

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	05/10/2018
Planning Development Manager authorisation:	AN	8/10/18
Admin checks / despatch completed	SB	08/10/18.

Application: 17/02118/OUT **Town / Parish:** Frinton & Walton Town Council

Applicant: Mr Pearce - Aspire Homes

Address: Martello Caravan Camp Site Kirby Road Walton On The Naze

Development: Outline erection of residential development comprising four terrace houses (three storey) and 6 detached bungalows with associated parking, access and turning.

1. Town / Parish Council

Frinton & Walton Town Council Approval

2. Consultation Responses

Anlian Water Services Ltd Available capacity for discharge – conditions for foul/surface water drainage required.

Building Control and Access Officer Agent to ensure that Type 3 turning facilities are provided for a firefighting appliance.

Essex County Council Archaeology Full archaeological evaluation required.

Historic England Historic England consider that the current application for housing development would result in a degree of harm to the significance of the designated heritage asset but that it has the potential to cause less impact on the setting of the Martello Tower than would result from the implementation of the extant planning permission. Given that heritage assets are irreplaceable any harm or loss should require clear and convincing justification.

Environment Agency Following further discussions regarding this application we have reviewed our position and are satisfied that we can remove our holding objection, providing that you are satisfied that the development would be safe for its lifetime and you assess the acceptability of the issues within your remit.

The applicant has sequentially sited all proposed development within Flood Zone 1. The access and egress route travels through Flood Zones 3 and therefore does not have a safe route of access.

Sequential and Exception Tests

The site is located within Flood Zone 1 with a 'low probability' of flooding, with less than a 1 in 1000 annual probability of river flooding in any year (<0.1%). Therefore, the Sequential and Exception Tests

will not need to be undertaken as part of this planning application.

ECC SuDS Consultee

As the Lead Local Flood Authority (LLFA) this ECC provides advice on SuDS schemes for major developments. ECC have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council, and their appointed consultants, looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

This response follows on from the response provided by ECC (reference SUDS-002620 dated 1st June 2018) and considers the additional information provided by the agent on 20th and 29th of June 2018.

The following additional information is acknowledged as being provided in response to the previous concerns raised.

1. Outflow rates are noted as being limited to 2.2l/s for the 1 in 100 year +30 allowance for climate change.
2. Storage volume calculations have been presented demonstrating that flows will be held within the drainage system for up to the 1 in 100 year +30 allowance for climate change.
3. The drawing (reference 12929: 01 rev C issued for construction) denotes the presence of a Klargester Class 1 bypass separator with high level alarm. Demonstration that extent of water quality treatment is sufficient for the level of pollution hazard present at the site will require demonstration in adherence with the quantification methods outlined in chapter 26 of the CIRIA SuDS Manual C753. Where this cannot be provided, additional or alternative treatment methods will be sought via condition.
4. The route to outfall has been proposed by means of a pumping station with associated surface water rising main, discharging to a manhole located at the site entrance denoted as Manhole S02 via a backdrop connection. It is considered from the LLFA review of the scheme that there are opportunities for shallow storage of surface runoff at the site which would negate the requirement for pumping. It is also considered that there may be the potential for infiltration at the site which has not been fully explored to date. ECC LLFA will be open to consideration, at full planning application / reserve matters stage, of alternative drainage arrangements which promote the use of shallow storage which negate the requirement for pumping and utilise where possible any potential for infiltration.

Response

Having reviewed the revised Surface Water Drainage Strategy and the associated documents, acting on behalf of ECC we do not object to the granting of planning permission based on the following:

Condition 1

No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority.

The scheme should include but not be limited to:

- Limiting discharge rates from the site to a maximum of 2.2l/s for the 1

in 100 year plus climate change rainfall event.

- Provide sufficient surface water storage so that the runoff volume is discharged at a rate that does not adversely affect flood risk and that unless designated to flood that no part of the site floods for a 1 in 100 year plus climate change rainfall event.

- Final modelling and (or) calculations for all areas of the drainage system.

- Demonstration of an appropriate level of treatment for all runoff leaving the site, in adherence with the quantification methods outlined by CIRIA SuDS Manual C753.

- Demonstration through relevant test methods to be agreed with the LLFA the availability for infiltration, with infiltration to be considered as part of the detailed design process where demonstrated to be available.

- Detailed engineering drawings of each component of the drainage scheme.

- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.

- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

- To ensure the effective operation of SuDS features over the lifetime of the development.

- To provide mitigation of any environmental harm which may be caused to the local water environment

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

Condition 2

No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 3

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

Reason

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

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, ECC advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

ECC Highways Dept

No objections subject to;

Prior to occupation of the development, the access at its junction with Arthur Ramsome Way shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 33 metres in both directions. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

Prior to occupation of the development the vehicular turning facilities, as shown on the submitted plan shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Prior to the first occupation of the development, the proposed access road shall be constructed as a shared use route to a width of 5.5 metres to the satisfaction of the Local Planning Authority.

There shall be no discharge of surface water onto the highway.

Prior to commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.

Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Any single garages should have a minimum internal measurement of 7m x 3m

Any double garages should have a minimum internal measurement of 7m x 6m

Any tandem garages should have minimum internal measurements of 12m x 3m

Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

3. Planning History

17/02118/OUT	Outline erection of residential development comprising four terrace houses (three storey) and 6 detached bungalows with associated parking, access and turning.	Current
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4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL3 Minimising and Managing Flood Risk

QL6 Urban Regeneration Areas

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

ER18 Caravan and Chalet Parks

EN1 Landscape Character

EN13 Sustainable Drainage Systems

EN23 Development Within the Proximity of a Listed Building

EN29 Archaeology

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG9 Private Amenity Space

HG14 Side Isolation

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PPL1 Development and Flood Risk

PPL3 The Rural Landscape

PPL7 Archaeology

PPL9 Listed Buildings

PP14 Priority Areas for Regeneration

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

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 site is within the grounds and setting of the Martello Tower, which is a grade II listed building and a Scheduled Ancient Monument. The land is cleared now but was previously covered in a mix of grass and hardstanding and used for the siting of caravans in connection with the former holiday caravan park known as Martello Caravan Park. It is defined as a brownfield site in accordance with the NPPF.

Beyond the application site to the north stands the recently constructed extra care or assisted living apartments granted planning permission on 30 March 2015 under reference 14/01303/FUL. Beyond this to the north is land which has been granted planning permission on 3 November 2016 for the erection of 216 residential dwellings under planning reference 15/01714/FUL. Construction work has commenced. Further again to the north lies The Twizzle and a marina. To the east is a mere used by the Walton-on-the-Naze yacht club with its marina. Mill Lane is located to the east and serves residential properties that back onto the land outside of the application site. To the south are two sites that have been granted planning permission for Class A1 retail stores. One is a now expired planning permission for a Tesco supermarket (Planning reference 11/00244/FUL granted planning permission on 19 October 2012). The second site is for an Aldi store (Planning reference 15/00666/FUL granted on 3 November 2015), which is again an extant planning permission. Further again to the south of the former Martello Caravan Park are residential properties on the southern side of Kirby Road that front towards the Martello site entrance and residential development located off the High Street (Churchfield Road - which also forms the boundary with the Walton Conservation area) that back towards a public car park providing a buffer to the southern edge of the Martello site. West of the site are the residential cul-de-sacs of Warde Chase and Brian Bishop Close which are separated from the sites boundaries by the width of the farm track that runs parallel with the sites western boundary.

The site lies outside of, but directly adjacent to the settlement boundary of Walton in the adopted local plan. It also lies outside of but immediately adjacent to the urban regeneration area identified by Policy QL6. The site lies inside the revised settlement boundary of the emerging local plan, taking into account its proposed allocation as a mixed use redevelopment site in the Walton Regeneration Framework and the extant planning permissions described above.

Proposal

This application proposes the erection of 10 properties (4 townhouses and 6 detached bungalows). The application is in outline form with layout and access being considered.

The layout plan provides shows the properties facing north onto the existing road/parking area serving the recently constructed care home located to the north-west. The town houses are to be sited at the entrance to the development set forward of the 6 no. bungalows to the east. Each property is shown to be served by 2 no. parking spaces and a turning head is located at the eastern end of the development.

Appraisal

Principle

The site lies outside of the Settlement Development Boundary of the Saved Local Plan (Tendring District Local Plan 2007) but within the SDB of the draft Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017). The site also lies within a protected caravan park designation in the saved plan (Policy ER18) which is not carried forward into the emerging plan due to the granting of residential/care home development on the remainder of the site.

In this instance the site falls within the former Martello Caravan site for redevelopment and is situated adjacent to the approved retail development to the south. To the north, land has been allocated within the emerging local plan for residential development. This is the subject of a planning permission (15/01714/FUL) for the demolition of existing buildings, re-profiling of ground levels and erection of 216 residential dwellings together with associated access, car parking, landscaping and related works. This development proposal seeks to provide additional residential development in a central location within the overall site in amongst other compatible uses.

The basis for any decision on a planning application is required to consider the land use planning policy in the first instance and then alongside any other material considerations. The site is a brownfield site and in a sustainable location (albeit out of town centre) and is accessible by a range of means of transport - including public transport, walking and cycling as well as by car. The Council's assessment of the application takes into account the NPPF presumption in favour of sustainable development and the status of the adopted local plan and the emerging local plan and also has regard to other material considerations. Undue weight has not been given to any one policy but regard has been had to all three arms of the sustainability criteria of the NPPF which cannot be judged in isolation and to the strong material consideration that exists in that the site no longer operates as a caravan park (Policy ER18 is therefore carries little, if any, weight).

Subsequently, it is considered that the principle of residential development is acceptable.

Layout

The layout of the development, along with access, is a matter under consideration at this stage. The layout of the properties follows the logical linear form of the existing road and addresses the Martello Tower and future development to the north. The town houses are to be sited at the western end of the development forming a gateway enclosure into the remainder of the development and parking areas to the east. This is an acceptable arrangement and the exact details of the appearance of the properties and particularly the end terrace facing the main access can be secured at reserved matters stage. The properties are all shown to be provided with 2 no. parking spaces each and garden sizes in accordance with the requirements of the saved local plan. There will also be the opportunity to provide pockets of vegetation throughout the development to assist in softening views of the built form.

Overall the layout would be sympathetic to the pattern of built form in the vicinity whilst ensuring each property is served by sufficient amenity and parking provision.

Residential Amenities

The development is situated a sufficient distance from the closest dwellings to the east fronting Mill Lane not too cause any harm to existing residential amenities. The layout also shows sufficient separation to the care home to the north not to cause any loss of privacy, light or outlook to residents.

The layout plan shows a close relationship with the properties to the previously proposed Tesco store to the south. However, the permission for the Tesco store has now lapsed ensuring any poor relationship between the two developments is no longer a concern.

Highways

ECC-Highways have no objections to access and layout subject to securing the following requirements;

- the access junction at Arthur Ransome Way being served by 2.4m x 33m visibility splays;
- the vehicular turning head being provided;
- no unbound materials used in the 6m of the access;
- access width being 5.5m;
- no surface water discharge onto the highway;
- details of access road/footways;
- parking bays/garages to be of a size commensurate with the current parking standards;
- provision of residential travel information packs.

The majority of these conditions are not required as the access road has already been constructed to serve the care home and parking area. The conditions relating to the turning head and parking dimensions are necessary as is the requirement for residential travel information packs.

Flood Risk/Drainage

Upon submission of a site specific Flood Risk Assessment the Environment Agency have confirmed that they have no objections to the development. The EA confirm;

- The site is located within Flood Zone 1 with a 'low probability' of flooding, with less than a 1 in 1000 annual probability of river flooding in any year (<0.1%). Therefore, the Sequential and Exception Tests will not need to be undertaken as part of this planning application.

The EA also state that whilst an emergency flood evacuation plan is proposed, the Council should be satisfied with the Plan or otherwise refuse planning permission on the grounds of safety during a flood event as users would be exposed to flood hazards on access and egress routes.

For this reason it is felt that a suitably worded condition to secure a Flood Evacuation Plan is appropriate.

Anglian Water Services have confirmed that the foul drainage from this development is in the catchment of Walton on the Naze Recycling Centre and that it will have available capacity for these flows. They request that surface water discharge is controlled by a condition.

Essex County Council, as Sustainable Drainage consultee, originally objected to the submitted drainage Flood Risk Assessment on grounds that it does not comply with the requirements set out Essex County Council's Detailed Drainage Checklist and, in particular, that the development does not provide the 1 in 1 greenfield surface water discharge rates post development.

Having reviewed the revised Surface Water Drainage Strategy and associated documents they have removed their holding objection subject to conditions securing details, provision and maintenance of the drainage strategy.

Heritage Impact

A key material consideration in the determination of this application has been its effect on the setting and appearance of the Martello Tower located in close proximity to the site. The Martello Tower is a Scheduled Ancient Monument and Listed Building.

The Planning (Listed Buildings and Conservation Areas) Act 1990 S. 66 imposes a general duty as respects listed buildings (including Scheduled Ancient Monuments) in the exercise of planning functions.

In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Saved policy EN23 in the saved Local Plan seeks to resist development proposals that would adversely affect the setting of listed buildings and Policy resists development that will adversely affect nationally important archaeological sites and their setting. Scheduled Ancient Monuments are referred to in paragraph 6.142 of the supporting text for the latter policy. Policy PP9 in the emerging Local Plan similarly gives protection to the setting of listed buildings and scheduled ancient monuments as heritage assets.

The applicant has submitted a heritage statement to consider the significance of the Martello Tower K and the potential impact of the development on its significance and its setting. Historic England commented on the previous applications for the 60 bed extra care unit; the approved apartments for disabled adults on this site and concluded that the proposed developments offered the opportunity to improve the setting of the Martello Tower, particularly against the context of the current legal (albeit ceased) use of the site as a caravan park which was considered to be more harmful. With this latest proposal, Historic England have stated the following;

- The current application proposes the introduction of residential housing flanking the southern side of the open compound in which the Martello Tower was sited. Whilst this development would be equally alien in terms of its impact upon the historic setting of the Martello Tower, the proposals have the potential to create a less intrusive southern edge to development around the Martello Tower. In conclusion they consider that the current application for housing would result in a degree of harm to the significance of the designated heritage asset, but that it has the potential to cause less impact on the setting of the Martello Tower than would result from the implementation of the extant planning permission.

With the submitted material and Historic England's advice, Officers consider that the harm to the setting of the Martello Tower has been properly considered and that the balance is tilted towards approval of the development, particularly given that Historic England have agreed that the development would have a less of an impact upon the heritage asset than the extant permission for assisted living apartments.

The impact upon underground heritage assets will be secured via condition as recommended by ECC-Place Services.

Other Considerations

Frinton & Walton Town Council recommends approval of the application.

2 letters of objection have been received outlining the following concerns;

- The piecemeal planning applications have diluted that general objective. It appears the Council has not - to date - been able to retain the balance of private profit and public good. There is now no funding for the Martello Tower's conservation, no group practice, little social housing and no apartments for disabled persons.
- None of the development is identified for social housing or key-worker housing (no requirement for affordable housing provision on a development of 10 no. dwellings)

- The bungalows' siting is poor. Overshadowed by the future supermarket's height, the bungalows' orientation does not encourage sun in rooms/gardens yet low-level winter sunshine is particularly helpful in adding warmth and brightness. This is not a sensitive quality design.

(appearance of the dwellings is a reserved matter, notwithstanding this point the permission for the Tesco store has now lapsed).

- There is little consideration to the reality of the site's exposure to flooding and even less to its context - the relationship to an Ancient Monument - and a supermarket site. And no consideration for the quality of design that maximises the benefits of sun and protects against the blast of east coast winds. In my view it is an ill-considered and insensitive proposal.

- Housing in this location would be wholly inappropriate and would compromise the existing care home on the adjoining site.

6. Recommendation

Approval - Outline

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

Reason - To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 Application for the approval of Reserved Matters must be submitted before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 3 No development shall be commenced until plans and particulars of "the Reserved Matters" referred to in the following conditions relating to the Appearance, Landscaping and Scale have been submitted to and agreed in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason - The application as submitted does not provide sufficient particulars for consideration of these details.

- 4 Prior to occupation of the development the vehicular turning facilities, as shown on the submitted plan 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.

- 5 There shall be no discharge of surface water onto the highway.

Reason - To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

- 6
 - Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.
 - Any single garages should have a minimum internal measurement of 7m x 3m
 - Any double garages should have a minimum internal measurement of 7m x 6m
 - Any tandem garages should have minimum internal measurements of 12m x 3m

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

- 7 Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

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

- 8 No development or preliminary ground-works can commence until a programme of archaeological investigation 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 through re-design of the development, shall be submitted to the local planning authority.

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 - The Tendring Historic Environment Characterisation project and Essex HER show that the proposed development is located within an area with potential for below ground archaeological deposits. The development would result in harm to non-designated heritage assets with archaeological interest.

- 9 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 - The Tendring Historic Environment Characterisation project and Essex HER show that the proposed development is located within an area with potential for below ground archaeological deposits. The development would result in harm to non-designated heritage assets with archaeological interest.

- 10 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason - To prevent environmental and amenity problems arising from flooding.

- 11 No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority.

The scheme should include but not be limited to:

- Limiting discharge rates from the site to a maximum of 2.2l/s for the 1 in 100 year plus climate change rainfall event.
- Provide sufficient surface water storage so that the runoff volume is discharged at a rate that does not adversely affect flood risk and that unless designated to flood that no part of the site floods for a 1 in 100 year plus climate change rainfall event.
- Final modelling and (or) calculations for all areas of the drainage system.
- Demonstration of an appropriate level of treatment for all runoff leaving the site, in adherence with the quantification methods outlined by CIRIA SuDS Manual C753.

- Demonstration through relevant test methods to be agreed with the LLFA the availability for infiltration, with infiltration to be considered as part of the detailed design process where demonstrated to be available.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason -

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

- 12 No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

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

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

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

- 14 Notwithstanding the provisions of Article 3, Schedule 2 Part 1 Classes A, B and E 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), there shall be no additions to the properties, nor shall any buildings, swimming or other pool enclosures be erected except in accordance with drawings showing the design and siting of such additions or building(s) which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - It is necessary for the Local Planning Authority to be able to consider and control further development in order to ensure that the property retains sufficient private amenity space and the impact upon the character of the locality is not harmed.

- 15 In respect of the access and layout matters only, the development hereby permitted shall be carried out in accordance with the following approved plans; Amended Block Plan (Dated 4th January 2018).

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

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 Applicant, 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.

Highway Informatives

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.

Highway Works - All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to 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:

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

Cost of Works - 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.

Site Workers - Steps should be taken to ensure that the Developer provides sufficient turning and off loading facilities for delivery vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	<input checked="" type="radio"/> NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	<input checked="" type="radio"/> NO