

DELEGATED DECISION OFFICER REPORT

| AUTHORISATION | INITIALS | DATE |
|---|----------|------------|
| File completed and officer recommendation: | ML | 12/02/2019 |
| Planning Development Manager authorisation: | AN | 14/2/19 |
| Admin checks / despatch completed | ER | 14/2/19 |

Application: 18/01863/DETAIL **Town / Parish:** Elmstead Market Parish Council

Applicant: Mr Oliver Hookway - Go Homes Ltd

Address: Charity Field Land South of Colchester Road Elmstead

Development: Erection of up to 50 dwellings and a new community building, provision of dual-purpose car park, new village allotments and public open space. (Reserved Matters including Appearance, Layout and Scale)

1. Town / Parish Council

Elmstead Parish Council

Elmstead Parish Council is in favour of this reserved matters application subject to the following:

- Our support is subject to the adoption of the informal revised plans with the housing on the south side of the access road only, and the land to the north being gifted to the parish council to ensure it is not built up in the future with infill housing.
- The developer is to be responsible for planting the hedging/trees shown along the northern boundary.
- The plans include a much-needed new community centre for which we need the funding of £400k from Planning Application 18/01884/FUL.

2. Consultation Responses

Anglian Water Services Ltd

The foul drainage from this development is in the catchment of Thorrington Water Recycling Centre that will have available capacity for these flows.

Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. The developer has indicated a pumped regime, however, no pump rate or connection point has been provided to conduct an accurate assessment at this time as per drawing 1041665. We therefore request a condition requiring phasing plan and/or on-site drainage strategy.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No

evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H.

Tree & Landscape Officer

The applicant has submitted a tree survey and report that has been carried out in accordance with BS5837: 2012 Trees in relation to design, demolition and construction: Recommendations.

The information provided shows that there is sufficient separation between the built development and the boundary trees to avoid harm being caused to them.

ECC Highways Dept

The information that was submitted in association with the application has been fully considered by the Highway Authority.

From a highway and transportation perspective the impact of the proposal has been assessed and this Authority does not wish to raise an objection to the above application subject to the following conditions:

- Prior to the first occupation of the development, the proposed road junction at its bell mouth junction with School Road shall be constructed at right angles to the highway boundary and to the existing carriageway as shown in principle in the Journey Transport Planning Road Safety Audit (Stage 1) Document Drawing Numbered JTP 10717 - DR1 to a carriageway width of 5.5 metres with 2 metre width footways on both sides of the junction.
- Prior to first occupation of the development, the road junction at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 90 metres to the north and 2.4 metres by 90 metres to the south as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of obstruction above 600mm at all times.
- Prior to first occupation of the development the size 3 vehicular turning facilities shown in principle in the Preliminary Site Plan, drawing no. 2017-948-002 Rev C 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 adjacent carriageway.
- Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.
- Each vehicular parking space which is bounded by walls or other construction shall have minimum dimensions of 3.4 metres x 5.5 metres.
- Each tandem vehicular parking space shall have minimum dimensions of 2.9 metres x 11 metres to accommodate two vehicles.
- 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
- Prior to first occupation of the development the vehicular accesses

shall be constructed at right angles to the proposed footway/ carriageway. The width of the access at its junction with the highway shall not be less than 3 metres (3 metres minimum - 6 metres maximum), shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.

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

- For the proposed junction for the new Village Hall, the proposed private drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of carriageway.

- Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splays.

- The Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to first occupation and retained at all times.

- Prior to first occupation of the proposed dwelling, 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.

- No development shall take place, including any ground works or demolition, until a Construction Method Statement 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 underbody washing facilities

ECC Schools Service

No comments received

Tree & Landscape Officer

With the exception of the new Village Hall and Car Park the amended site layout plan shows all of the built development on the southern side of the proposed new spine road serving the development. In itself this does not alter the impact of the development on the local landscape character or on the trees on the land.

In respect of the trees, the applicant has previously submitted a tree survey and report that is in accordance with BS5837: 2012 Trees in relation to design, demolition and construction: Recommendations.

The changes in the site layout retain sufficient separation between the built development and the boundary trees to avoid harm being caused to them.

In terms of soft landscaping the proposed changes will necessitate new plans being provided showing new planting for both the built part of the development and the open space. This information should be provided prior to the determination of the application.

Waste Management All access roads to be constructed to a suitable standard to allow access and manoeuvring of a 26 tonne refuse vehicle.

ECC SuDS Consultee Lead Local Flood Authority position

Having reviewed the documents which accompanied the planning application, we would recommend the issuing of a holding objection on the basis of the following:

The information provided does not allow us to assess the development. Please provide information as required within the Detailed Design Checklist on Essex County Council's website: <https://flood.essex.gov.uk/new-development-advice/how-to-design-suds-in-essex/detailed-drainage-design-checklist/>

Tree & Landscape Officer The site is currently in agricultural use and has no trees or other vegetation in the main body of the land. There are a number of trees and other vegetation situated on the application site boundaries.

From the information provided on the site layout plan it appears that there is sufficient separation between the built development and the boundary trees to avoid harm being caused to them ' however this is not supported by evidence.

The exception to the above retention of trees is those in the general location of the proposed new vehicular access. These trees have been 'ring barked' that is: to prune in such a way that a section of wood is removed from the main stem to kill them. This has presumably been carried out to avoid any potential issues with the construction of the new road.

In terms of the other retained trees on the site boundary; whilst it may not be necessary for the applicant to provide a full tree survey and report in order to show the extent of the constraint that they are on the development potential of the land; they should provide a plan showing the position of the Root Protection Areas (RPA's) of the trees.

This information will need to show that development does not compromise the integrity or viability of retained trees and show how retained trees will be physically protected for the duration of the construction phase of any consent that may be granted

The information should be in accordance with BS5837: 2012 Trees in relation to design, demolition and construction: Recommendations.

In terms of soft landscaping the applicant has submitted a detailed and comprehensive scheme showing new planting that is sufficient to enhance the appearance of the development.

Environmental Protection Construction and demolition noise/dust/light:

Site Clearance, Demolition & Construction In order to minimise potential nuisance to nearby existing residents caused by construction and demolition works, Pollution and Environmental Control ask that the following is conditioned

Prior to the commencement of any site clearance, demolition or construction works, the applicant (or their contractors) shall submit a full method statement to, and receive written approval from, the Pollution and Environmental Control.

Noise Control

- 1) 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.
- 2) 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 Monday to Friday. 0800-1300 on Saturdays with no working of any kind permitted on Sundays or any Public/Bank Holidays.
- 3) The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228:1984.
- 4) Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).
- 5) Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Pollution and Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.
- 6) If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Pollution and Environmental Control prior to the commencement of works.

Emission Control

1) A scheme of measures for the control and suppression of dust emissions shall be submitted to and approved in writing by the L.P.A. Such agreed works shall be implemented in the approved form prior to the commencement of any development of the site and shall be maintained in the approved form until the development is completed and ready to be signed off as complete for the permitted purpose

- 1) All waste arising from the demolition process, ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.
- 2) 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.
- 3) All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

Lighting control

1) Any lighting of the site under development shall be located, designed and directed [or screened] so that it does not cause avoidable intrusion to adjacent residential properties/ constitute a traffic hazard/cause unnecessary light pollution outside the site boundary. "Avoidable intrusion" means contrary to the Code of Practice for the Reduction of Light Pollution issued by the Institute of Lighting Professionals.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on

3. Planning History

| | | | |
|-----------------|---|----------|------------|
| 14/01728/OUT | Erection of up to 50 dwellings and a new community building, provision of dual-purpose car park, new village allotments and public open space. | Refused | 05.01.2016 |
| 18/00431/DETAIL | Reserved matters application following planning approval 14/01728/OUT - Provision of vehicular & pedestrian access from School Road to the application site in accordance with the Highway Authoritys requirements. | Approved | 19.10.2018 |
| 18/01863/DETAIL | Erection of up to 50 dwellings and a new community building, provision of dual-purpose car park, new village allotments and public open space. (Reserved Matters including Appearance, Layout and Scale) | Current | |

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL2 Promoting Transport Choice

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

QL12 Planning Obligations

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG3A Mixed Communities

HG4 Affordable Housing in New Developments

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

COM1 Access for All

COM4 New Community Facilities (Including Built Sports and Recreation Facilities)

COM6 Provision of Recreational Open Space for New Residential Development

COM31A Sewerage and Sewage Disposal

EN1 Landscape Character

EN6 Biodiversity

EN6A Protected Species

EN13 Sustainable Drainage Systems

EN29 Archaeology

TR1A Development Affecting Highways

TR3A Provision for Walking

TR5 Provision for Cycling

TR6 Provision for Public Transport Use

TR7 Vehicle Parking at New Development

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

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

HP5 Open Space, Sports & Recreation Facilities

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

LP5 Affordable and Council Housing

PPL1 Development and Flood Risk

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

CP1 Sustainable Transport and Accessibility

CP3 Improving the Telecommunications Network

Local Planning Guidance

Essex Design Guide

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 application site comprises a 6.24 hectare parcel of undeveloped grassed land situated to the south of Colchester Road (A133) and to the west of School Road. The site's eastern, southern and

part western boundaries are bordered by a mature tree lined hedgerow. The northern boundary comprises a mixture of fences, vegetation and open boundaries to residential properties fronting onto Colchester Road, but with rear gardens facing the application site.

The application site lies outside of a defined settlement development boundary as set out in the Tendring District Local Plan (2007), but largely falls within the Settlement Development Boundary for Elmstead within the Emerging 2013-2033 Tendring Local Plan (2017).

Description of Proposal

This application seeks planning permission for part of the reserved matters following approval of up to 50 residential dwellings under previous planning permission 14/01728/OUT.

The proposal solely relates to the appearance, layout and scale of the development. Further details of the proposed development; namely the landscaping, will be assessed within a future application. Access was previously approved under 18/00431/DETAIL.

As stated above the proposal is the development of 50 two-storey houses, an area of public open space, a new community hall and allotments arranged around a new central access road taken from School Road. The proposed housing mix is as follows:

Private Housing

- 14 x 5-bed houses
- 24 x 4-bed houses

Social

- 7 x 3 bed affordable houses
- 5 x 2 bed affordable houses

The scheme provides for a mix of dwelling sizes and types in line with the Council's adopted and emerging planning policies.

Principle

The principle of development has already been established through the grant of outline planning permission by the Planning Inspectorate on 17th February 2016.

Whilst the Council decided to refuse the outline application with concerns over sustainability, the number of dwellings proposed and the physical relationship of the site to the established settlement, the subsequent appeal was allowed. The Planning Inspector concluded that the development would not cause harm to the character and appearance of the area and the detailed design to be submitted as a reserved matter would be able to accord with Development Plan policies and national guidance on good design. With the lack of a five year supply of housing land, the Inspector considered that the adverse effects of the development would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The reserved matters under consideration as part of this detailed application are:

- Layout;
- Scale; and
- Appearance.

Access was previously approved under planning reference 18/00431/DETAIL and is directly from School Road. Landscaping is to be assessed as part of a future application.

Layout

The original layout submitted showed the majority of the proposed dwellings situated on the northern side of the central spine road to the south of existing residential properties on Clacton Road. The public open space was located within the south-eastern corner of the site separated

from the proposed village hall by the access road. The remainder of the dwellings and allotments were sited on the southern side.

However, following objections from local residents and the parish council amended plans have been received which show the public open space and village hall located on the northern side of the access and the entirety of the dwellings located within the southern element of the site. This ensures a better degree of connectivity between the village hall and the open space and re-locates the proposed dwellings further away from the existing properties to the north. The central access road remains in situ and contains a pedestrian footway at its western end through to an existing housing development. The proposed dwellings are arranged around several spur roads that extend southwards from the spine road and facing northwards onto the central access itself. A further spur road at the western end of the site serves an allotments and parking area.

The development would allow for the retention of all boundary vegetation and the buildings proposed are set back from the highway to allow for planting in key locations throughout the development. Furthermore, property each retains good side isolation to provide a spacious development commensurate with the semi-rural character of the locality. Back-to-back distances between the properties is shown at a minimum of 25m and the relationship between the dwellings and position of openings has been designed to secure future residents privacy and outlook. Within the south-eastern corner of the site the social housing backs onto School Road, however in this location there is dense vegetation present on the boundary to the highway meaning that from a visual sense this arrangement would not be unacceptable.

Overall it is considered that the proposed layout is acceptable for this location, that the development is well related to the proposed open space and would not have any adverse effects on neighbouring properties. The layout seeks to follow well established 'secured-by-design' principles and would be well contained within the rural landscape at the village edge due to the presence of mature vegetation on the southern boundary of the site. The proposed open space meets with the Council's requirements in terms of size and is well located to provide an attractive 'village green' type appearance in views from within the site.

Policy HG9 in the adopted Local Plan sets minimum private amenity standards for new dwellings which require a minimum of 100 square metres for any house of 3 or more bedrooms, 75 square metres for any 2 bed house and 50 square metres for any 1 bed house. All of the plots on this development achieve these minimum requirements.

Scale and Appearance

The proposed height of properties throughout the site, at two-storeys, is acceptable for the area with very few neighbouring properties affected by the development due to the development being re-located south.

Ten of the properties (plots 2, 5, 26, 28, 37, 38, 40, 41, 44 and 46) are to be design Type A which is a grand traditional-looking property with decorative porch, mock sash windows and a hipped roof with five bedrooms. The materials for these properties will be either white render or a buff brick under a grey slate roof.

Four of the properties (plots 33, 42, 43 and 50) are to be design Type B, a five-bed detached house again with decorative porch feature, grand dimensions and a hipped roof. These properties also include a clad garage element with accommodate over to their side flank. This design will utilise a combination of yellow brick, grey boarding to the garage element and grey slate to the roofs.

Plots 3, 23, 29, 32, 47 and 47 will be design Type C which is a four-bed detached house comprising of a 'L' shaped layout with a dual frontage. For this reason the majority of these properties are sited on key corner plots throughout the development. These properties again take on a traditional hipped roof appearance with a decorative porch element and sash windows. These properties will comprise of a variety of materials including grey, blue and green boarding with buff and red brick on the returning flanks. These properties comprise of grey slate roofs.

Design Type D is for plots 1, 4, 6, 20, 25, 27, 31, 34, 35, 36, 39 and 45 and comprises of a traditional pitched roof property with a cladded front projecting pitched roof gable element. These properties will accommodate four bedrooms and incorporate a mix of green and white cladding to the gable elements and red or buff brick under a brown tile or grey slate roof.

Type E is for plots 19, 21, 22, 24, 30 and 48 and comprises of a traditional pitched roof eaves frontage property finished in a variety of different colour cladding.

The 12 x affordable housing units are located towards the southern-eastern corner of the site and comprise of two housing types. Type F and Type H are semi-detached units comprising of 2 and 3 bedrooms. These will be constructed with a mix of boarding and red brick and have features including roof canopies and brick detailing above the windows to add interest. Housing Type G comprises of two rows of 4no. dwellings. The terraces are formed through the placement of two cladded gable elements at either end with eaves fronted properties located centrally. Again these comprise of a mixture of red brick and coloured cladding.

The design of the properties themselves are considered to be of an acceptable quality and appearance and given the lack of context with the site being somewhat contained within itself, there are no issues with being sympathetic with local character.

The village hall, which forms a requirement of the legal agreement secured at outline stage, is situated in the north-eastern corner of the site with parking wrapping around its eastern and southern elevations. The hall is shown to comprise of shallow pitched roofs and small subservient partly cladded elements. The village design is acceptable and reflects its functional use.

Legal Obligations/Conditions

Outline planning permission was granted by the Planning Inspector subject to planning obligations contained within a legal agreement that was submitted at the time of the appeal. The obligations within that document, to which the applicant is bound, relate to education contributions, open space, the provision of a village hall/public open space/allotments and affordable housing.

The outline permission requires, through way of condition, the applicant to submit a construction method statement, sustainable urban drainage scheme, ecological mitigation strategy, scheme of archaeological works, bus stop enhancements in the local vicinity and residential travel plans. The relevant conditions are yet to be discharged.

Highways

ECC-Highways previously agreed the specifications of the main access point onto School Road via the reserved matters application submitted last year. ECC-Highways have commented on the internal layout proposed and have no objections subject to several conditions. The majority of the conditions requested are either reflected on the submitted layout plan or secured at outline stage. As such only conditions securing the provision of parking/turning areas and no unbound materials in the first 6m of any access shall be included.

In terms of parking provision, the majority of the properties are served by in excess of 2no. spaces. Added to this additional parking is provided in the form of 13 no. visitors spaces, 7 no. allotment parking spaces and 44 village hall spaces. This provision is considered to comfortably accord with the requirements of the current parking standards.

Trees

The Council's Trees Officer provides the following comments;

'The amended site layout plan shows all of the built development on the southern side of the proposed new spine road serving the development. In itself this does not alter the impact of the development on the local landscape character or on the trees on the land.

In respect of the trees, the applicant has previously submitted a tree survey and report that is in accordance with BS5837: 2012 Trees in relation to design, demolition and construction: Recommendations. The changes in the site layout retain sufficient separation between the built development and the boundary trees to avoid harm being caused to them.

In terms of soft landscaping the proposed changes will necessitate new plans being provided showing new planting for both the built part of the development and the open space. This information should be provided prior to the determination of the application'.

However, as stated above the landscaping proposals are to be the subject of a further reserved matters application to be submitted shortly.

Other Considerations

Elmstead Parish Council is in favour of this reserved matters application subject to the following:

- Our support is subject to the adoption of the informal revised plans with the housing on the south side of the access road only, and the land to the north being gifted to the parish council to ensure it is not built up in the future with infill housing. (Secured via amended plans and the S106).
- The developer is to be responsible for planting the hedging/trees shown along the northern boundary. (Can be sought via the Landscaping Reserved Matters application to follow).
- The plans include a much-needed new community centre for which we need the funding of £400k from Planning Application 18/01884/FUL.

15 letters of objection were received to the original plans which showed housing on the northern side of the spine road. The objections included concerns in respect of the following;

- Properties on northern side is not what was previously agreed with developers and would result in loss of privacy, outlook and light to existing residents.
- Increase in traffic on School Road and Clacton Road junctions.
- Access point has resulted in the removal of trees.
- Against the principle of development in this location due to the impact on the village and local facilities.
- Poor outlook and lack of privacy for local residents.
- Concerns over parking and link through to existing estate to the west.
- Community centre and public open space are separated by the access road, therefore is not safe.

Following the resubmission of revised plans 2 letters of representation have been received concerning traffic congestion in around and Elmstead and concerns over the potential for users of the community hall to cause noise and disturbance to local residents. (This can be avoid by a condition securing fencing on the northern side of the hall detracting users from causing disturbance at the rear of properties to the north).

6. Recommendation

Approval

7. Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

- 2017-948-200
- 2017-948-083
- 2017-948-083A
- 1800323-P-10
- 2017-948-003B
- 2017-948-004B
- 2017-948-005B
- 2017-948-006B
- 2017-948-010A

- 2017-948-011A
- 2017-948-012A
- 2017-948-020A
- 2017-948-021A
- 2017-948-030A
- 2017-948-031A
- 2017-948-040A
- 2017-948-041A
- 2017-948-042A
- 2017-948-050A
- 2017-948-051A
- 2017-948-060A
- 2017-948-061A
- 2017-948-070A
- 2017-948-071A
- 2017-948-080B
- 2017-948-081B
- 2017-948-082A
- 2017-948-090
- 2017-948-091
- 2107-948-002D

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

- 2 Each residential unit and the community hall shall not be occupied until such time as its respective vehicle parking area, as indicated on the approved plans, including any parking spaces for the mobility impaired, have been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

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

- 3 Prior to first occupation of the development the size 3 vehicular turning facilities shown on drawing no. 2017-948-002 Rev D 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 in accordance

- 4 No unbound material shall be used in the surface treatment of the vehicular accesses within 6 metres of the adjacent carriageway.

Reason - To avoid displacement of loose material onto the carriageway in the interests of highway safety.

- 5 Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splays.

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

- 6 Prior to the first use of the proposed community hall details of its operational hours and a fencing plan to control the movement of users shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be adhered to thereafter.

Reason - To protect the amenities of existing residents to the north of the hall.

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

The areas directly adjacent to the carriageway in which the trees are to be planted should not be less than 3 metres wide, exclusive of the footway and the trunks of the trees should be no nearer than 2 metres to the channel line of the road. The same dimensions should be used in situations where the footway is located adjacent to the carriageway.

Under Building Regulations B5, access for fire tenders is required to a point not further than 45 metres from the entrance to the dwelling. Any road or private drive forming part of such a fire access must be no less than 3.7 metres wide between kerbs (this may be reduced to 3.1 metres for a gateway or similar short narrowing) and should have a minimum centre line bend radius of 6.55 metres. The access way should be capable of carrying a 12.5 tonne vehicle. A cul-de-sac which is more than 20 metres long must have a turning head of a least Size 3.

Any 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:

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

Please note that there are conditions on the appeal decision APP/P1560/W/16/3153567 that require discharging prior to commencement of work.

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| 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 |