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2 No unbound materials shall be used in the surface treatment of the proposed vehicular access within 6 metres 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.

3 The existing access or any part of an access or dropped kerb rendered redundant or unnecessary by this development shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the re-statement to full height of the highway verge/footway/kerbing to the specifications of the Highway Authority, immediately the proposed new accesses are brought into use.

Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway and to prevent indiscriminate access and parking on 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 The development shall not be occupied until such time as the car parking and turning area, indicated on the approved plans, has been hard surfaced and sealed. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development 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.

5. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

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 to ensure accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

Additional Note:

With reference to the above condition the applicants attention should be drawn to the recent alterations to householder "permitted development" in so far as there is now the need to provide a permeable solution (SUDS) for the hard standing to reduce the cumulative impact of surface water run-off and overloading of sewers.

6. Garages - dimensions.

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

All double garages should have a minimum internal measurement of 7m x 5.5m

NOTE: Although it appears the garage dimensions do not meet our Parking Standards due to the parking that is being provided for each dwelling this should not be an issue for this application.

7 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.

8 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.

Informative1: The proposed turning facilities are totally reliant on self-management and the area being kept free from any obstructions requiring an open boundary between the two dwellings and the occupant's content with vehicles crossing the boundary line.

Informative2: 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

Environmental Protection

I have reviewed the application and have the following comments to make;

There is an indication of contamination from our contaminated land database register. Prior to the commencement of the proposed dwellings, the applicant is advised to undertake a suitable, sufficient site investigation and any necessary risk assessment to ensure the land is free from significant levels of contamination.

Environmental protection would require a validation report/closure report with photographic evidence, documentation and audit trail for importation/removal of material on site. Therefore standard

contaminated land condition is to be applied.

In order to minimise potential nuisance to nearby existing residents caused by demolition/construction works, Environmental Protection ask that the following below is conditioned;

' 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.

' The use of barriers to mitigate the impact of noisy operations will be used where possible. This may include the retention of part(s) of the original buildings during the demolition process to act in this capacity.

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

' All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.

' Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed. Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.

3. Planning History

93/00743/FUL	Construct two storey wing on the north side and parapetsto existing two storey cottage	Approved	04.08.1993
05/01747/OUT	Demolition of existing house and replacement with 2no detached dwellings and double garages	Refused	30.11.2005
06/00568/OUT	Demolition of existing house and replacement with 2 no. semi-detached dwellings and double garages.	Refused	12.07.2006
07/01331/FUL	Demolition of exisitng derelict dwelling and replacement with one detached house, with detached double garage.	Refused	03.10.2007
08/00074/FUL	Demolition of existing derelict dwelling and replacement with 1 No. detached house and detached double garage, and alterations to existing vehicular access.	Refused (Approved at appeal)	12.03.2008
18/01294/FUL	Replacement semi-detached dwellings and detached double	Refused	02.10.2018

garages.

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

COM6 Provision of Recreational Open Space for New Residential Development

EN1 Landscape Character

EN3 Coastal Protection Belt

EN5A Area Proposed as an Extension to the Suffolk Coasts and Heaths AONB

HG1 Housing Provision

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

HP5 Open Space, Sports and Recreation Facilities

LP1 Housing Supply

LP2 Housing Choice

LP4 Housing Layout

SP1 Presumption in Favour of Sustainable Development

PPL2 Coastal Protection Belt

PPL3 The Rural Landscape

SPL1 Managing Growth

SPL3 Sustainable Design

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

Site Description

This application relates to an irregular shaped parcel of land on the eastern side of Primrose Hill, within the parish of Wrabness. The character of the surrounding area is semi-rural; to the north are scatterings of built form, whilst adjacent to the south is a detached two storey property constructed in weatherboarding. The wider character becomes far more rural however, with large areas of agricultural land to all sides. At the present time the site is in a state of disrepair, with steel fencing to the front west facing elevation and numerous building materials scattered across the site. The

site is not situated within a recognised Settlement Development within both the Saved Tendring Local Plan 2007 and the Emerging 2013-2033 Tendring Local Plan Publication Draft.

Proposal

This application seeks planning permission for the erection of a pair of semi-detached dwellings, each with detached garages, to replace the previously implemented permission for one replacement dwelling (reference number 08/00074/FUL).

History

Under planning ref: 08/00074/FUL, planning permission was refused for the erection of one detached dwelling with a double garage following the demolition of the existing dwelling, on the grounds its size and height would be an intrusive and imposing feature, detrimental to visual amenity and the local character.

This decision was overturned at appeal stage (appeal ref: APP/P1560/A/08/2079919/WF). Following this decision, initial groundworks were carried out, as referenced by Building Control ref: 11/08374/IN, to ensure the permission had been implemented; however the submitted plans indicate that these works were never concluded due to the previous occupant suffering from financial issues.

Under planning decision 18/01294/FUL, permission was refused for the erection of two semi-detached dwellings. This was because the additional dwelling to that previously approved was treated as a new dwelling outside of a Settlement Development Boundary, whilst the detached garages were overly prominent and out of keeping with the street scene.

Since this most recent decision there has been a material change in policy regarding applications sited outside of a Settlement Development Boundary, as will be explained in detail below, whilst the proposed garages have been reduced in size and relocated.

Assessment

1. Principle of Development

Paragraph 79 (d) of the National Planning Policy Framework (2018) states planning policies and decisions should avoid the development of isolated homes in the countryside unless the development would involve the subdivision of an existing residential dwelling.

The proposal submitted would result in the replacement of the previously approved detached dwelling with a pair of semi-detached properties. The agent for the application has clarified within the submitted plans that the footprint of the two dwellings would be similar to that previously approved; the previous dimensions being 8.8m height, 18.8m width and a depth of 9.1m, and the proposed dimensions being 7.77m height, 19.7m width and 12.4m depth. Therefore in terms of the increased scale of the dwellings, given the dimensions are relatively similar there are no principle concerns. However, the previously approved scheme also included one detached garage, measuring 5.2m height, 5.8m width and 7.4m depth, whilst the proposal includes two detached garages measuring 4m height, 4.6m width and 6.8m depth. This is a significant increase to that previously considered acceptable. Therefore, in allowing this to be accepted, it would set a precedent that could result significant harm to the open countryside and therefore the proposal must be considered as an additional dwelling sited outside of a recognised Settlement Development Boundary.

The site lies outside of a recognised Settlement Development Boundary, as defined by the adopted Tendring District Local Plan (2007) and the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017). Saved Tendring District Local Plan (2007) Policy QL1 sets out that development should be focussed towards the larger urban areas and to within development boundaries as defined within the Local Plan. These sentiments are carried forward in emerging Policy SPL1 of the Publication Draft.

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 a 5% or 20% buffer to ensure choice and competition in the market for land). If this is not possible, housing policies are to be considered out of date and the presumption in favour of sustainable development is engaged with applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not.

The Council can demonstrate, with robust evidence, a five-year supply of deliverable housing sites and this has been confirmed in recent appeal decisions. This is based on a housing requirement of 550 dwellings per annum which has been confirmed as sound by the Inspector for the Local Plan examination on 27 June 2018 (Examination of the Strategic Section 1 Plan - Meeting the Need for New Homes (Plan chapter 4)). Therefore policies for the supply of housing are not out of date and applications for housing development are to be determined in accordance with the Local Plan.

Therefore, having regard to the latest housing land supply figures and with the emerging Local Plan progressing well, officers consider that greater weight can be given to Section 3 (Plan-Making) of the NPPF. Under this section, paragraphs 15, 17 and 20 state that the planning system should be genuinely plan-led, must include strategic policies to address local planning authority's priorities for the development and use of land, and should set out an overall strategy for the pattern, scale and quality of housing development.

Emerging Policy SPL1 of the Publication Draft of the Local Plan 2017 includes a 'settlement hierarchy' aimed at categorising the district's towns and villages and providing a framework for directing development toward the most sustainable locations therefore being in line with the aims of the aforementioned paragraphs 15, 17 and 20 of the NPPF. This is the emerging policy equivalent to Saved Policy QL1 of the adopted Tendring District Local Plan 2007 which states that development should be focussed towards the larger urban areas and to within development boundaries as defined within the Local Plan.

There would be conflict with Saved Policy QL1 and Emerging Policy SPI1 in terms of the site's location beyond the settlement development boundary. However, while the NPPF advocates a plan-led approach, it is important to consider whether any circumstances outweigh the conflict. Development should be plan led unless material considerations indicate otherwise and it is accepted that the site is not in a preferred location for growth.

In line with Paragraph 8 of the National Planning Policy Framework (2018), achieving sustainable development means meeting an economic objective, a social objective and an environmental objective. Each is assessed below.

Economic:

Officers consider that the proposal would contribute economically to the area, for example by providing employment during the construction of the development and from future occupants utilising local services, and so meets the economic arm of sustainable development.

Social:

The NPPF seeks to support a prosperous rural economy. It promotes sustainable transport and seeks a balance in favour of sustainable transport modes to give people a real choice about how they travel recognising that opportunities to maximise solutions will vary between urban and rural areas. With regard to the social dimension, this means supporting strong, vibrant and healthy communities by supplying the housing required to meet the needs of present and future generations and creating a high quality environment with accessible local services.

The proposal site itself is detached, approximately 0.2 miles, from the Settlement Development Boundary of Wrabness, which is defined within Policy SPL1 as a Smaller Rural Settlement. In the Council's "Local Plan Settlement Hierarchy" document (April 2016) Wrabness is identified as a smaller rural settlement with no defined village centre, employment area, good bus route, primary school or GP surgery. Further, there are no footpaths or street lighting connecting the application site with the Wrabness settlement.

However, that notwithstanding it is also acknowledged that the site itself is located within extremely close proximity to two bus stops, located approximately 50m to the south on either side of Wrabness Road. These bus services link the site to Dovercourt/Harwich to the east and Manningtree/Colchester to the west. As a result the proposal is, on balance, considered to be sited within a socially sustainable location that would likely avoid the use of a private vehicle to complete everyday trips.

Environmental:

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Paragraph 127 of the National Planning Policy Framework (2018) states that planning policies and decisions should ensure developments will add to the overall quality of the area, are visually attractive and are sympathetic to local character and history.

Policy QL9 and EN1 of the Tendring District Local Plan 2007 (Saved Plan) seeks to ensure that development is appropriate in its locality and does not harm the appearance of the landscape.

Policy EN3 of the Adopted Local Plan states development within a Coastal Protection Belt should not significantly harm the landscape character and quality of the undeveloped coastline. The sentiments of this policy are carried forward within Policy PPL2 within the Emerging Local Plan.

The proposed dwellings are to be sited within a semi-rural location which also forms part of a Coastal Protection Belt and is also within the proposed extension to an Area of Outstanding Natural Beauty. However it is acknowledged that the immediate surrounding area to the north and south sees a number of residential properties which the pair of semi-detached properties would be sited in line with. The site itself is currently in a poor state and it is noted that planning permission 08/00074/FUL, which is for a single dwelling with a similar scale and footprint to that being proposed, can be constructed regardless of the determination of this application. Therefore, on balance, there is not considered to be significant identifiable harm to the areas important character and the proposal meets the environmental strand of sustainability.

2. Design, Layout and Appearance

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed dwellings are to be semi-detached, two storeys and sited to the south of 'Myskyns' along Primrose Hill. The dwellings will be accessed via a new access point created to the west of the site off Primrose Hill. The siting of the dwellings will be approximately in line with existing development to the north and south, sited in the same location to the detached dwelling previously approved, and will therefore help to build upon the existing building line. Therefore there is no identifiable harm with the dwellings proposed siting.

In terms of the design of the dwellings, they are symmetrical and include key features to help break up the bulk of the proposal, including chimneys, front and rear dormers, brick plinths and front gables. The use of red brick, cream render and clay tile will also be an acceptable use of materials.

The previously approved scheme included one detached garage, measuring 5.2m height, 5.8m width and 7.4m depth, which was to be sited to south-west of the site slightly set back from the highway. With regards to the two proposed detached garages, each are sited to the north-west and south-west corners of the site. However, following the submission of amended plans these have both been reduced to single garages and have also been set back approximately 6m from the highway. It is therefore concluded the harm identified within planning refusal 18/01294/FUL has

now been overcome; the garages have been significantly reduced and thereby will not appear overly prominent within the street scene.

Policy HG9 of the Saved Tendring Local Plan 2007 states that private amenity space for a dwelling of three bedrooms or more should be a minimum of 100 square metres. The information that has been supplied shows that this is comfortably achieved for both new dwellings.

3. Impact to Neighbouring Amenities

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Whilst the two dwellings will be visible to the existing residential properties to both the north and south, there is an approximate separation distance of 8.5m to both neighbouring boundaries, which will ensure no significant loss of light or the dwellings appearing imposing. In terms of potential overlooking, the dwellings have been designed to ensure that the only first floor side elevation windows are to serve an en-suite and bathroom, which would all be obscure glazed. The first floor rear elevation windows, all serving bedrooms, will not have views into the south-facing property's amenity area, whilst views to the north-facing property will be limited to the rear of the garden, an area less likely to be regularly occupied.

Therefore the impact to neighbouring amenities is considered acceptable.

4. Highways

Essex County Council Highways have been consulted as part of this application and have stated the proposal is acceptable subject to conditions relating to vehicular access width, the use of no unbound materials, details that show the prevention of the discharge of surface water, the existing access point being permanently closed, a car parking and turning area, the inclusion of a Construction Method Statement and any boundary hedging to be planted 1m back from the highway boundary.

Adopted Car Parking Standards state that for a dwelling of two or more bedrooms, provision should be made for a minimum of two parking spaces measuring 5.5m x 2.9m or a garage, if being used as one of the parking space, should have a minimum internal measurement of 7m x 3m. The submitted plans show the proposed garages do not accord with the above measurements; however there is sufficient space to the front of each dwelling to accommodate the necessary parking requirements.

5. Tree and Landscapes Impact

There are no trees or other significant vegetation on site beyond a single Laurel, which is located on the boundary of the highway. This however does not merit retention or protection by means of a tree preservation order.

The eastern boundary abuts Stour Wood and steps were required to ensure that no harm is caused to the trees within the wood and close to the application site. Accordingly a tree report has been supplied by the agent for the application which included tree protection measures and new hedge and tree planting to the western boundary.

The information supplied within this tree report is sufficient to demonstrate the development can be implemented without causing harm to the trees on the site and adjacent land, whilst the planting proposed is sufficient to secure a good boundary feature.

6. Legal Obligations

Following consultation with the Council's Public Open Space team, they have stated that although there is a deficit of open space and play in Wrabness, as the application involves a replacement it is unlikely this will add to the current deficit. Therefore no contribution is required on this occasion.

Other Considerations

Wrabness Parish Council has no objections to the application.

There has been no other letters of representation received.

6. **Recommendation**

Approval.

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 numbers 28-2018-01P, 28-2018-02PC, 28-2018-03P, 28-2018-04P, 28-2018-05PA, 28-2018-06PA and 28-2018-07PB.

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

- 3 Prior to the first occupation of the proposed dwelling, the proposed vehicular access shall be constructed to a width of 5.5m and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.

Reason: To ensure that all vehicles using the private drive access do so in a controlled manner and to ensure that opposing vehicles may pass clear of the limits of the highway, in the interests of highway safety

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

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

- 5 The existing access or any part of an access or dropped kerb rendered redundant or unnecessary by this development shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the re-instatement to full height of the highway verge/footway/kerbing to the specifications of the Highway Authority, immediately the proposed new accesses are brought into use.

Reason: To ensure the removal of and to preclude the creation of un-necessary points of traffic conflict in the highway and to prevent indiscriminate access and parking on the highway, in the interests of highway safety.

- 6 The development shall not be occupied until such time as the car parking and turning area, indicated on the approved plans, has been hard surfaced and sealed. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development thereafter.

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

- 7 Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

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.

- 8 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.

- 9 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.

- 10 No development hereby permitted shall commence until the specific requirements of paragraphs numbered 1 to 3 below have been satisfied. If unexpected contamination is found after development has commenced, no further development shall be carried out on that part of the site affected by the unexpected contamination until the requirements of paragraph 4 have been complied with in relation to such contamination.

1. Site Characterisation - An investigation and risk assessment, in addition to any assessment provided within the planning application, shall be carried out in accordance with a scheme to assess the nature and extent of any contamination of the site. The investigation and risk assessment shall be undertaken by a competent person and a written report of the findings shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments; and

(iii) an appraisal of options for remediation and a proposal with preferred option(s). This appraisal shall be conducted in accordance with the Environment Agency Model Procedures for the Management of Land Contamination (CLR 11).

2. Submission of Remediation Scheme - A detailed Remediation Scheme to ensure that the site is suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted

to and approved in writing by the Local Planning Authority. The scheme shall include all works of remediation to be undertaken, remediation objectives and criteria, timetable of works and related site management procedures. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the use of the land after remediation.

3. Implementation of Approved Remediation Scheme - The Remediation Scheme required under paragraph 2 above shall be carried out in accordance with its terms prior to the commencement of any works of construction on site unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be notified in writing a minimum of two weeks prior to commencement of the remediation scheme works of the date that the remediation works will commence. Following completion of the measures identified in such approved Remediation Scheme, a verification report to demonstrate the effectiveness of the remediation carried out shall be submitted to the Local Planning Authority.

4. Reporting of Unexpected Contamination - In the event that contamination is found which was not previously identified, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken in accordance with the requirements of paragraph 1 above and, where remediation is necessary, a new Remediation Scheme shall be prepared in accordance with the requirements of paragraph 2 above and submitted to and approved in writing by the Local Planning Authority. Following completion of all necessary measures identified in such Remediation Scheme as may be approved, a verification report shall be submitted to and approved in writing by the Local Planning Authority in accordance with paragraph 3 above. In such circumstances, no further works of development shall be carried out to that part of the site until such time as the requirements of this paragraph have been satisfied.

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

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.

Environmental Protection:

In order to minimise potential nuisance to nearby existing residents caused by demolition/construction works, Environmental Protection ask that the following below is conditioned;

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.

- The use of barriers to mitigate the impact of noisy operations will be used where possible. This may include the retention of part(s) of the original buildings during the demolition process to act in this capacity.

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

- All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.

- Adequate and suitable measures should be carried out for the minimisation of asbestos fibres during demolition, so as to prevent airborne fibres from affecting workers carrying out the work, and nearby properties. Only contractors licensed by the Health and Safety Executive should be employed. Any redundant materials removed from the site should be transported by a registered waste carrier and disposed of at an appropriate legal tipping site.