

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

No Determinations

Ardleigh Parish Council

<u>25/00635/LUEX</u> Lawful Use Certificate Granted 17.06.2025 Delegated Decision	Mr Robert Rendell - Acorus Rural Property Services Ltd	Application for Lawful Development Certificate for Existing Use or Development for siting of up to 35 mobile homes for occupation by seasonal workers.	Land to The North-East of Home Farm Lane And Peake Fruit Ltd Ardleigh Colchester Essex
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- 01 The evidence submitted with the application is sufficiently clear and unambiguous to demonstrate that, on the balance of probabilities, the use of the land for the siting of up to 35 mobile homes for occupation by seasonal workers at Land to the north-east of Home Farm Lane and Peake Fruit Ltd, Ardleigh has been carried out continuously for a period of 10 years and is therefore immune from enforcement action.

<u>25/00799/NMA</u> Approval Non Material Amendment 17.06.2025 Delegated Decision	Blyth - Prettyfields Vineyard Limited	Non Material Amendment to 24/00214/FUL - for reduction of approved shop floorspace by six metres.	Prettyfields Vineyard Ltd Dead Lane Ardleigh Colchester Essex CO7 7PF Prettyfields Vineyard Ltd Dead Lane Ardleigh Colchester Essex CO7 7PF
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- 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 No. P03F - Proposed Elevations and Layout
- Drawing No. P04E - Proposed Block Plan
- Drawing No. P05D - Site Plan

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.

Beaumont Parish Council

No Determinations

Bradfield Parish Council

<u>25/00137/FULH</u> <u>H</u> Approval - Full 19.06.2025 Delegated Decision	Mr Alan and Mrs Kelly Wrycraft	Householder Planning Application - Alterations and extension to roof to create first floor living accommodation including dormer windows and rooflight, front porch and part two storey, part single storey rear extension.	Grasmere The Street Bradfield Manningtree Essex CO11 2UU
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

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02 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). 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. 46-2024-03PA

Drawing No. 46-2024-04PA

Drawing No. 46-2024-05P

Drawing No. 46-2024-06PA

Drawing No. 46-2024-24PA

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

NOTE/S FOR CONDITION:

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03 SPECIFIC RESTRICTION ON DEVELOPMENT: PROVISION OF OBSCURE GLASS AND NON OPENING WINDOW

CONDITION: Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), all 6no. dormer windows in the north-eastern and south-western roof slope shall be non opening within 1.7m of the floor level and glazed in

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

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

NOTE/S FOR CONDITION

Level 5 is also referred to as Privacy Level 5 and this web site may be of use, the Council accepts no responsibility for content.

<https://www.pilkington.com/en-gb/uk/householders/decorative-glazing>

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

Brightlingsea Town Council

<u>25/00678/VOC</u> Approval - Full 19.06.2025 Delegated Decision	Mr and Mrs Burch	Application under Section 73 of the Town and Country Planning Act for Variation of Condition 2 (Approved Plans) of application 25/00123/FULHH to reflect new drawing number with added 1m of length.	20 George Avenue Brightlingsea Colchester Essex CO7 0NE
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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 14th March 2025.

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).

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- o Red lined site plan drawing no. P02
- o Drawing No. P01A Proposed Elevations, Layout and Block Plan (inc. materials details)

REASON: For the avoidance of doubt.

NOTE/S FOR CONDITION:

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Clacton-on-Sea

<u>25/00428/FULH</u> <u>H</u> Approval - Full 18.06.2025 Delegated Decision	Mr Terry Conlon	Householder Planning Application - First floor rear extension and single storey side extension	240 Constable Avenue Clacton On Sea Essex CO16 8XE
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01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

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

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

NOTE/S FOR CONDITION:

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

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02 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). 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 titled; Site Location Plan Proposed at a scale of 1:1250 @ A4 - Received 02/04/2025
- Drawing titled; Block Plan Proposed at a scale of 1:500 @ A4 - Received 02/04/2025
- Drawing titled; Side Elevations at a scale of 1:100 - Received 23/04/2025
- Drawing titled; Proposed Floor Plan at a scale of 1:100 - Received 23/04/2025
- Drawing titled; Proposed Front and Rear Elevation at a scale of 1:100 - 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:

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<u>25/00610/FULH</u> <u>H</u> Approval - Full 16.06.2025 Delegated Decision	Mr Galvin Hill	Householder Planning Application - Dropped kerb for vehicular access.	160 St Osyth Road Clacton On Sea Essex CO15 3HA
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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:

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02 APPROVED PLANS & DOCUMENTS

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Site Plan - Received 23.04.2025

Block Plan - Received 23.04.2025

Site Layout Plan - Received 14.04.2025

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

NOTE/S FOR CONDITION:

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03 ACCESS MATERIAL

CONDITION: The access hereby approved shall have a bound material surface and shall be laid out for a minimum distance of 5 metres from the edge of the carriageway prior to first use. The bound material as implemented shall then be retained thereafter.

REASON: In the interests of highway safety to prevent hazards caused by loose materials on the highway.

NOTE/S FOR CONDITION:

Carriageway is the part of a road intended for vehicles rather than pedestrians normally define by kerb if available or edge of a bound surface. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the ECC Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Essex County Council or its agents at the applicant's expense.

04 HIGHWAY ACCESS

CONDITION: Prior to the first use of the approved development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3.6 metres, shall be retained at that width for 5 metres within the site measured from the nearby edge of the carriageway and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge. The access shall then thereafter be retained.

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

NOTE/S FOR CONDITION:

Carriageway is the part of a road intended for vehicles rather than pedestrians normally define by kerb if available or edge of a bound surface. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the ECC Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Essex County Council or its agents at the applicant's expense

05 ACTION REQUIRED: HIGHWAYS PROVISION OF VISIBILITY SPLAYS

CONDITION: Prior to first occupation of the development, a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the hereby permitted vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

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REASON: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety

<u>25/00666/FULH</u> <u>H</u> Approval - Full 18.06.2025 Delegated Decision	Sadie Cullen	Householder Planning Application - Loft conversion with side dormer.	43 Rosemary Way Jaywick Clacton On Sea Essex CO15 2SD
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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:

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02 APPROVED PLANS & DOCUMENTS

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

- o 1:1250 Red Lined Site Plan (Planning Portal April 2025)
- o B-003 00 - Proposed Block Plan
- o A-009 00 - Proposed Floor & Roof Plans
- o A-010 00 - Proposed Elevations
- o A-011 00 - Proposed Sections
- o Flood Risk Assessment (1 Stop Build & Design) Rec'd 07/05/2025

REASON: For the avoidance of doubt.

NOTE/S FOR CONDITION:

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<u>25/00767/WTPO</u> Refusal - Full 16.06.2025 Delegated Decision	Mr Kevin Gooding	Works related to Tree Preservation Order (00/00016/TPO) - 1 No. Oak tree - Removal due to proximity to the house causing issues to drive/paths. Oak tree to be removed and replaced with a tree suited to the location.	76 Chilburn Road Clacton On Sea Essex CO15 4NY
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- 01 The application contains insufficient evidence to demonstrate that the tree is causing significant problems to the paths and driveway to such an extent that its complete removal is justified

<u>25/00791/TELLI</u> <u>C</u> Deemed Consent 20.06.2025 Delegated Decision	Banumathi Balamurugan - Openreach	Installation of fixed line broadband electronic communications apparatus.	Outside 112 Nayland Drive Clacton On Sea Essex CO16 8TJ
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Elmstead Market Parish Council

No Determinations

Frating Parish Council

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
<u>25/00431/FULH</u> <u>H</u> Approval - Full 18.06.2025 Delegated Decision	Mr John Roy	Householder Planning Application - Erection of a wind turbine.	Cedar Hall Great Bentley Road Frating Colchester Essex CO7 7HP

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 AND DRAWINGS

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. JR/P01A - Site and Block Plan
- Drawing No. JR/P02A - Wind Turbine Details
- Pitch Control Wind Turbine Data Report - Received 15.04.2025

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

NOTE/S FOR CONDITION:

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03 AVIATION CHARTING AND SAFETY MANAGEMENT

CONDITION: Prior to commencement of development, an aviation charting and safety management plan shall be submitted to and approved, in writing, by the Local Planning Authority.

The plan shall include the following:

- a) the date of the commencement of the erection of wind turbine generators;
- b) the maximum height of any construction equipment to be used in the erection of the wind turbines;
- c) the date any wind turbine generators are brought into use;
- d) the latitude and longitude and maximum heights of each wind turbine generator, and any anemometer mast(s).

No development shall be undertaken except in accordance with the approved documentation and the Ministry of Defence shall be notified of the completion of the construction of the development.

REASON: To maintain aviation safety.

<u>25/00485/FUL</u> Approval - Full 16.06.2025 Delegated Decision	Mr Harry Gilders - Inspire Homes	Planning Application - demolition of agricultural buildings (with approval to convert to dwellings) and the erection 3 no. single storey dwellings and garages.	Holly Farm (rear) Main Road Frating Colchester Essex CO7 7DJ
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01 COMPLIANCE: TIME LIMIT

CONDITION: The development hereby permitted shall be begun before 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 the Planning and Compulsory Purchase Act 2004.

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02 COMPLIANCE: APPROVED PLANS AND DOCUMENTS

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- 24252 - WA - 002 - A Proposed Site Plan and Block Plans
- 24252 - WA - 004 - A Proposed Elevations and Floor Plan - House Type A
- 24252 - WA - 005 - A Proposed Elevations and Floor Plan - House Type B
- 24252 - WA - 006 - A Proposed Elevations and Floor Plan - Garage
- BNG Plan (With Scale)
- BNG Plan 2 (With Scale)
- BNG Metric
- Biodiversity Metric Calculations
- Grassland Condition Sheet
- Scrub Condition Sheet
- Superfast Broadband Statement
- Arboricultural Impact Assessment Reference No. TPSQU0017 Issue 1 dated 15th January 2025 Issue 1 & Tree Survey Appendices 1 to 6
- Construction Method Statement Ref: 25252 V1 (Walsh & Associated Ltd, February 2025)
- Phase 1 Geo-Environmental Assessment 2478 R01 (Walsh & Associated Ltd, March 2025)
- Biodiversity Assessment (ACJ Ecology, March 2025)
- Bat Activity Assessment (ACJ Ecology, July 2024)
- Preliminary Ecological Assessment (ACJ Ecology, October 2023)

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

03 COMPLIANCE: IN ACCORDANCE WITH AIA

CONDITION: The development shall be carried out in accordance with the approved Arboricultural Impact Assessment Reference No. TPSQU0017 Issue 1 dated 15th January 2025 Issue 1 & Tree Survey Appendices 1 to 6. 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.

04 COMPLIANCE: CONSTRUCTION METHOD STATEMENT

CONDITION: The development shall be carried out in accordance with the approved Construction Method Statement Ref: 25252 V1 (Walsh & Associated Ltd, February 2025). In addition to the approved construction method statement:

1. 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.

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

The above shall be adhered to throughout the development unless otherwise agreed in writing by the Local Planning Authority.

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

05 COMPLIANCE: VEHICULAR VIS SPLAYS PRIOR TO OCCUPATION

CONDITION: Prior to first occupation of the development, the road junction / access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 120 metres in both directions, 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.

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.

06 COMPLIANCE: TURNING FACILITY PRIOR TO OCCUPATION

CONDITION: Prior to the first occupation of the development, the vehicular turning facility shown on approved drawing no. 24252 - WA - 002 - A Proposed Site Plan and Block Plans 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.

07 COMPLIANCE: PERMEABLE SURFACING & NO UNBOUND SURFACE MATERIALS

CONDITION: Prior to first occupation all new parking areas and 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 individual private driveways and throughout the development.

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.

08 COMPLIANCE: CLOSURE OF REDUNDANT ACCESS

CONDITION: Any redundant vehicular access shall be suitably and permanently closed incorporating the reinstatement to full height of the highway verge / footway / kerbing, immediately the proposed new access is brought into first beneficial use.

REASON: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

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09 COMPLIANCE: A133 GHOSTED RIGHT TURN LANE

CONDITION: Prior to first occupation of the development, the existing central hatching on A133 Main Road shall be amended to provide a ghosted right turn lane opposite and on the approach to the junction for the development.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner, in the interests of highway safety.

10 FURTHER APPROVAL: HARD AND SOFT LANDSCAPING SCHEME

CONDITION: Prior to the commencement of any above ground works, a scheme of hard and soft landscaping for the site shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include any proposed changes in ground levels, accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with the agreed measures for their protection set out within the AIA and in compliance with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction". The scheme shall be in general conformity with the indicative landscape details shown on the approved drawing 24252 - WA - 002 - A Proposed Site Plan and Block Plans.

REASON: In order to enhance the appearance of the development, in the interests of visual amenity and the quality of the development, and to ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety.

11 COMPLIANCE: IMPLEMENTATION OF LANDSCAPING SCHEME

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

REASON: To ensure that the approved landscaping scheme 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.

12 FURTHER APPROVAL: AGREEMENT OF MATERIALS

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

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REASON: To secure an orderly and well-designed finish in the interests of visual amenity and the character and appearance of the development and the setting of the adjacent listed building as insufficient information has been provided with the application.

13 FURTHER APPROVAL: DETAILS OF SCREEN WALLS AND FENCES

CONDITION: Prior to the first occupation of the dwellings hereby approved, precise details of the provision, design and materials of all screen walls and fences shall be submitted to and approved, in writing, by the Local Planning Authority. The screen walls and fences as may be approved shall be erected prior to the dwellings to which they relate being first occupied/used and thereafter be retained in the approved form.

REASON: To secure an orderly and well-designed finish in the interests of visual amenity and the character and appearance of the development and the setting of the adjacent listed building as insufficient information has been provided with the application.

14 FURTHER APPROVAL: SUSTAINABILITY & ENERGY EFFICIENCY

CONDITION: No development shall commence above slab level until a scheme for the provision and implementation of water, energy and resource efficiency measures for the lifetime of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include the fibre optic broadband connection details and electric car charging points accompanying the application, together with:-

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

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

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

NOTES FOR CONDITION:

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

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

A water consumption rate of not more than 110 litres, per person, per day adopted as Planning Policy and as imposed by this condition will directly change the building regulations water

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consumption rate to match as a result of this policy. The introduction of effective utilities, rainwater capture for watering plants, aerators to taps and other water saving options can be considered.

15 SPECIFIC RESTRICTION ON DEVELOPMENT: REMOVAL OF PD FOR ENCLOSURES

CONDITION: Other than the enclosures approved under Condition 13 above, 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, Schedule 2, Part 2 Minor operations, Class A (or any Order revoking and re-enacting that Order with or without modification):- no fence, gate, wall or any other means of enclosure, shall be erected on the east and west side boundaries of the red lined site area.

REASON: To enable the local planning authority to retain control over the development in the interests of the visual amenity, the quality of the development and to maintain the semi-rural character of the site.

16 FURTHER APPROVAL: FURTHER INVESTIGATION & REPORT

CONDITION: Upon demolition of the existing buildings and removal of hardstanding, the further investigations, remediation and discovery strategies shall be undertaken in full accordance with Section 5.4 of the accompanying Phase 1 Geo-Environmental Assessment 2478 R01 (Walsh & Associated Ltd, March 2025). A comprehensive interpretative report shall be submitted to the Local Planning Authority for approval and all remediation works required shall be undertaken prior to first occupation.

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

17 COMPLIANCE: IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

CONDITION: All mitigation measures and/or works shall be carried out in accordance with the details contained in the Biodiversity Assessment (ACJ Ecology, March 2025), Preliminary Ecological Assessment (ACJ Ecology, October 2023) and Bat Activity assessment (ACJ Ecology, July 2024), as already submitted with the planning application and agreed with the Local Planning Authority. This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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

18 FURTHER APPROVAL: BIODIVERSITY ENHANCEMENT STRATEGY

CONDITION: Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the

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recommendations of the Bat Activity Assessment (ACJ Ecology, July 2024), shall be submitted to and approved in writing by the Local Planning Authority.

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

- a) Purpose and conservation objectives for the proposed enhancement measures
- b) detailed designs or product descriptions to achieve stated objectives
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant)
- d) persons responsible for implementing the enhancement measures, and
- e) details of initial aftercare and long-term maintenance (where relevant).

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

REASON: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (as amended).

19 FURTHER APPROVAL: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

CONDITION: Prior to first occupation, a lighting design strategy for biodiversity for areas to be externally lit in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

REASON: 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 (as amended).

20 FURTHER APPROVAL: 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

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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.

21 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.

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

BIODIVERSITY GAIN PLAN REQUIREMENTS:

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

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

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

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

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

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Frinton & Walton Town Council

<u>25/00757/TCA</u> Approval - Full 16.06.2025 Delegated Decision	Bull	Trees in a Conservation Area Notification - Willow tree (T1)- Repollard to previous points.	Sandpiper First Avenue Frinton On Sea Essex CO13 9HA
<u>25/00775/WTPO</u> Approval - Full 16.06.2025 Delegated Decision	Oleksy	Works related to Tree Preservation Order (87/00008/TPO) - Remove first three branches from large pine	6 Louise Close Walton On The Naze Essex CO14 8LL

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

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tree owner before works to a tree(s) are carried out.

Great Bentley Parish Council

<u>25/00621/FUL</u> Approval - Full 18.06.2025 Delegated Decision	Mr Hills - Hills Residential Construction Ltd	Erection of a detached dwelling, with a detached outbuilding and associated infrastructure.	Land adjacent The Moors The Green Great Bentley Essex CO7 8PG
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- 01 CONDITION: The development hereby permitted shall be begun not later the expiration of three years from the date of this permission.

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

NOTE/S FOR CONDITION:

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

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

Drawing Numbers MOOR/ADP/01/F, MOOR/ADP/02/L, MOOR/ADP/04/A, MOOR/ADP/05/E, MOOR/ADP/06/A 24.5483.01 Rev E, 24.5483.02 Rev C, and the documents titled 'Arboricultural Impact Assessment and Preliminary Method Statements', 'Outline Ecological Assessment' and the untitled Heritage Addendum (reference TCMS:1000).

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

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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:** 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.

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

- An electric car charging point per dwelling;

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

NOTE/S FOR CONDITION:

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

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

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

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

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

a) Details of how construction and worker traffic and parking (including access routes) shall be

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managed.

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

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

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

- 07 CONDITION: Prior to the first use of the development hereby approved, the vehicular turning facility shown on Drawing Number MOOR/ADP/02/L shall be provided and thereafter maintained free from obstruction within the site at all times for that purpose.

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

- 08 CONDITION: The access hereby approved shall have a bound material surface and shall be laid out for a minimum distance of 5 metres from the edge of the carriageway prior to first use. The bound material as implemented shall then be retained thereafter.

REASON: In the interests of highway safety to prevent hazards caused by loose materials on the highway.

- 09 CONDITION: If during construction/demolition works evidence of potential contamination is encountered, works shall cease, and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

- a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.
- b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

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- c) If no contamination has been discovered during the build, then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

REASON - To ensure that any risks from land contamination to the future users of the land and neighbouring land are minimised.

- 10 **CONDITION:** Rainwater goods (including gutters, downpipes, hopperheads and soil pipes) shall be black painted or powder-coated metal. These shall be thereafter retained as installed.

REASON: In the interests of the character, integrity and preservation of the building.

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

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

- 12 **CONDITION:** Notwithstanding Section 55 (2)(a)(ii) of the Town and Country Planning Act 1990 as amended and the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order with or without modification):- - no enlargement, improvement, insertion of new openings or other alteration of the dwelling house(s) shall be carried out, 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.

- 13 **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.

- 14 **CONDITION:** Prior to first occupation of the hereby approved development, a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;

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- c) locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
- d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- e) persons responsible for implementing the enhancement measures;
- f) details of initial aftercare and long-term maintenance (where relevant).

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

REASON: To enhance protected and Priority species and habitats.

- 15 **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>

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

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

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

Ways to achieve 10% BNG may include:

- 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>

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

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

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Great Oakley Parish Council

No Determinations

Harwich Town Council

No Determinations

Lawford Parish Council

<u>25/00630/FULH</u> <u>H</u> Refusal - Full 20.06.2025 Delegated Decision	Mr Timothy Bichara	Householder Planning Application - Installation of a 2.65m acoustic fence to minimise noise in garden.	Crossways Wignall Street Lawford Essex CO11 2JL
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- 01 The site is located upon a corner plot setting shared with Wignall Street and Hungerdown Lane and forms a prominent and noticeable feature within the public realm. The proposal seeks to replace and increase the fence to 2.65m along part of the northern and the entire eastern boundaries of the site, and will enclose large elements of the side garden serving the main house, appearing as a noticeable feature within the public street scene. Whilst the existing site has permission for 1m high fencing to part of the side boundary, the installation of 2.65m high close boarded fencing along part of the northern boundary and the entire eastern boundary would exacerbate its prominence further within the street scene, appearing as an incongruous feature which would be significantly detrimental to the appearance and character of the site and locale.

The proposal is therefore contrary to paragraphs 135 of the National Planning Policy Framework (2025) and policies SP7 of the Tendring District Local Plan 2013-2033 and Beyond Section 2.

02 HARM TO HERITAGE ASSETS

The site is located within the Lawford Conservation Area. The 2023 Conservation Area Character Appraisal and Management Plan for the area makes special reference to the open nature and verdant views of this section of the street scene.

The proposed 2.65m high fencing will appear as a prominent feature which would obscure large elements of the side of the host dwelling, as well as disrupting the established open character of the street scene, thereby harming the character and appearance of the Lawford Conservation Area. Furthermore, the proposal would obstruct some views to the nearby Grade II Listed Building 'The Kings Arms' to the north-east, resulting in a significant impact to the way this building is experienced. The proposal therefore results in a level of less than substantial harm to the significance of this Grade II Listed Building and character and appearance of the Lawford Conservation Area, and on this occasion, there are minimal public benefits identified that outweigh this harm.

The proposal is therefore contrary to paragraphs 210, 212, 213 and 215 of the National Planning Policy Framework (2025) and policies PPL8 and PPL9 of the Tendring District Local Plan 2013-2033 and Beyond Section 2.

Little Bentley Parish Council

No Determinations

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Little Bromley Parish Council

No Determinations

Little Clacton Parish Council

<u>25/00773/WTPO</u>	<i>Minter</i>	<i>Works related to Tree Preservation Order (95/00021/TPO) - Horse chestnut (T1) - fell due to declining condition</i>	<i>3 Holland Road Little Clacton Essex CO16 9RT</i>
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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.

Little Oakley Parish Council

No Determinations

Manningtree Town Council

No Determinations

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Mistley Parish Council

<u>25/00781/TCA</u> Approval - Full 16.06.2025 Delegated Decision	Mr Lostis	Trees in a Conservation Area Notification - T1 - Cherry Tree, reduce by approx. 2-3m overall to previous cutting points. T2 - Adjacent Tree to right as looking from road, reduce by 2m to previous cutting points.	10 The Central Maltings Mistley Essex CO11 1HR
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Ramsey & Parkeston Parish Council

No Determinations

St Osyth Parish Council

<u>25/00510/ADV</u> Approval - Advertisement Consent 20.06.2025 Delegated Decision	Sargeant	Application for Advertisement Consent - Single 'Welcome' board behind railings on two posts displaying St Osyth Priory Logo and directions to main access and Marketing Suite.	St Osyth Priory The Bury St Osyth Clacton On Sea Essex CO16 8NZ
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01 ADVERTISEMENT (SCHEDULE 2 CONDITIONS)

CONDITIONS:

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to:
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

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

02 APPROVED PLANS & DOCUMENTS

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

Drawing Number CC-0175-TBSA- 005 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 Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

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

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

<u>25/00856/TELLI</u> <u>C</u> Deemed Consent 16.06.2025	Manojkumar Murugan - Opeanreach	Installation of fixed line broadband apparatus.	O/S 35 Manfield Gardens St Osyth Essex CO16 8QA
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Tendring Parish Council

<u>25/00659/COUN OT</u> <i>Determination prior approval not reqred 18.06.2025 Delegated Decision</i>	<i>Mr and Mrs Wallis</i>	<i>Prior Approval Application under Part 3, Class R of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for change of use of agricultural barn to Class E purposes (cafe/restaurant).</i>	<i>The Stables Heath Road Tendring Clacton On Sea Essex CO16 0BX</i>
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- 01 **CONDITION:** Development under Class R is permitted subject to the condition that development under Class R.3(1)(b) must begin within a period of 3 years starting with the prior approval date.

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

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

Drawing Number 01 Revision A, and the documents titled 'Premium Commercial Sewage Treatment Plant' and 'Construction Method 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.

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

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

03 **CONDITION:** Prior to the first use of the café/restaurant hereby approved, the parking and vehicular turning facility shown on Drawing Number 01 Revision A shall be provided and thereafter maintained free from obstruction within the site at all times for that purpose.

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

Thorpe-le-Soken Parish Council

No Determinations

Thorrington Parish Council

<u>25/00591/VOC</u> Refusal - Full 17.06.2025 Delegated Decision	Ms Karen Pawsey	Application under Section 73 of the Town and Country Planning Act for Variation of Condition 2 (Approved Plans) of application (24/00969/VOC) to alter the design of the approved dwelling.	Apple Blossom Paddocks Brightlingsea Road Thorrington Essex CO7 8JL
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01 Paragraph 135 of the 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.

Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context, and to protect the district's landscape and the quality of existing places and their environs. Policy SPL3 and LP4 of the 2013-33 Local Plan also require, amongst other things, that developments deliver new dwellings that are designed to high standards and which, together with a well-considered site layout which create a unique sense of place. Adopted Policy PPL3 states the Council will protect the rural landscape and refuse planning permission for any proposed development which would cause overriding harm to its character or appearance.

The proposal would result in a significant expansion of the footprint of development previously allowed; originally the converted building measured 52sqm, whilst that approved within a varied design under reference 24/00969/VOC increased to 79sqm. The current design, however, has increased to approximately 134sqm, which represents a near doubling of the

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previously approved design, and a near tripling of the original permission. Furthermore, the introduction of a hipped roof in lieu of the previously consented flat roof significantly increases the overall mass of the building. Consequently, the footprint and roof design goes far beyond what was originally envisaged for the site, resulting in a significant urbanisation of the area and consequently, as proposed, is not considered to relate to the rural character of the locality and instead results in its erosion contrary to the above policies.

<u>25/00629/FULH</u> <u>H</u> Approval - Full 17.06.2025 Delegated Decision	Mr and Mrs G Parker	Householder Planning Application - Conversion of existing stable block to a single two bedroom annexe ancillary to 'The Barn'.	The Barn Windyridge Brightlingsea Road Thorrington Colchester Essex CO7 8JL
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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 11188 02P, 11188 03 P1, 11188-04P1 and 11188-05P.

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

NOTE/S FOR CONDITION:

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

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

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

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

03 **CONDITION:** This permission shall only authorise the use and occupation of the accommodation hereby approved for purposes incidental and ancillary to the principal dwelling known as 'The Barn' (or as may be renamed in the future) and does not permit the use of the approved accommodation as a separate household unrelated and not incidental/ancillary to the principal dwelling.

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

Weeley Parish Council

<u>25/00639/FULH</u> <u>H</u> Refusal - Full 18.06.2025	Ms Wiggins	Householder Planning Application - Retrospective application for a fence.	White Chalk House Clacton Road Weeley Heath Essex CO16 9EF
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01 The proposal seeks retrospective planning permission for the existing 2m fence sited along the boundary of the site. The fencing comprises of an 83m long close boarded fence consisting of fence panels, gravel boards and concrete posts being sited hard up to the boundary shared with the public pavement.

Due to the proximity of the fencing to the highway boundary and its significant length it is highly prominent in views along Clacton Road.

Consequently, the fencing appears as a prominent and noticeable feature within Clacton Road and in the absence of little landscaping to soften its appearance appears as an intrusive feature harmful to the character and appearance of the semi-rural nature of the locality.

<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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It is therefore considered that the proposed fencing, by virtue of its siting along a prominent boundary of the site results in an inappropriate form of development within the street scene, significantly detrimental to visual amenity and the overall character of the area, which is contrary to the aforementioned national and local policies.

The proposed development therefore fails to accord with paragraphs 35 of the National Planning Policy Framework (2025), and Policy SP7 and PPL3 of the Tendring District Local Plan 2013-2033 and Beyond.

02 The proposed fence has been erected upon the existing pathway serving Clacton Road encroaching upon the existing public highway. The proposal creates an obstruction on the footway where members of the public are entitled to pass and repass resulting in a significant impact to pedestrians and therefore resulting in significant harm to highway safety.

Furthermore, sited south of the site and beyond 4 Barnfields Retreat is an existing access to farmland to the rear. The positioning of the fence in its current position obstructs the sight lines of the users of this access meaning vehicles would have to edge onto the carriageway therefore resulting in a significant harmful impact to highway safety.

The proposed development therefore fails to accord with paragraphs 141 of the National Planning Policy Framework (2025), and Policy CP1 and CP2 of the Tendring District Local Plan 2013-2033 and Beyond.

Wix Parish Council **No Determinations**

Wrabness Parish Council **No Determinations**