaleel	Non Material Amendment to 24/01554/FULHH - Alteration to approved roof lights and removal of window on rear elevation.	10 Holland Park Clacton On Sea Essex CO15 6LS
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01 APPROVED PLANS & DOCUMENTS

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

Drawing No. 0231-A-500 01

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.

<u>25/00703/TELL IC</u> Deemed Consent 16.05.2025	Abhinaya Vengadessan - Openreach	Installation of fixed line broadband electronic communications aparatus.	Outside 112 Woodlands Close Clacton On Sea Essex
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Elmstead Market Parish Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
<u>25/00480/FUL</u> <u>HH</u> Approval - Full 14.05.2025 Delegated Decision	Mr and Mrs Sibley	Householder Planning Application - Proposed infill single storey extension and partial garage conversion.	9 The Wickets Elmstead Essex CO7 7GR

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 19/03/2025
- Drawing No. 01 Revision B

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

NOTE/S FOR CONDITION:

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

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

Frating Parish Council

No Determinations

Frinton & Walton Town Council

<u>25/00439/FUL</u> <u>HH</u> Approval - Full 14.05.2025 Delegated Decision	Mr and Mrs Lamb	First floor additions and raising of roof over the existing footprint to form a two-storey dwelling (following removal of existing single storey extension).	69 Fourth Avenue Frinton On Sea Essex CO13 9DY
		Removal of the single storey rear extension and construction of a first floor extension over the existing footprint to form additional living accommodation.	

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

REASON: To comply with the requirements of Section 91 of the Town and Country Planning

Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

Drawing Numbers P01b, P02b and P03.

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

NOTE/S FOR CONDITION:

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

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

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

- 03 **CONDITION:** Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the windows serving an en-suite, bedroom and bathroom at first floor level along the northern elevation shall be glazed in obscured glass with top openings only before the development hereby permitted is first occupied/used and shall thereafter be permanently retained in this approved form. The obscured glass shall be designed as equal or higher than Pilkington Textured Glass Level 5 Standard as published January 2010 (as amended).

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

25/00465/FUL HH Approval - Full 16.05.2025 Delegated Decision	Mr Billy Ball	Householder Planning Application - New rear dormer to replace existing two dormers.	69 Second Avenue Frinton On Sea Essex CO13 9LY
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- 01 **COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT**

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

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

NOTE/S FOR CONDITION:

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

- 02 **APPROVED PLANS & DOCUMENTS**

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

The approved red line plan drawing is Drawing No. L01 Revision. A received 21st March 2025

Drawing No. SK PR11 Revision. C

Drawing No. SK PR10 Revision. A

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

NOTE/S FOR CONDITION:

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

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

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

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
<u>25/00470/FUL HH</u> Approval - Full 16.05.2025 Delegated Decision	Mr K Bygrave - Frinton Tarmacadam and Paving Ltd	Householder Planning Application - Proposed rear and side extension and new pitched roof to existing dwelling.	Timberley Edith Road Kirby Le Soken Essex CO13 0DH

01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

SITE PLAN - REC'D 18/03/25

BER-02 A - AMENDED BLOCK PLAN, PROPOSED ELEVATIONS AND FLOOR PLANS

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

NOTE/S FOR CONDITION:

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

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

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

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

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
<u>25/00592/NMA</u> Approval Non Material Amendment 16.05.2025 Delegated Decision	Mr Neil Dobbie - Simply Investment Real Estate Ltd	Non Material Amendment to 24/01673/VOC - Fire exit door and goods hoist door recessed so the doors do not obstruct the external fire escape route. Stair 3 changes proposed for rationalising the layout and fire escape. Bedroom A-09 changes proposed to standardize the bedrooms. Day/Dining room balcony size reduced to achieve compliance with fire escape travel distances. Stair 3 window relocated to be 2 metres away from the bedroom window, to protect the fire escape zone. Areas of render external wall changed to brick to improve the durability and longevity of the facade. Vertical mansard roof at the resident's terrace revised as 70° mansard, to simplify the junction detail to the mansard roof either side and also so that the openings have dormers similar to the rest of the second floor.	132 Connaught Avenue Frinton On Sea Essex CO13 9AD

01 APPROVED PLANS AND DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the following approved drawings / documents, 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 be subsequently approved in writing by the Local Planning Authority as a non-material amendment

following an application in that regard:

25/00592/NMA Approved Drawings

2405_00_005 A1 Site Plan As Proposed

2405_00_100 A1 Ground Floor Plan

2405_00_101 A1 First Floor Plan

2405_00_102 A1 Second Floor Plan

2405_00_103 A1 Basement Plan

2405_00_105 A1 Roof Plan

2405_00_210 A1 West Elevation

2405_00_211 A1 East Elevation

2405_00_212 A1 North Elevation

2405_00_213 A1 South Elevation

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

25/00596/TCA Approval - Full 16.05.2025 Delegated Decision	Thompson	Trees in a Conservation Area Notification - Yew tree (T1)- remove due to close proximity to the house and excessive shading. Holly tree (T2)- remove due to close proximity to the house and excessive shading.	Sherrington Cottage Old Road Frinton On Sea Essex CO13 9DA
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01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

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

<u>25/00712/WTR EX</u> Approval - Full 12.05.2025 Delegated Decision	Jan and Simon Harris	An exception to the normal requirement to serve a section 211 Notice on the local planning authority as set out in Section 15 (1) (a) (i) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012. Conifer - Giant Redwood - Fell to ground level for Safety Reasons.	Glenties 54 Second Avenue Frinton On Sea Essex CO13 9LX
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Great Bentley Parish Council

<u>25/00462/FUL HH</u> Approval - Full 13.05.2025 Delegated Decision	Mr Knappett	Householder Planning Application - Alteration to planning approval 24/01631/FULHH to allow for cladding and render to the front elevation. Addition of garden building to form a home office and games room.	Carisma St Marys Road Great Bentley Essex CO7 8NN
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

Drawing No. P01A - Received 21/03/2025
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.

25/00585/TCA	Mr Alan Froome	Trees in a	Peacehaven
Approval - Full		Conservation Area	Forge Lane
16.05.2025		Notification - Lime Tree	Great Bentley
Delegated		- Reduce and reshape	Essex
Decision		by approx 4mtrs.	CO7 8GD

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

No Determinations

Great Oakley Parish Council

<u>24/00280/FUL</u> Refusal - Full 14.05.2025 Delegated Decision	Great Oakley Community Hub	Demolition of Red House to allow construction of two conventional arrangement dwellings comprising one 2-bedroom dwelling and one 3-bedroom dwelling, and an infill extension between Red House and The Maybush Inn to form a further one bedroom flat incorporating a multi use community facility to the Public House at ground level.	Red House High Street Great Oakley Harwich Essex CO12 5AQ
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- 01 Paragraph 215 of the NNPF confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. Paragraph 216 adds that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 208 of the NNPF confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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Adopted Local Plan Policy PPL8 states that new development within a designated Conservation Area, or which affects its setting, will only be permitted where it has regard to the desirability of preserving or enhancing the special character and appearance of the area. Policy PPL9 adds that proposals for new development affecting a listed building or its setting will only be permitted where they will protect its special architectural or historic interest, its character, appearance and fabric.

The application site falls within the Great Oakley Conservation Area and is also within proximity to a number of Grade II Listed Buildings. The demolition of Red House, which is a non-designated heritage asset and makes a positive contribution to the area despite its condition and some previous inappropriate alterations, results in a level of less than substantial harm to the Great Oakley Conservation Area. In the absence of the opinion of a Conservation Accredited engineer to confirm it would not be possible to retain the building, there is not clear and convincing justification for the complete loss of the significance of the non-designated heritage asset and the consequential harm to the setting of the Great Oakley Conservation Area. Furthermore, the proposed replacement building does not preserve or enhance the character of the area, lacking the authenticity and inherent historic and archaeological interest of the existing building.

On this occasion a minor level of public benefits have been identified, through the proposed multi-use area that would connect to the Public House as well as an extension to the garden area, and the introduction of three market dwellings. However, it is concluded that the identified less than substantial harm outweighs these public benefits, and the proposal is therefore contrary to the aforementioned local and national planning policies.

02 Paragraph 115 of the National Planning Policy Framework (2025) seeks to ensure that safe and suitable access to a development site can be achieved for all users. Paragraph 116 adds that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy SPL3 (Part B) of Section 2 of the Tendring District Local Plan 2013-2033 and Beyond seeks to ensure that access to a new development site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate and provision is made for adequate vehicle and cycle parking.

Essex Parking Standards (2024) state that for a residential dwelling with one bedroom there should be a minimum of one parking space measuring 5.5m x 2.9m, and for a dwelling of two bedrooms or more there should be a minimum of two spaces at the above measurements.

From a highway and transportation perspective the impact of the proposal is not acceptable on the grounds that there is insufficient parking provision, which would lead to additional vehicles being left parked in the adjoining highway adding to the existing parking stress in this area, and would also set a precedent for future similar developments which would likely lead to inappropriate parking, detrimental to the general safety of all highway users.

In addition, the site is a corner plot, part of which fronts the High Street which is a B' Road and Secondary Distributor, the function of which is to carry traffic safely and efficiently between substantial rural populations and on through routes in built up areas. Although the junction of Farm Road and High Street is covered by some existing waiting restrictions, the majority of houses in the vicinity of the proposal and in the surrounding side roads have little or no off-street parking, and as a result this proposal will add additional kerbside stress, obstruction, or congestion. The proposal is therefore contrary to highway safety and does not align with the requirements of the aforementioned local and national planning policies.

Harwich Town Council

No Determinations

Lawford Parish Council

<u>25/00376/FUL</u>	Mr J Harris - T	Planning Application -	Grange Farm
Approval - Full	G Harris and	Retrospective change	Grange Road
16.05.2025	Sons	of use of agricultural	Lawford
Delegated		building to B2	Essex
Decision		(Workshop)/B8 storage	CO11 2ND
		and distribution	
		(Flexible).	

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 approved red line plan drawing is SHEET: SP01 received 4th March 2025

SHEET: EP01

SHEET: FP01

SHEET: BP01

SHEET: CPP02

Planning Statement

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

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

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

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

02 ONGOING REQUIREMENT IMPOSED - RESTRICTION ON EXTERNAL OPEN AIR STORAGE

CONDITION: No goods, products, raw materials, scrap material or other materials of any other sort shall be stored in the open air outside the confines of the buildings except vehicles in the locations outlined on approved SHEET: CPP02 related to this permission, except pursuant to the grant of separate planning permission on an application made in that regard.

REASON: In the interests of visual and residential amenity and to ensure sufficient parking provision is retained.

NOTE/S FOR CONDITION:

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

03 ONGOING REQUIREMENT IMPOSED - RESTRICTION ON OPERATION TIMES

CONDITION: The B2 and B8 use hereby permitted shall only operate between the hours of 07.00hrs and 19.00hrs; Monday to Friday and 07.00hrs and 14.00hrs on Saturdays. 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 development/use at risk of Enforcement Action. You are encouraged to discuss any concerns with this condition with the Local Planning Authority.

04 SPECIFIC RESTRICTION ON DEVELOPMENT: RESTRICTION ON CHANGES OF USE

CONDITION: Notwithstanding the provisions of Article 3, Schedule 2 Part 3 of the Town & Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking and re-enacting that Order with or without modification), the hereby approved development shall be used for storage and distribution of beer (Class B8), storage and distribution of landscaping equipment (Class B8) and car workshop for private use for personal renovation projects (Class B2) and for no other purpose including any other purpose in Class B2 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any Statutory instrument and re-enacting that Order with or without modification).

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

05 COMPLIANCE: HIGHWAYS PROVISION OF PARKING AND TURNING.

CONDITION: The areas detailed in SHEET: CPP02 provided for the loading, unloading, manoeuvring and parking of vehicles shall be available in its entirety from the first use of the development and shall be retained thereafter and remain free of obstruction except for the purpose of manoeuvring and parking of vehicles and used for no other purpose.

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REASON: To ensure that sufficient space for the on site parking of vehicles is provided and maintained in order to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway. This condition is required to be implemented from first use of the approved development to ensure highway safety is secured early for the development.

NOTE/S FOR CONDITION:

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

06 SPECIFIC RESTRICTION OF DEVELOPMENT - ILLUMINATION RESTRICTION

CONDITION: There shall be no means of external illumination installed and/or operated on/at the site except pursuant to the prior grant of a planning permission on an application made in that regard.

REASON: In the interests of amenity to reduce the impact of night time illumination on the character of the area, residential amenity and in the interests of biodiversity.

<u>25/00460/LUP ROP</u> Lawful Use Certificate Granted 12.05.2025 Delegated Decision	Miss D Simons	Application for Lawful Development Certificate for Proposed Development for side gable window.	15 Hughes Stanton Way Lawford Essex CO11 2HQ
<u>25/00625/TELL IC</u> Deemed Consent 12.05.2025 Delegated Decision	Owen Church - Acquisition Surveyor	Intention to install telecommunications apparatus	Aldhams Farm Agro Experimentation Ltd Aldhams Farm Manningtree Essex CO11 2NF

Chemical

Little Bentley Parish Council No Determinations

Little Bromley Parish Council No Determinations

Little Clacton Parish Council

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<u>25/00594/NMA</u> Approval Non Material Amendment 16.05.2025 Delegated Decision	Mr Lewis Swift - E F Politt Retirement Benefits Scheme	Non Material Amendment to 24/01646/VOC - Proposing to remove the log burners and associated chimneys from both Plot 1 & Plot 2. Plot 1 to re-size and relocate W1-03 (adjacent to the above patron doors, and W1- 07 has slightly shifted within the en-suite area.	Thorpe House 149 Harwich Road Little Clacton Essex CO16 9NJ

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

Drawing Numbers 116.102B and 116.103B.

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

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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.

Little Oakley Parish Council

No Determinations

Manningtree Town Council

<u>25/00411/LBC</u> Approval - Listed Building Consent 16.05.2025 Delegated Decision	Mr Matthew Bensilum	Application for Listed Building Consent - Swinging sign above entrance door.	5 Brook Street Manningtree Essex CO11 1DJ
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The works to which this consent relate must be begun not later than the expiration of three years beginning with the date of this consent.

REASON: To comply with the requirements of Section 18(1) of the Planning (Listed Buildings and Conservation Areas) 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 consent becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk of both Enforcement Action and Criminal 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

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necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

AMENDED EXISTING AND PROPOSED ELEVATIONS - REC'D 09/05/25

Amended Proposed Sign Details - REC'D 09/05/2025

Email - APPLICANT AGREEMENT TO ECC HERITAGE COMMENTS - REC'D 02/05/2025

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.

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<u>25/00590/TCA</u> Approval - Full 16.05.2025 Delegated Decision	Miss Penelope Huthes-Stanton - North House Gallery	Trees in a Conservation Area Notification - Portuguese Laurel - Reduce to previous pollarding points, reduce crown and thin. 2X Female Holly - Reduce by 1/3. Wild Cherry - Reduce to previous pruning points. Bay Tree - Reduce by 1/3. 2X male Holly - Reduce by 1/3. Wild Cherry - Reduce to previous pruning points and thin.	North House The Walls Manningtree Essex CO11 1AS

01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

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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.

Mistley Parish Council

<u>24/01792/VOC</u> Approval - Full 12.05.2025 Delegated Decision	Mr Ravi Kumar - BuildVantage	Application under Section 73 of the Town and Country Planning Act for Variation of Conditions 2 (Submitted Plans), Condition 14 (Parking Areas), and Condition 29 (refuse stores) of application 15/01631/FUL to enable an alternative parking layout.	Thorn Quay High Street Mistley Essex CO11 1HB
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- 01 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans drawing numbers, 203C, 204C, 205D, 206D, 207D, 208D, 210E, TQ211E, TQ212E, TQ213E and 214 C of 15/01631/FUL.

24/01792/VOC

Amended Basement Plan - Quayside Level 0210-SUL-XX-B02-DR-A-01108 B
Amended Basement Plan - Mezzanine Level 0210-SUL-XX-B01-DR-A-01109 C
Flood Risk Assessment (Update Report) dated November 2024
Financial Viability Assessment dated February 2025

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

- 02 The external facing, roofing and hardsurfacing materials to be used in construction shall be as approved under 18/00692/DISCON unless otherwise agreed, in writing, by the Local Planning Authority.

Reason - The site lies in a prominent position within the Mistley and Manningtree Conservation Area and in close proximity to numerous listed buildings. High quality materials are therefore essential to ensure the development preserves or enhances the surrounding heritage assets.

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- 03 The appearance and location of swift nests and bat roosts shall be as approved under 18/00692/DISCON unless otherwise agreed, in writing, by the Local Planning Authority. The nests and roosts as agreed shall be installed prior to first occupation of the hereby approved development.

Reason - The site is adjacent to the Stour estuary Special Protection Area, Ramsar site and Site of Special Scientific Interest. The estuary is a high quality foraging habitat for aerial feeding birds such as swift and for at least four bat species. The height and aspect of the new building provides opportunities for incorporating artificial, maintenance-free swift nests and bat roosts into the fabric of the building in the interests of providing habitat enhancement.

- 04 The hereby permitted warehouse and office shall only operate between the hours of 08.30 and 18.00 Monday to Friday, 09.00 to 13.00 Saturdays and not at any time on Sundays or Public Holidays.

Reason - To minimise noise nuisance and disturbance to adjoining and nearby residential properties.

- 05 The hereby approved warehouse shall be used for Class B8 uses only and for no other purpose.

Reason - To retain the warehouse in storage and distribution use in the interests of supporting port uses in the area.

- 06 No goods, materials or containers shall be stored, stacked or deposited on the site outside of the hereby approved buildings, nor shall any commercial activities or processes (except for the loading and unloading of vehicles) be carried on outside the hereby approved buildings.

Reason - The site lies in a prominent position within the Mistley and Manningtree Conservation Area and in close proximity to numerous listed buildings. The external storage of goods would cause harm to the character, appearance and setting of surrounding heritage assets. The carrying out of commercial activities or processes outside of the hereby approved buildings would be likely to result in harm to residential amenity in terms of noise disturbance.

- 07 Development shall only be carried out in accordance with the Flood Evacuation Plan as approved under 18/00692/DISCON, unless otherwise agreed in writing by the Local Planning Authority. The Flood Warning and Evacuation Plans shall remain live documents and be updated where required.

Reason - The site lies within Flood Zone 3 at high risk from flooding and a detailed evacuation plan is essential to safeguard future occupiers of the development.

- 08 The scheme for the provision and implementation of water, energy and resource efficiency measures during the construction and occupational phases of the

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development shall be as approved under 18/00692/DISCON unless otherwise agreed in writing by the Local Planning Authority. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetables as may be agreed within the scheme.

Reason - To enhance the sustainability of the development through better use of water, energy and materials.

09 No demolition work shall take place outside the hours of 09:00 to 18:00 Monday to Friday, and 09:00 to 13:00 Saturdays, and at no time on Sundays and public holidays.

Reason - In the interests of minimising noise disturbance to nearby residential properties.

10 No construction work shall take place outside the hours of 07:00 to 19:00 Monday to Friday, and 08:00 to 13:00 Saturdays, and at no time on Sundays and public holidays.

Reason - In the interests of minimising noise disturbance to nearby residential properties.

11 The surface water drainage scheme shall be as approved under 18/00692/DISCON unless otherwise agreed in writing by the Local Planning Authority. Development shall only be carried out in accordance with the approved details.

Reason - In the interests of sustainable development and to ensure that run-off water is avoided to minimise the risk of surface water flooding on this site which lies within Flood Zone 3 (high risk).

12 The car, motorcycle and cycle parking including spaces for the mobility impaired as shown on the approved drawings Quayside Level 0210-SUL-XX-B02-DR-A-01108 B and Mezzanine Level 0210-SUL-XX-B01-DR-A-01109 C shall have been hard surfaced, sealed and marked out in parking bays prior to first occupation of the hereby approved development. The parking areas shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development.

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

13 Development shall be carried out in accordance with the demolition and construction details approved under 18/00692/DISCON unless otherwise agreed in writing by the Local Planning Authority. The approved facility/details shall be maintained during the periods of demolition and construction.

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

14 The wheel and underbody cleaning facility shall be as approved under 18/00692/DISCON unless otherwise agreed in writing by the Local Planning Authority. The approved facility shall be maintained during the periods of demolition and construction.

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Reason - To ensure that loose materials and spoil are not brought out onto the highway, in the interests of highway safety.

- 15 Development shall be carried out in accordance with the Demolition and Construction Management Plan approved under 18/00692/DISCON unless otherwise agreed in writing by the Local Planning Authority. The approved Demolition and Construction Management Plan shall be adhered to throughout the demolition and construction period.

Reason - In the interests of residential amenity to reduce dust and noise; and in the interests of highway safety to ensure that on-street parking of these vehicles in the adjoining streets does not occur and materials are not carried out onto the highway.

- 16 Prior to first occupation of the hereby approved development, the vehicular access arrangements and improved pedestrian facilities (build outs) from the Swan Basin shall be provided in strict accordance with the details shown at Appendix 7 of the Transport Statement August 2015 submitted under 15/01631/FUL.

Reason - To ensure adequate intervisibility between drivers of vehicles using the new access and pedestrians in the adjoining highway, in the interests of highway safety.

- 17 Prior to first occupation of the hereby approved development details of a Transport Information and Marketing Scheme for sustainable transport shall have been previously submitted to and approved in writing by the Local Planning Authority. The Transport Information and Marketing Scheme shall be implemented as approved.

Reason - In the interests of promoting sustainable development and transport.

- 18 No development shall be occupied until such time as two bus stops and shelters, level entry kerbing, posts and flags and any accommodation works to the highway have been provided between the junction of New Road (B1352) and the High Street and the High Street and School Lane Mistley, in accordance with details to have been previously agreed in writing by the Local Planning Authority.

Reason - To make adequate provision for the additional passenger transport generation as a result of the hereby approved development, in the interests of promoting an accessible and sustainable development.

- 19 If methane or other hazardous gases are found after development has commenced, no further development shall be carried out on that part of the site until it has been reported in writing immediately to the Local Planning Authority. Full details of a programme of testing for methane and other hazardous gases by a specialist practitioner shall be submitted to and approved in writing by the Local Planning Authority.

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 hazardous gases are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

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- 20 If unexpected contamination is found after development has commenced, no further development shall be carried out on that part of the site affected by the unexpected contamination until it has been reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken in accordance with the requirements of paragraph 1 below and, where remediation is necessary, a Remediation Scheme shall be prepared in accordance with the requirements of paragraph 2 below and submitted to and approved in writing by the Local Planning Authority. Following completion of all necessary measures identified in such Remediation Scheme as may be approved, a verification report shall be submitted to and approved in writing by the Local Planning Authority in accordance with paragraph 3 below. 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.
1. Site Characterisation - An investigation and risk assessment, in addition to any assessment provided within the planning application, shall be carried out in accordance with a scheme to assess the nature and extent of any contamination of the site. The investigation and risk assessment shall be undertaken by a competent person and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments; and
 - (iii) an appraisal of options for remediation and a proposal with preferred option(s). This appraisal shall be conducted in accordance with the Environment Agency Model Procedures for the Management of Land Contamination (CLR 11).
 2. Submission of Remediation Scheme - A detailed Remediation Scheme to ensure that the site is suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works of remediation to be undertaken, remediation objectives and criteria, timetable of works and related site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the use of the land after remediation.
 3. Implementation of Approved Remediation Scheme - The Remediation Scheme required under paragraph 2 above shall be carried out in accordance with its terms prior to the commencement of any works of construction on site unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be notified in writing a minimum of two weeks prior to commencement of the remediation scheme works of the date that the remediation works will commence. Following completion of the measures identified in such approved Remediation Scheme, a verification report to demonstrate the effectiveness of the remediation carried out shall be submitted to the Local Planning Authority.

Reason - To ensure that any risks (to future users of the land and neighbouring land and to

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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.

- 21 The windows in the East elevation as annotated as Obscure Glazed on drawing numbers TQ213E, 203 C, 204 C and 205 D shall be glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form. The 1.7 metre high and 1.4 metre high third floor balcony screens as shown on drawing numbers TQ213E and 206 D shall be constructed in obscure glass or plastic, the appearance of which shall have been previously approved in writing by the Local Planning Authority, before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjoining property at Number 1 Maltings.

- 22 Prior to occupation of the hereby approved development the sound insulation measures detailed at paragraphs 5.2 and 5.3 of the Noise and Vibration Assessment dated 10/04/2012 (relating to specification of glazing, air bricks, trickle vents, balcony screens and soffits) shall have been installed and shall be retained as approved thereafter.

Reason - In the interests of minimising noise from road traffic on the High Street and Port activities on the quayside for the future occupants of the hereby approved development.

- 23 The scheme of hard and soft landscaping works shall be as approved under 18/00692/DISCON unless otherwise agreed in writing by the Local Planning Authority. All hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - This is a publicly visible building within the Mistley and Manningtree Conservation Area where an appropriate landscaping scheme is a visually essential requirement, and to ensure the adequate maintenance of the approved landscaping scheme for a period of five years in the interests of the character of the surrounding area.

- 24 Existing and proposed site levels, and finished floor, eaves and ridge levels shall be as approved under 18/00692/DISCON unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of visual amenity and privacy.

- 25 No floodlighting or other means of external lighting shall be installed until details of the

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illumination scheme have been submitted to and approved in writing by the Local Planning Authority. Development shall only be carried out in accordance with the approved details.

Reason - In the interests of amenity to reduce the impact of night time illumination on the character of the area and on surrounding wildlife.

- 26 Notwithstanding 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 solar panels shall be erected on the walls or roof of the hereby approved development except in accordance with drawings showing the design and siting of such features which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - In the interests of visual amenity as the site lies within the Mistley and Manningtree Conservation Area and in close proximity to a number of listed buildings.

- 27 The refuse stores as shown on drawing numbers Quayside Level 0210-SUL-XX-B02-DR-A-01108 B and Mezzanine Level 0210-SUL-XX-B01-DR-A-01109 C shall be provided prior to first occupation of the hereby approved development and shall be retained for that sole purpose thereafter.

Reason - To ensure there is adequate provision of waste storage in the interests of visual amenity, residential amenity and public health.

- 28 The hereby permitted development shall not be occupied until a fibre optic broadband connection installed on an open access basis and directly accessed from the nearest British Telecom exchange, incorporating the use of resistant tubing, has been installed at the site, in accordance with details that shall be submitted and approved, in writing, by the Local Planning Authority.

If the applicant is unable to achieve this standard of connection, and can evidence through consultation with British Telecom, that this would not be possible, practical or economically viable an alternative superfast (i.e. will provide speeds greater than 24mbps) wireless service will be considered acceptable.

Reason - To ensure the development is able to be equipped with high speed broadband.

- 29 MITIGATION TO BE AGREED: RAMS

CONDITION: Prior to any works above slab level, 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 and secure 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 to the satisfaction of the Local Planning Authority. For any on site mitigation proposals approved, it shall be carried out in full prior to first occupation, 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 meaning the development must mitigate the burden of development regardless of scale of impact.

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) may be 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 District Council, Developer/Applicant, and site owners prior to commencement of development. You are strongly advised to finalise the legal agreement with the District Council before submitting any request to discharge this condition. Failure to conclude the agreement within the discharge of condition application timeframe may lead to the refusal to discharge the condition. Please note if there are other obligations needed for this development, for example to secure monitoring and maintenance of a Biodiversity Net Gain Plan, you may wish to combine these together as one agreement. Furthermore, please also note a legal agreement will include legal fees and may require obligations to secure monitoring and associated fees.

- 30 **CONDITION:** Notwithstanding the submitted information, the development hereby approved shall not be first occupied unless and until one car club vehicle has been provided for occupiers to use in accordance with a scheme to have been previously submitted to and approved in writing by the Local Planning Authority. Thereafter the car club vehicle shall be retained and maintained for its designated purpose in accordance with the approved details.

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

NOTE FOR CONDITION

The submitted scheme will need to include details of the car club operator, the type of vehicle to be provided, the parking bay, how this will be implemented, and how the car club will be marketed to residents.

- 31 **CONDITION:** Prior to commencement of development above slab level an application shall have been submitted for a red route waiting restriction at the junction with the High Street to the south-east on both sides of the road for a maximum distance of 20 metres and 15 metres north-west of its junction with The Green on both sides of the High Street. If that application is granted the red route restriction works shall be completed prior to first occupation of the development. If that application is unsuccessful the provision of alternative waiting/parking restrictions in the specified area shall be considered in consultation with the Highway Authority, and where

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required carried out in accordance with previously approved details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the visibility splays from on-street parking, control service vehicle movements to the site and minimize inconsiderate parking in the vicinity of the bus stop, in the interests of highway safety.

<u>25/00447/FUL</u> <u>HH</u> Approval - Full 12.05.2025 Delegated Decision	Mr Thomas and Mrs Sophie Beasley	Proposed side porch and extension to garage.	Bloomsbury House Heath Road Mistley Manningtree Essex CO11 2QH
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01 CONDITION: The development hereby permitted shall be begun not later the expiration of three years from the date of this permission.

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

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

Drawing Numbers 02-2025-01 P, 02-2025-04 PA, 02-2025-05 PA, 02-2025-06 P and 02-2025-08 PA,

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.

25/00601/NMA Approval Non Material Amendment 14.05.2025 Delegated Decision	Mr Chris Clark	Non Material Amendment to 23/00358/FUL - To install timber fences along the West and East boundaries, facing neighbours' land.	26 Harwich Road Mistley Manningtree Essex CO11 1LQ
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01 APPROVED PLANS & DOCUMENTS

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

Title: Proposed Fences Plan and Elevation Rev. A 16 April 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.

Ramsey & Parkeston Parish Council

<u>25/00196/VOC</u> Approval - Full 14.05.2025 Delegated Decision	Mrs Jane Papenfus - Low Carbon UK Solar Investment Co Ltd	Application under Section 73 of the Town and Country Planning Act for Variation of Condition 2 (Approved Plans) and Condition 16 (Temporary Consent) of application 22/01643/VOC to allow for flood mitigation and extension of consent.	Land South of Primrose Hall Primrose Lane Ramsey Harwich Essex CO12 5NB
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01 The development hereby permitted shall be carried out in accordance with the

following approved plans being drawing nos. titled;

- LCS130-SP-01 rev.01 - Site Location Plan
- LCS130-PLE-01 rev.06 - External Site Layout Plan
- LCS130-SD-01_rev02 - Panel Cross Section
- LCS130-SD-02_rev01 - Panel Elevation
- 5033-1 A - Tubular Fixed Pole Elevation
- Inverter Top and Side Elevations
- Inverter Section Elevations
- Inverter Floor Plans
- Inverter Elevations
- Tubular Fixed Pole Specification Sheet
- 10 A01 Visibility Splays Plan
- SD-48 rev 01 - Substation Colour Finishes (RAL6007 - bottle green)

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

- 02 The Decommissioning Phase of the development shall be carried out in full accordance with the details outlined within the 'Decommissioning Method Statement' (as prepared by DWD Property and Planning - dated 7th July 2023), as approved under planning reference 23/00956/DISCON.

Reason - In the interests of the amenity of the area.

- 03 All changes in ground levels, soft/hard landscaping shown on the approved landscaping details (as per drawing no. LV1 Rev A - approved under planning reference 23/01120/DISCON) shall be carried out in full during the first planting and seeding season (October - March inclusive) following the commencement of the development, or in such other phased arrangement as may be approved, in writing, by the Local Planning Authority up to the first use/first occupation of the development. Any trees, hedges, shrubs or turf identified within the approved landscaping details (both proposed planting and existing) which die, are removed, seriously damaged or seriously diseased, within a period of 10 years of being planted, or in the case of existing planting within a period of 5 years from the commencement of development, shall be replaced in the next planting season with others of similar size and same species unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, the character and appearance of the area and to underpin the Council's duty to enhance the biodiversity credentials of the development under the NPPF 2025 and s40 of the NERC Act 2006 (as amended).

- 04 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in chapter 6 of the Ecological Impact Assessment (Gray Ecology, Sept 2020, updated Nov 2020), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

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

accordance with the approved details.

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

(Priority habitats & species).

- 05 A wintering and breeding farmland bird mitigation and monitoring strategy must be submitted to and approved in writing by the Local Planning Authority prior to the completion of the development, and the strategy must provide details of the measures that will be implemented if the surveys identify a decline in bird population numbers.

The Farmland Bird Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed measures
- b) Detailed Methodology for measures to be delivered
- c) Location of the proposed measures by appropriate maps and/or plans
- d) Mechanism for implementation & Monitoring of delivery

The Farmland Bird Mitigation Strategy shall be implemented in the first nesting season following completion of the development and in accordance with the approved details, or any amendment as may be approved in writing pursuant to this condition, and all features shall be delivered for a minimum period of 10 years.

Reason - To allow the LPA to discharge its duties under the NERC Act 2006 (Priority habitats & species).

- 06 A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within Chapter 7 of the Ecological Impact Assessment (Gray Ecology, Sept 2020, updated Nov 2020), shall be submitted to and approved in writing by the Local Planning Authority prior to the completion of the development. The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason - To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 07 There shall be no installation of external lighting during the operational phase of the development except in full accordance with a scheme that has been approved in writing by the Local Planning Authority.

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

- 08 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to completion of the development.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

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

09 The development shall not be brought into first operational use until the agreed method of surface water drainage has been fully installed in accordance with the following documents approved under planning reference 23/01119/DISCON;

- Primrose Solar Farm - Drainage Scheme (August 2023 - PFA Consulting) - Part 1
- Primrose Solar Farm - Drainage Scheme (August 2023 - PFA Consulting) - Part 2
- Primrose Solar Farm - Drainage Scheme (August 2023 - PFA Consulting) - Part 3
- Revised Drainage Strategy Plan (D252/03 - Rev B)

The surface water drainage scheme shall thereafter be maintained as approved.

Reasons -

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

10 The off-site drainage scheme (construction phase) shall be fully implemented at the

commencement of the construction phase, and retained thereafter during the construction phase, in full accordance with the details approved under planning reference 23/00957/DISCON, namely;

- Agent's Email dated 7th August 2023
- Construction Drainage Scheme letter (as prepared by DWD Property and Planning - received 8th August 2023).

Reason - To ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore, the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

- 11 Prior to completion of the development a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason - To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

- 12 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason - To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

- 13 The development shall be carried out in full accordance with the details outlined within the submitted 'Soil Management Plan' (as prepared by Kernon Countryside Consultants Limited - Dated March 2023) and approved under planning reference 23/00907/DISCON.

Reason - Soil compaction and the creation of channels can cause increased run-off rates and volumes from the site. Therefore, a soil management plan should show how this will be mitigated against. Failure to provide the above required information before

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commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

- 14 No construction or decommissioning works shall take place except between the following hours: 0800 to 1800 Monday to Friday, and 0800 to 1300 Saturday. No construction or decommissioning works shall take place at any time on Sunday or a Bank Holiday.

Reason - In the interests of local amenity.

- 15 The planning permission hereby granted is for a period from the date of this decision until the date occurring 40 years after the date the development is first operational, when the use shall cease and the solar panels and all ancillary equipment and landscaping initially required to mitigate the landscape and visual impacts of the development shall be removed from the site in accordance with the Decommissioning Method Statement approved pursuant to Condition 2.

Reason - To ensure that the landscape impact of the development exists only for the lifetime of the development.

- 16 All ancillary equipment (aside from the sub-stations), including inverter/transformer stations, shall be painted a non-obtrusive colour in accordance with details to be agreed in writing with the Local Planning Authority before implementation of the ancillary equipment. The development shall be carried out in accordance with the approved details.

Reason - In the interests of the amenity of the area.

- 17 12 months prior to the expiry of the planning permission, a site restoration scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a programme of works to remove the solar panels and related equipment and shall be fully implemented within 12 months of the expiry of this permission.

Reason - In the interests of the amenity of the area.

- 18 If the solar farm ceases to export electricity to the grid for a continuous period of 12 months then a scheme shall be submitted to the Local Planning Authority for its written approval within 3 months from the end of the 12 month period for the removal of the solar farm and associated equipment and the restoration of (that part of) the site to agricultural use. The approved scheme of restoration shall then be fully implemented within 6 months of that written approval being given.

Reason - In order to ensure that the solar park fulfils its required purpose or is removed from the land in the interests of rural visual amenity.

- 19 The development shall be carried out in full accordance with the mitigation measures outlined within submitted Archaeology Evaluation Report (Issue 2 - 14/07/2023)

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approved under planning reference 23/00908/DISCON, including the agreed mitigation for overground cabling, as outlined at Appendix 4 of the aforementioned report.

Reason - Evidence from the HER in the surrounding area shows there is, however, potential for survival of previously unrecorded archaeological remains dating to the prehistoric and Roman periods and Medieval to postmedieval agricultural features. This condition is therefore being applied in line with the National Planning Policy Framework to ensure the appropriate protection of the potential heritage assets impacted by the development.

20 Prior to the commencement of development the vehicular turning facility for service and delivery vehicles, as outlined within the document titled 'Construction Method Statement' (Revision D - August 2023) as approved under planning reference 23/00909/DISCON, shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

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

21 The Construction and Traffic Management Plan, as outlined within the document titled 'Construction Method Statement' (Revision D - August 2023) as approved under planning reference 23/00909/DISCON, shall be adhered at all times during all ground works, construction and decommissioning traffic throughout the pre-construction, construction and decommissioning phases.

Reason - To ensure that the adjoining highway is not obstructed by construction activity, in the interests of highway safety.

22 The Construction Method Statement, as outlined within the document titled 'Construction Method Statement' (Revision D - August 2023) as approved under planning reference 23/00909/DISCON, shall be adhered to throughout the construction period at all times.

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

23 The approved Construction Traffic Routing Plan, as outlined within the document titled 'Construction Method Statement' (Revision D - August 2023) as approved under planning reference 23/00909/DISCON, shall be adhered at all times during all ground works, construction and decommissioning traffic throughout the pre-construction, construction and decommissioning phases.

Reason - To ensure that the adjoining highway is not obstructed by construction activity, in the interests of highway safety.

24 Prior to the installation of any solar panels on the site a joint inspection of the local road (Bowl Road) to be used by construction vehicles should be carried out by the applicant and the Highway Authority, to include photographic evidence. The route should then be inspected again, after completion of the development, and any

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damage to the highway resulting from traffic movements generated by the application site should be repaired to an acceptable standard and at no cost to the Highway Authority.

Reason - To preserve the integrity and fabric of the highway, in the interests of highway safety.

- 25 The public's rights and ease of passage over public footpath no. 18_183 (Wix) shall be maintained free and unobstructed at all times, unless otherwise agreed in writing with the Local Planning Authority.

Reason - To ensure the continued safe passage of the public on the definitive right of way and accessibility.

- 26 Following the completion of construction works the site compound areas shall be restored in full accordance with an approved Site Compound Restoration Scheme. This scheme shall be submitted 4 months prior to the completion of construction works and approved in writing by the Local Planning Authority.

Reason - To ensure the compound areas are sympathetically restored in the interests of visual and residential amenity.

- 27 Prior to the first use of the proposed construction exit junction onto Bowl Road, at its centre line the junction shall be provided with a minimum clear to ground visibility splay with dimensions of 2.4 metres by 58 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be retained free of any obstruction at all times.

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

St Osyth Parish Council

<u>25/00387/OUT</u> Refusal - Outline 13.05.2025 Delegated Decision	Mr Runnicles - Margella Consult Limited	Outline Planning Application (Access to be considered) - Erection of 5no. dwellings following demolition of pig farm buildings.	Land rear of 142 Point Clear Road Greenland Grove Point Clear Essex CO16 8JE
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- 01 Paragraph 135 of the National Planning Policy Framework (NPPF) (2025) 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. Paragraph 187(b) of the NPPF (2025) states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

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Adopted Policy SP3 of Section 1 of the 2013-2033 Local Plan sets out the spatial strategy for North Essex and directs growth towards existing settlements, although adds that development will be accommodated at sites adjoining settlements according to their scale, sustainability and existing role both within each individual district and, where relevant, across the wider strategic area.

Adopted Policy PPL3 states that the Council will not grant planning permission for development if it would cause overriding harm to traditional buildings and settlement settings, native hedgerows, trees and woodlands, designated and non-designated heritage assets and historic landscapes.

The application site lies outside of the defined settlement boundary of St Osyth by approximately 1,300 metres within the adopted 2013-2033 Local Plan. The proposed development would therefore extend outside the area planned to provide growth for this settlement. In view of the housing land supply position, the Council does not need to look beyond identified settlements to meet its housing requirement. The application is for five dwellings on land further set back from the main residential built form along Point Clear Road to the south (approximately 125 metres) and whilst there is some existing built form on the site, this is in the form of more temporary structures, and five dwellings would in turn result in a significant intensification by comparison. The character of the area does include some development, but the main bulk of properties are along Point Clear Road to the south; thus the development would result in a significant urbanisation of the immediate area, providing for a far higher density in comparison to the existing more sporadic development, and overall would appear out of keeping to the detriment of the areas character and appearance. Furthermore, such a development could set a harmful precedent for other, similar forms of development on parcels of land adjacent to the east and west, to the further detriment of the areas character, and the proposal is therefore contrary to the above local and national planning policies.

- 02 Paragraph 187(b) of the NPPF (2025) states that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Adopted Policy PPL2 states that within the Coastal Protection Belt, the Council will protect the open character of the undeveloped coastline and refuse planning permission for development which does not have a compelling functional or operational requirement to be located there, and where development does have a compelling functional or operational requirement to be there, its design should respond appropriately to the landscape and historic character of its context and applicants will be required to demonstrate that any development proposals will be safe over their planned lifetime.

The application site falls within a Coastal Protection Belt. On this occasion, it is noted that the site does include some existing built form, however this is in the form of more temporary structures of a smaller scale. The proposed five dwellings in lieu of this, as well as the associated boundary treatments, parking provision and other residential paraphernalia, would result in a significant intensification and urbanisation of the site, and would also set a harmful precedent for other similar forms of development adjacent to the east and west in particular. There is no compelling or functional requirement for the development to be located in this location, and in the event it was

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accepted that there was, for the aforementioned reasons the design does not respond appropriately to the landscape, and therefore fails to adhere with the requirements of Policy PPL2.

- 03 Paragraph 187 of the National Planning Policy Framework (2025) states that when making planning decisions local planning authorities need to assess whether significant harm to biodiversity could result from the development. The NPPF goes on to state the hierarchy that should be applied to mitigate any harm to ecology that is identified.

Policy PPL 4 (Biodiversity and Geodiversity) of Section 2 of the 2013-2033 Local Plan states, amongst other things, that proposals for new development should be supported by an appropriate ecological assessment.

The application site is laid to grass and includes a series of temporary structures to facilitate the use as a pig farm, and there is potential for protected species to occupy the site. As such the submission is accompanied by an Outline Ecological Assessment, which recommends a subsequent reptile presence or absence survey be undertaken on the basis that numerous possible refugia and other structured vegetation has some reptile potential. However, the submission does not include this additional survey and accordingly it has not been adequately demonstrated that the development can be undertaken without causing significant harm to protected species, contrary to the above local and national planning policies.

Tendring Parish Council

No Determinations

Thorpe-le-Soken Parish Council

<u>25/00589/TCA</u> Approval - Full 16.05.2025 Delegated Decision	Pearce	Trees in a Conservation Area Notification - Cedar tree (T1)- reduce by 1- 2m to shape and tidy. Walnut tree (T2)- remove to prevent shading and physical interference to greenhouse.	Ash Tree Station Road Thorpe Le Soken Essex CO16 0HF
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- 01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

Thorrington Parish Council

No Determinations

Weeley Parish Council

<u>25/00517/FUL</u> <u>HH</u> Approval - Full 16.05.2025 Delegated Decision	Mr Drew Welham	Householder Planning Application - Single storey rear and side extensions.	St Andrews Church Lane Weeley Clacton On Sea Essex CO16 9AT
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

2004.

NOTE/S FOR CONDITION:

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

02 APPROVED PLANS & DOCUMENTS

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

P02 SITE PLAN - REC'D 27.03.25

P01 - BLOCK PLAN AND EXISTING AND PROPOSED ELEVATIONS AND FLOOR PLANS

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

NOTE/S FOR CONDITION:

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

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

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

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