

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	19/09/2018
Planning Development Manager authorisation:	SCE	19.09.18
Admin checks / despatch completed	SB	19/09/18.

Application: 18/01104/FUL **Town / Parish:** Great Bentley Parish Council *file*

Applicant: Richmore Homes Ltd C/o Bouverie

Address: Site North of Carpenters Farm St Marys Road Great Bentley

Development: Proposed erection of 7 detached houses & gardens.

1. Town / Parish Council

Great Bentley Parish Council No objection.

2. Consultation Responses

Essex County Council
Archaeology

The EHER records a number of cropmark features in the surrounding area that would indicate a high probability of surviving archaeological remains being present within the development site. These include features that are indicative of prehistoric burial mounds and settlement as well as evidence for trackways and enclosures.

The site lies along one side of a triangular green which are considered to be medieval in origin and along which dispersed settlement would be located. Modern settlement at Aingers Green was formed in the early to mid 20th century by the piecemeal infilling of the greens with housing. There is the potential for earlier settlement evidence to survive within the site.

The following recommendations are made in line with the Department for Communities and Local Government National Planning Policy Framework:

RECOMMENDATION: A Programme of Archaeological evaluation

1. No development or preliminary ground-works can commence until a programme of archaeological evaluation has been secured and undertaken in accordance with a Written Scheme of Investigation, which has been submitted by the applicant, and approved by the planning authority. Following the completion of this initial phase of archaeological work, a summary report will be prepared and a mitigation strategy detailing the approach to further archaeological excavation and/or preservation in situ, shall be submitted to the local planning authority.

2. No development or preliminary groundwork can commence on those areas of the development site containing archaeological deposits, until the satisfactory completion of archaeological fieldwork, as detailed in the mitigation strategy, which has been signed off by the local planning authority.

3. Following completion of the archaeological fieldwork, the applicant will submit to the local planning authority a post-excavation assessment (within six months of the completion date, unless

otherwise agreed in advance with the planning authority), which will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Further Recommendations:

A professional team of archaeologists should undertake the archaeological work. In the first instance a programme of trial trenching investigation will be required.. A brief outlining the level of archaeological investigation will be issued from this office on request. Tendring District Council should inform the applicant of the recommendation and its financial implications.

ECC Highways Dept

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all purpose access) will be subject to the Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway by the ECC.

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1 Prior to the first occupation of the development, the proposed estate road, at its bellmouth junction with St Marys Road shall be provided with 6.0m. radius kerbs returned to an access road carriageway width of 5.5m. and flanking footways 2m. in width returned around the radius kerbs. The new road junction shall be constructed at least to binder course prior to the commencement of any other development including the delivery of materials.

Reason: To ensure that all vehicular traffic using the junction may do so in a controlled manner and to provide adequate segregated pedestrian access, in the interests of highway safety and in accordance with Policy DM 1 and 6 of the Highway Authority's Development Management Policies February 2011.

2 Prior to the proposed access being brought into use, vehicular visibility splays of 70m by 2.4m by 70m as measured along, from and along the nearside edge of the carriageway, shall be provided on both sides of the centre line of the access and shall be retained and maintained free from obstruction clear to ground thereafter.

Reason: To ensure adequate intervisibility between drivers of vehicles using the proposed access and those in the adjoining highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

3 No unbound materials shall be used in the surface treatment of the proposed vehicular access within 6m of the highway boundary.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

4 Prior to the first use of the proposed access, details of the construction and future maintenance of the necessary bridging or

pipng of the drainage ditch/watercourse shall be submitted to and approved in writing by the Lead Local Flood Authority (Essex County Council)

Reason: To prevent or reduce the risk of flooding of the adjoining highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

5 Prior to first occupation of the proposed development, a (communal) recycling/bin/refuse collection point shall be provided within 15m of the highway boundary or adjacent to the highway boundary and additionally clear of all visibility splays at accesses and retained thereafter.

Reason: To minimise the length of time a refuse vehicle is required to wait within and cause obstruction of the highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

6 All off street car parking shall be in precise accord with the details contained within the current Parking Standards being provided within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety and in accordance with Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

7 All carriageways should be provided at 6.0m where vehicular access is taken but without kerbing.

Reason: To ensure that roads and footways are constructed to an acceptable standard, in the interests of highway safety and in accordance with Policy DM 1 and 6 of the Highway Authority's Development Management Policies February 2011.

8 Prior to the occupation of the proposed development, details of the provision for the storage of bicycles for each dwelling sufficient for all occupants of that dwelling, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To promote the use of sustainable means of transport in accordance with Policy DM 1 and 9 of the Highway Authority's Development Management Policies February 2011.

9 No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

10 Any new or proposed boundary hedge shall be planted a minimum of 1m back from the highway boundary and 1m behind any visibility splays which shall be maintained clear of the limits of the highway or visibility splays thereafter.

Reason: To ensure that the future outward growth of the hedge does not encroach upon the highway or interfere with the passage of users of the highway and to preserve the integrity of the highway, in the interests of highway safety in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

11 Prior to the occupation of any of the proposed dwellings the applicant shall provide a kerbed footway connecting from the bellmouth junction northerly across the sites frontage and connecting to the existing footway in the vicinity of the dwelling known as The Oaks at 2.0m in width and being provided entirely at the Applicant/Developer's expense including new kerbing, surfacing, drainage, any adjustments in levels and any accommodation works to the footway and carriageway channel and making an appropriate connection to the existing footway, to the specifications of the Highway Authority.

Reason: To make adequate provision for the additional pedestrian traffic generated within the highway as a result of the proposed development in accord with Policy DM 9 of the Highway Authority's Development Management Policies February 2011.

Informative1: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 - Essex Highways
Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Tree & Landscape Officer

The main body of the application site is being used for agricultural purposes with the boundary with the highway marked by a low hedgerow. The application site is effectively divided into two parcel of land to avoid development beneath the overhead power cables that bisect the land. The hedgerow adjacent to the highway on the southern section contains 4 large Oaks afforded formal legal protection by Tree Preservation Order TPO/93/02. The Oaks have high amenity value are important features in the street scene.

In order to establish the extent of the constraint that these, and other trees have on the development potential of the land, to show their

Root Protection Areas (RPA's) and to ensure that they are not harmed by the implementation of any development which may be granted permission the applicant has provided a Tree Survey and Report that is in accordance with BS5837: 2012 Trees in relation to design, demolition and construction; Recommendations.

The tree report makes provision for retention and physical protection of the Oak trees on the land. The development proposal shows the removal of two sections of hedgerow situated on the boundary of the site with the public highway in order to gain access to the land ' if the new hedgerows shown on the site layout plan are planted then there will be no 'net losses of hedgerow on the application site.

Should consent be likely to be granted steps should be taken to ensure that the measures set out in the Tree Survey and Report are complied with. The applicant will need to provide and comply with a Tree Protection Plan (TPP) relating to the physical protection of the trees for the duration of the construction phase of the development.

Should planning permission by likely to be granted the condition should be attached to secure details of soft landscaping. This should include details of tree, shrub and hedgerow planting to enhance the appearance of the development.

Building Control and Access Officer No adverse comments at this time.

Waste Management No comments.

3. Planning History

14/01180/OUT	Outline application with all matters reserved for residential development of 0.59 ha of land to create 4 detached dwellings with associated garaging and parking.	Refused	13.10.2014
16/00339/OUT	Outline planning application for the residential development of 0.59 ha of land to create 4 detached dwellings with associated garaging and parking.	Approved	06.07.2016
16/02109/OUT	Outline erection of up to 7 no. dwellings and associated garages, served from a private drive (all matters reserved apart from access).	Approved	28.04.2017

4. Relevant Policies / Government Guidance

National Planning Practice Guidance

Tendring District Local Plan 2007

NPPF National Planning Policy Framework July 2018

QL1 Spatial Strategy

QL2 Promoting Transport Choice

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG3A Mixed Communities

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

EN1 Landscape Character

EN29 Archaeology

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SP1 Presumption in Favour of Sustainable Development

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PPL3 The Rural Landscape

PPL7 Archaeology

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Essex Design Guide

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites (as confirmed in recent appeal decisions) and housing delivered over the previous three years has been comfortably above 75% of the requirement. There is consequently no need for the Council to consider an exceptional departure from the Local Plan on housing supply grounds and applications for housing development are to be determined in line with the plan-led approach.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is located on the eastern side of St Mary's Road, Aingers Green within the Parish of Great Bentley. The site extends approximately 0.6 hectares in size and currently comprises part of a larger agricultural field. The site is irregular in shape basically being two rectangular parcels linked at the frontage with a substantial electricity pylon crossing through the centre of the site. The site has a substantial hedge with 4 mature trees covered by a tree preservation order on the highway boundary and is open to its rear boundary which gives the locality a semi-rural appearance.

Aingers Green is basically a 'V' shape, with frontage development on both sides of the triangle of local roads. The site is located at the southern end of the village, just outside of the Settlement Development Boundary (SDB) of Aingers Green as defined within the adopted Tendring District Local Plan. This SDB has not been carried forward into the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

The hedgerow adjacent to the highway on the southern section of the site contains 4 large Oaks afforded formal legal protection by Tree reservation Order TPO/93/02.

Description of Proposal

The application seeks full planning permission for the erection of 7 detached dwellings, 3 double garages (serving plots 2, 3, 4, 5 and 6) and associated parking spaces, access and turning areas.

The application has been amended removing the garages sited forward of plots 1 and 7. These dwellings are now served with parking spaces to their frontages.

Assessment

The main considerations in this instance are;

- Principle of Development (including site history);
- Layout, Scale and Appearance;
- Residential Amenities;
- Highways and Parking;
- Trees and Landscaping;
- Archaeology; and,
- Representations.

Principle of Development (including site history)

This site has been subject of previous outline approvals for residential development, the most recent and most relevant being application 16/02109/OUT approved on 24th April 2017 for the erection of up to 7 no. dwellings and associated garages, served from a private drive. This application was in outline form with all matters reserved apart from access.

This permission remains extant with any reserved matters application to be submitted within 3 years from the date of permission.

The principle of residential development has been established and this application seeks full permission rather than seeking the approval of the reserved matters.

Layout, Scale and Appearance

The layout of the application reflects the indicative layout plans previously considered. The dwellings will appear as in infill development in a linear arrangement in keeping with the character of the area. Each dwelling is well spaced with ample private amenity space and side isolation. The set back from the highway is again in keeping with the area and the removal of the forward sited garages has vastly improved the overall impact of the development. The garages serving plots 2 to 6 are of a suitable size, will be well set back from the highway between dwellings and will not be visually prominent.

The 7 dwellings comprise a good mix of designs and materials to add interest to the street scene. The height, scale and appearance of the dwellings are in keeping with the immediate neighbouring buildings and this side of St Marys Road overall. The development will sit comfortably within the street scene softened by the trees, hedgerows and vegetation to be retained.

Residential Amenities

The position of the dwellings, behind a roadside hedge, and a private drive running parallel to the highway will result in an appreciable separation of the new dwellings from existing properties opposite to the extent that no appreciable loss of amenity would result.

The proposed development would retain sufficient spacing to the immediate neighbours so as to not cause any adverse impacts in respect of loss of light/outlook/privacy. The retention of the perimeter planting also provides good screening minimising any impact to residential amenities.

The design and layout of the proposal will result in an acceptable level of amenity for existing and future residents.

Each dwelling would be served by a private amenity area in excess of the standards required by saved Policy HG9 of the adopted Tendring District Local Plan 2007.

Highways and Parking

Essex County Council Highway Authority do not object to the development, subject to conditions.

Each dwelling would be served by at least two parking spaces (some garages and some parking bays only) in accordance with the adopted parking standards.

No highway safety issues would arise as the road is not heavily trafficked, and is straight at this point, with no nearby junctions.

Trees and Landscaping

The proposed layout shows that 7 dwellings can be served from a single private drive which provides the required visibility, whilst retaining the majority of the roadside hedge and protected trees. The important element of hedging around the trees, and the protected trees, would be unharmed and retained by the proposal.

The application is accompanied by a Tree Survey and Report in accordance with BS5837:2012 Trees in relation to design, demolition and constriction; Recommendations. The necessary condition will be imposed to ensure the development is carried out in strict accordance with the report.

As such the development would not adversely impact upon the character and appearance of this semi-rural location and therefore meet the environmental strand of sustainable development.

Archaeology

The Archaeology team have requested conditions due to the potential for 'finds' during development.

Representations

Great Bentley Parish Council raise no objections.

No individual letters of representation have been received.

Conclusion

The principle of development has been established by the outline consent previously granted. It is an appropriate development that will not appear out-of-place or impact on the amenity of the neighbours, or harm highway safety. The proposal is acceptable and recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 1 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.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: DRAWING NO. CF/AG/18/2A, Drg no: CF/AG/18/10, Drg. no: CF/AG/18/1, DRAWING NO. CF/AG/18/3, DRAWING NO. CF/AG/18/4, DRAWING NO. CF/AG/18/5, DRAWING NO. CF/AG/18/6, DRAWING NO. CF/AG/18/7, DRAWING NO. CF/AG/18/8 and DRAWING NO. CF/AG/18/9 (part superseded) together with the associated 'External Materials' schedule on DRAWING NO. CF/AG/18/2A.

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

- 3 The development hereby approved shall be carried out in strict accordance with the Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement & Tree Protection Plan produced by Hayden's dated 16/02/2016, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure the continued good health and viability of the trees with high visual amenity value the interests of the character of the area.

- 4 No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the frontage of the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction.

Reason - In order to enhance the visual appearance of the proposed dwellings.

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

Reason - To ensure that the landscaping scheme is suitably implemented within an appropriate timescale.

- 6 No construction works or deliveries in connection with the development shall take place outside the hours of 0700 hours and 1900 hours Monday to Friday and 0800 hours and 1300 hours Saturdays, with the exception of any piling or other percussive works which shall not take place outside the hours of 0800 hours and 1700 hours Monday to Friday.

Reason - To protect the local amenity and reduce the likelihood of complaints of statutory nuisance as the site is within close proximity to existing dwellings.

- 7 The removal of any vegetation for site access/clearance shall only be carried out outside of the bird nesting season (March to August inclusive).

Reason - To ensure the protection of birds potentially nesting on site.

- 8 Prior to the first occupation of the development, the proposed estate road, at its bellmouth junction with St Marys Road shall be provided with 6.0m. radius kerbs returned to an access road carriageway width of 5.5m. and flanking footways 2m. in width returned around the radius kerbs. The new road junction shall be constructed at least to binder course prior to the commencement of any other development including the delivery of materials.

Reason - To ensure that all vehicular traffic using the junction may do so in a controlled manner and to provide adequate segregated pedestrian access, in the interests of highway safety.

- 9 Prior to the proposed access being brought into use, vehicular visibility splays of 70m by 2.4m by 70m as measured along, from and along the nearside edge of the carriageway, shall be provided on both sides of the centre line of the access and shall be retained and maintained free from obstruction clear to ground thereafter.

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

- 10 No unbound materials shall be used in the surface treatment of the proposed vehicular access within 6m of the highway boundary.

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

- 11 Prior to the first use of the proposed access, details of the construction and future maintenance of the necessary bridging or piping of the drainage ditch/watercourse shall be submitted to and approved in writing by the Lead Local Flood Authority (Essex County Council).

Reason - To prevent or reduce the risk of flooding of the adjoining highway, in the interests of highway safety.

- 12 Prior to first occupation of the proposed development, a (communal) recycling/bin/refuse collection point shall be provided within 15m of the highway boundary or adjacent to the highway boundary and additionally clear of all visibility splays at accesses and retained thereafter details of which shall be submitted and approved by the Local Planning Authority prior to the commencement of development.

Reason - To minimise the length of time a refuse vehicle is required to wait within and cause obstruction of the highway, in the interests of highway safety.

- 13 All off street car parking shall be in precise accord with the details contained within the current Parking Standards being provided within the site which shall be maintained free from obstruction and retained thereafter.

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

- 14 All carriageways should be provided at 6.0m where vehicular access is taken but without kerbing.

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

- 15 No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities

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

- 16 Any new or proposed boundary hedge shall be planted a minimum of 1m back from the highway boundary and 1m behind any visibility splays which shall be maintained clear of the limits of the highway or visibility splays thereafter.

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

- 17 Prior to the occupation of any of the proposed dwellings the applicant shall provide a kerbed footway connecting from the bellmouth junction northerly across the sites frontage and connecting to the existing footway in the vicinity of the dwelling known as The Oaks at 2.0m in width and being provided entirely at the Applicant/Developer's expense including new kerbing, surfacing, drainage, any adjustments in levels and any accommodation works to the footway and carriageway channel and making an appropriate connection to the existing footway, to the specifications of the Highway Authority.

Reason - To make adequate provision for the additional pedestrian traffic generated within the highway as a result of the proposed development.

- 18 Notwithstanding the details shown on the approved drawings, no development shall take place until a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved by the Local Planning Authority. The approved boundary treatments shall be implemented before the dwellings hereby permitted are occupied.

Reason - In the interests of providing adequate privacy for occupiers of the development and neighbouring residential properties.

- 19 Notwithstanding the provisions of Article 3, Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no provision of fences, walls or other enclosures, shall be erected on the boundaries of the site except in accordance with details that shall have previously been approved in writing by the Local Planning Authority.

Reason - In the interests of visual amenity and landscape impact.

- 20 No development or preliminary ground-works can commence until a programme of archaeological evaluation has been secured and undertaken in accordance with a Written Scheme of Investigation, which has been submitted by the applicant, and approved by the Planning Authority. Following the completion of this initial phase of archaeological work, a summary report will be prepared and a mitigation strategy detailing the approach to further archaeological excavation and/or preservation in situ, shall be submitted to the Local Planning Authority.

Reason - In order to ensure that Heritage Assets are not harmed by the proposed development.

- 21 No development or preliminary groundwork can commence on those areas of the development site containing archaeological deposits, until the satisfactory completion of archaeological fieldwork, as detailed in the mitigation strategy, which has been signed off by the Local Planning Authority.

Reason - In order to ensure that Heritage Assets are not harmed by the proposed development.

- 22 Following completion of the archaeological fieldwork, the applicant will submit to the Local Planning Authority a post-excavation assessment (within six months of the completion date, unless otherwise agreed in advance with the Planning Authority), which will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason - In order to ensure that Heritage Assets are not harmed by the proposed development.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Agent, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Archaeology Advisory Note

A professional team of archaeologists should undertake the archaeological work. In the first instance a programme of trial trenching investigation will be required.. A brief outlining the level of archaeological investigation will be issued from this office on request. Tendring District Council should inform the applicant of the recommendation and its financial implications.

For further advice, please contact:

Teresa O'Connor
Historic Environment Officer
Telephone: 03330 136852
Mobile :07786 125894
Email: teresa.oconnor@essex.gov.uk

Landscaping Informative

The Landscaping Scheme required by Condition 4 should include details of tree, shrub and hedgerow planting to enhance the appearance of the development.

Highways Informatives

1. All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all purpose access) will be subject to the Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway by the ECC.
2. All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

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Colchester Highways Depot,
653 The Crescent,
Colchester
CO4 9YQ

The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Boundary Treatments Informative

Condition 18 - The required boundary details should include post and rail fencing and landscaping along all rear boundaries of the dwellings. 1.8 metre high close boarded fencing to the side boundaries of the central field access will not be acceptable and post and rail fencing and landscaping should be provided in this location also.