

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	FD	22-7-19
Planning Development Manager authorisation:	TF	24-7-19
Admin checks / despatch completed	ER SB	25/7/19 25/07/19

Application: 18/00898/DETAIL **Town / Parish:** Frinton & Walton Town Council

Applicant: Miss Hannah Short - Linden Ltd

Address: Land East of Halstead Road Kirby Cross

Development: Phase 3 reserved matters application for 91 dwellings.

1. Town / Parish Council

Frinton and Walton Town Council

Provide the following comments;

The development continues to be of poor design and not in keeping with the surrounding area. Lack of detail in regard to infrastructure and detrimental to the rural aspect of the locality. Would have liked to see parking provision for the primary school.

Recommend the application be refused.

2. Consultation Responses

Building Control and Access Officer

The access for fire fighting vehicles would not appear to meet the provisions within Approved Document B.

Waste and Recycling Manager

No comments.

Policy Section

Tree & Landscape Officer

The land forming part of Phase 3 of the development does not contain any significant trees other than those on the southern boundary. The trees, hedgerows and hedges are associated with the adjacent residential areas and do not merit formal legal protection.

The soft landscaping proposals are comprehensive and sufficiently detailed to enhance the appearance of the development.

Anglian Water Services Ltd

The submitted surface water drainage information (Flood Risk Assessment/Drainage Strategy) and proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of our jurisdiction and we are unable to provide comments on the suitability of the surface water discharge. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly

involves the discharge of water into a watercourse.

Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented. A connection to the public surface water sewer may only be permitted once the requirements of the surface water hierarchy as detailed in Building Regulations Part H have been satisfied. This will include evidence of the percolation test logs and investigations in to discharging the flows to a watercourse proven to be unfeasible.

Department For
Environment Food and
Rural Affairs

No comments received

Essex County Council
Archaeology

The Archaeology team provide the following comments:

"The application relates to a proposed development which is situated on land that has been evaluated through archaeological trial trenching. No further fieldwork was required within the area of Phase 3 and there is no recommendation for any archaeological investigation for the above application."

ECC Highways Dept

The Highways Team provides the following comments;

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

1. Prior to the occupation of any of the proposed development the internal road and footway layout shall be provided in accord with revised Drawing Numbered 17215 - P304 C
Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety and in accordance with Policy DM 1.
2. Prior to the 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.
Reason: To ensure that roads and footways are constructed to an acceptable standard, in the interests of highway safety and in accordance with Policy DM 1 and 6.
3. The development shall not be occupied until such time as a car parking and turning area has been provided in accord with current Parking Standards. These facilities shall be retained in this form at all times and shall not be used for any purpose other than the parking and turning 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.
4. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres; while each tandem vehicular parking space shall have minimum dimensions of 2.9 metres x 11 metres to

accommodate two vehicles.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8.

5. 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.

Reason: To encourage the use of garages for their intended purpose and to discourage on-street parking, in the interests of highway safety and in accordance with Policy DM8

6. 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.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative 1: All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to the Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway by the ECC.

Informative 2: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

Informative 3: 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."

Environment Agency No comments received.

Suffolk County Council No comments received.
Essex Wildlife Trust

Natural England No comments received.

Arch. Liaison Off, Essex No comments received.

Adult Social Care	No comments received.
NHS East Essex CCG	No comments received.
Building Control and Access Officer	Access required for fire-fighting appliance to the plots at the north end of the site.
Waste Management	No comments received.
Tree & Landscape Officer	No additional comments

3. Planning History

15/30107/PREAPP	Request for EIA screening opinion for residential development.		11.05.2015
15/30145/PREAPP	Erection of up to 270 dwellings and 40 bed care home, with primary access from Halstead Road and secondary access from Woburn Avenue and Buckfast Avenue, plus car parking for the school and associated open space and play area, SuDs and other infrastructure works.		23.07.2015
15/01234/OUT	Erection of up to 240 dwellings with a community hub including either a 40-bed space care home (Class C2) or a healthcare facility (Class D1) together with access from Halstead Road, Woburn Avenue and Buckfast Avenue; a parking area for up to 30 vehicles; green infrastructure provision including children's play area, kick-about area, footpaths, structural landscaping and biodiversity enhancements; a sustainable drainage system including detention basin and swales and other related infrastructure and services provision.	Refused	07.12.2015
17/30172/PREAPP	240 proposed dwellings, following on from appeal approval 15/01234/OUT. Pre-application advice for DETAIL application.		11.08.2017
17/01895/DETAIL	Phase 1 reserved matters application (49 units) for details of the appearance, landscaping, layout and scale.	Approved	07.03.2018

17/02145/DETAIL	Phase 2 reserved matters application for 28 bungalows on land off Woburn Avenue and Buckfast Avenue.	Approved	19.03.2018
18/00355/DISCON	Discharge of conditions 11 (Phasing Plan and Programme), 12 (Green Infrastructure Management Plan), 13 (Foul Water Strategy), 14 (Surface Water Drainage Strategy), 15 (Written Scheme of Archaeological Investigation), 16 (Construction Method Statement), 20 (Design Code) and 21 (Landscaping Details) of approved planning appeal APP/P1560/W/15/3140113 (planning application 15/01234/OUT).	Approved	19.06.2019
18/00366/DISCON	Discharge of conditions 4 (Ground/Floor Levels, External Lighting, Means of Enclosure, Bicycle Parking and Refuse/Recycling Storage) of approved application 15/01234/OUT (allowed on appeal APP/P1560/W/15/3140113), in relation to Phase 1 only.	Approved	19.06.2019
18/00414/DISCON	Discharge of conditions 4 (Levels, Street Lighting and Refuse details), 10 (Arboricultural Method Statement), 13 (Foul Water Strategy) and 14 (Surface Water Drainage) of approved planning appeal APP/P1560/W/15/3140113 to planning application 15/01234/OUT, in relation to Phase 2 only.	Current	
18/00503/DISCON	Discharge of conditions 6 (roads & footways) and 11 (planning out crime) of 17/01895/DETAIL, in relation to Phase 1 only.	Approved	18.03.2019

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

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
- 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
- COM6 Provision of Recreational Open Space for New Residential Development
- COM19 Contaminated Land
- COM26 Contributions to Education Provision
- EN1 Landscape Character
- EN2 Local Green Gaps
- EN6 Biodiversity
- EN11A Protection of International Sites European Sites and RAMSAR Sites
- EN13 Sustainable Drainage Systems
- EN29 Archaeology
- TR1A Development Affecting Highways
- TR2 Travel Plans
- TR3A Provision for Walking
- TR4 Safeguarding and Improving Public Rights of Way
- TR5 Provision for Cycling
- TR6 Provision for Public Transport Use

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

HP3 Green Infrastructure

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

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

PPL6 Strategic Green Gaps

PPL7 Archaeology

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Essex Design Guide

Status of the Local Plan

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

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term

sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

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

In relation to housing supply:

The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination In Public of the Local plan. Therefore, the justification for reducing the weight attributed to Local Plan policies is reduced as is the weight to be given to the delivery of new housing to help with the deficit.

5. Officer Appraisal

Site Description

The application site forms part of larger part of land stretching from Halstead Road to Buxton Avenue on the northern side of Kirby Cross.

Outline consent for the erection of up to 240 dwellings with a community hub including either a 40 bed space care home (Class C2) or a healthcare facility (Class D1) together with access from Halstead Road, Woburn Avenue and Buckfast Avenue; a parking area for up to 30 vehicles; green infrastructure provision including children's play area, kick-about area, footpaths, structural landscaping and biodiversity enhancement; a sustainable drainage system including detention basin and seales and other related infrastructure and services provision was granted at appeal on 6th September 2016. Phase 1 and 2 of the development have already been approved and are currently under construction. This application relates to Phase 3 which is situated towards the south-west of the site, to the east of Phase 1 of the development.

Proposal

This application seeks approval for the reserved matters of Phase 3 of the development for up to 240 dwellings, approved at appeal in September 2016. It includes details of appearance, landscape, layout and scale which were not included as part of the outline application. Details of access were approved as part of the outline application.

This phase of the development includes 91 dwellings in the form of a mix of traditional two storey houses, 1 ½ storey chalets and single storey bungalows. The proposed mix of dwellings is as follows:

4 x 1 bed maisonettes
6 x 2 bed bungalow
13 x 2 bed house
2 x 3 bed bungalow
3 x 3 bed chalet
23 x 3 bed house
37 x 4 bed house
3 x 5 bed house

The area of proposed development will be accessed via two points of access from Phase 1. Along the southern boundary the proposed development will form a continuation of Phase 1; otherwise the site is separated from the built form of Phase 1 and proposed Phase 4 by an area of open space. To the north of site is an area of open space approved under Phase 1 of the development.

A S106 legal agreement was secured at outline planning permission stage requiring: The provision of affordable housing, contributions towards education and healthcare, the provision and maintenance of public open space; and a residential travel information pack including bus vouchers. This legal agreement and all conditions on the outline consent will apply, unless already discharged or varied.

Principle of Development

The principle of development residential development on this site has been established by the granting of the outline application at appeal. To reflect this decision the site is now included within the Settlement Development Boundary in the Tendring District Local Plan (2013-2033) and Beyond Publication Draft (Emerging Plan).

Appearance

The detailed design of the dwellings is varied with different roof forms, height and use of porches and window detailing which adds a somewhat traditional element to the design and provides visual interest.

The surrounding area comprises of a mixture of type and styles of dwellings, using a range of materials all fairly traditional in appearance, it is therefore considered that the design of the proposed dwellings are in keeping with the character of the area. The design and appearance is in keeping with previous Phases that have been granted reserved matters consent.

Landscaping

The land subject to this application does not contain any significant trees other than those on the southern boundary. The trees, hedgerows and hedges are associated with the adjacent residential area and do not merit formal legal protection. As part of the application detailed landscaping plans have been submitted; the soft landscaping proposals are comprehensive and sufficiently detailed to enhance the appearance of the development.

Whilst the location of boundary treatments have been provided no details of the type, height and design have been. However, this is an issue that can be dealt with by condition.

Layout

Each of the proposed dwellings, have their own private amenity space. Policy HG9 of the Saved Local Plan requires 50 sq.m for 1 bed dwellings; 75 sq.m for 2 bed dwellings and 100 sq.m for dwellings with 3 or more beds. For flats, the policy sets out a requirement for either: a minimum of 25 sq.m per flat provided communally; or a minimum of 50 sq.m private garden area for a ground

floor flat or maisonette and a minimum balcony area of 5 sq.m for units above. All the dwellings are provided with garden areas which meet or exceed this standard.

All of the proposed dwellings address the street and create an active street frontage.

Parking is provided either to the front or sides of the dwellings, in appropriate locations throughout the site and therefore do not dominate the proposed development.

In conclusion there is no objection to the layout of the proposed development.

Scale

The proposal includes a mix of single storey bungalows, one and a half storey dwellings and two storey dwellings.

Conditions imposed on the outline consent restricts this phase of development to predominately two storeys in height up to 10m with the northern part of the site being restricted to bungalows up to 7 metres in height. The proposed development complies with this condition and therefore the scale of the dwellings is considered acceptable.

Highway Safety/Parking

The proposed access was agreed at outline stage and therefore is not under consideration as part of this application. However, the internal layout is a matter for consideration as part of this application.

Essex County Council Highways have been consulted on the application and raise no objection subject to conditions to cover the following: timings of internal road and footways; details of the estate roads and footways; provision and retention of car parking and turning areas; sizes of parking spaces and garages and provision of cycle parking in accordance with the Essex Parking Standards.

Essex County Council Parking Standards state that for one bedroom dwellings 1 off-street parking space is provided and for dwellings with 2 or more bedrooms a minimum of 2 off-street parking spaces are provided. Furthermore, 0.25 space per dwelling should be provided for visitor parking. Each parking space should measure 5.5 metres by 2.9 metres and if a garage is to be relied on it should measure 7 metres by 3 metres internally. The plans show that the proposal provides parking in accordance with the adopted standards.

Provision for cycle storage has not been shown on the plans. However, the garages are of a sufficient size to provide cycle parking and all dwellings have space within the garden area for a shed. Therefore it is considered that adequate cycle parking can be provided and a condition is not considered necessary.

The proposal is therefore acceptable in terms of highway safety. As the plans show compliance with the Essex Parking Standards in relation to sizes of parking spaces and garages it is not necessary to impose conditions to cover this matter, as requested by the Highway Authority.

Impact on Residential Amenity

The nearest residential properties to this phase of development are situated adjacent to the boundary of the site in Orchard Gardens and Chestnut Avenue. Orchard Gardens comprises of only bungalows where Chestnut Avenue is predominately bungalows, with some examples of one and a half storey development.

Along the southern boundary of the site two storey dwellings are proposed, therefore there will be an increase in overlooking to properties adjacent to the southern boundary in Orchard Gardens and Chestnut Avenue.

The Essex Design Guide states that 'with rear-facing habitable rooms, the rear faces of opposite houses approximately parallel and an intervening fence or other visual barrier which is above eye level from the potential vantage point, a minimum of 25 metres between the backs of houses may be acceptable'. It also states that 'where new development backs onto the rear of existing housing, existing residents are entitled to a greater degree of privacy to their rear garden boundary, and therefore where the rear faces of the new houses are approximately parallel to the existing, the rear of new houses may not encroach any closer than 15 metres to an existing rear boundary'.

The proposed dwellings are situated between 15 and 20 metres from the southern boundary of the site. This relationship with the properties in Chestnut Avenue is considered acceptable as they have a side elevation which faces onto the application site and not a rear elevation. Orchard Gardens was given planning permission under reference 16/01446/DETAIL; the plots most affected by the proposed development are Plots 20, 21, 24, 25 and 28 on the approved plan. Plots 20, 25 and 28 have side elevations facing onto the site, the distance between these Plots and the proposed development is between 20 and 23 metres, which is considered acceptable as the relationship is between a side and rear elevation so the above guidance does not apply.

The distance between the rear elevations of Plots 21 and 24 of the Orchard Gardens development and the proposed development is 25 metres which meets the guidance set out in the Essex Design Guide. Therefore whilst there will be some impact, it is not considered that this would be sufficient to warrant a reason for refusal.

The relationship between the proposed dwellings is also considered acceptable with adequate separation to provide good standards of privacy and light.

Financial Contribution - RAMS

This application is accompanied by a unilateral undertaking securing a proportionate financial contribution in line with the Essex Coast RAMS requirements to ensure that this proposal will not have an adverse effect on the integrity of the nearby European sites from recreational disturbance, when considered 'in combination' with other development.

Representations

Two letters of objection has been received which raise the following concerns (officer's response in italics):

- Existing amenities will not cope with the increase of housing in this area (the principle of development has already been established by the granting of outline planning permission at appeal)
- Area cannot cope with the additional traffic (the principle of development has already been established by the granting of outline planning permission at appeal)
- Noise Pollution during construction (a condition was imposed on the appeal decision to restrict the working hours to between 08.00 and 18.00 on Mondays to Fridays and 08.00 and 13.00 on Saturdays and for the development to be carried out in accordance with an approved Construction Method Statement).
- Were assured by Linden Homes that the dwellings which back onto the track running at the end of Chestnut Avenue would be bungalows (there was no condition imposed on the outline consent to restrict the development to providing bungalows in this area of the site, however, the impact on residential amenity has been considered above).
- Require reassurance that the existing hedgerow boundary will be reinstated (details of boundary treatments will be secured by condition).

The Parish Council have made the following comments on the application

- The development continues to be of poor design and not in keeping with the surrounding area (dealt with above)

- Lack of detail in regard to infrastructure and detrimental to the rural aspect of the locality (the principle of development has already been established by the granting of outline planning permission at appeal)
- Would have liked to see parking provision for the primary school (there is an area of parking provided as part of Phase 1 of the development).

6. Recommendation

As established through the granting of outline application 15/01234/OUT at appeal, the principle of residential development on this site is acceptable.

The details design, layout, landscaping and scale are considered acceptable. The proposal would result in no significant material harm to residential amenity or highway safety and the application is recommended for approval.

7. Conditions

- 1) The development hereby permitted shall be carried out in accordance with the following approved Drawing Nos: 17215/C301C, 17215/C302C, 17215/C303A, P301C, P302C, P303C, P304C, P305C, P306C, P307C, P308B, P309A, P310, P311, P312, P315, P316, P317, P318, P321, P322, P329, P330, P331, P332, P333A, P334A, P335, P336, P337, P338, P339, P340, P341, P342, P345, P346, P347, P348, P349, P350, P351, P352, P353, P354, P355, P356, P357, P358, S301, S302, S303, 0110 Rev. P03, 0111 Rev. P01, 0112 Rev. P01, 0115 Rev. P03, 0121 Rev. P04, 0120 Rev. P05, 0130 Rev. P05, 0140 Rev. P04, LIN21877 11A Sheet 1 of 5, LIN21877 11A Sheet 2 of 5, LIN21877 11A Sheet 3 of 5, LIN21877 11A Sheet 4 of 5 and LIN21877 11A Sheet 5 of 5.

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

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

Reason - In the interests of visual amenity and the character of the area.

- 3) Prior to the first occupation of any of the proposed development hereby permitted the internal road and footway layout as shown on the approved plans shall be provided.

Reason - To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety.

- 4) Prior to the commencement of above ground 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. The development shall be carried out in accordance with the approved details.

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

- 5) The development shall not be occupied until such time as the car parking and turning areas as shown on the approved plans have been provided. These facilities shall be retained in

this form at all times and shall not be used for any purpose other than the parking and turning 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.

- 6) No development shall take place until precise details of the provision, siting, design and materials of screen walls and fences have been submitted to and approved in writing by the Local Planning Authority. The approved screen walls and fences shall be erected prior to the dwellings to which they relate being first occupied and thereafter be retained in the approved form.

Reason - To protect the amenities and privacy of occupiers of the adjoining property.

8. Informatives

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.

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

On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

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

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

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

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

Legal Agreement Informative - Recreational Impact Mitigation

This application is the subject of a legal agreement and this decision should only be read in conjunction with this agreement. The agreement addresses the following issues: mitigation against any recreational impact from residential developments in accordance with Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

Are there any letters to be sent to applicant / agent with the decision? If so please specify:	YES	NO
Are there any third parties to be informed of the decision? If so, please specify:	YES	NO