

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	08/08/19
Planning Development Manager authorisation:	AN	8/8/19
Admin checks / despatch completed	Xue	09/08/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	SB	09/08/19

**Application:** 19/00637/FUL **Town / Parish:** Ardleigh Parish Council

**Applicant:** Mr Kerry

**Address:** Land adjacent 2 Shakespeare Cottages Turnpike Close Ardleigh

**Development:** Demolition of pig farrowing unit and erection of two dwellings.

### 1. Town / Parish Council

Ardleigh Parish Council

Ardleigh Parish Council objects to this planning application as the site falls outside a recognised settlement development boundary. Thus development is not supported in either the Saved Tending Local Plan or Emerging Local Plan. The location is semi-rural and lacks local facilities.

The nearest bus service would require a walk of 1.1 miles across the busy A12/A120 junction with no pedestrian walkways. The alternative walk is 2 miles+.

The nearest shop (tesco Highwoods) is 2.3 miles away.

This site is unsustainable. All journeys would need to be by car.

There is limited employment opportunity in the nearby vicinity.

There is no requirement/need for additional detached housing in this area.

### 2. Consultation Responses

ECC Highways Dept

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 dwellings, 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 and provided with an appropriate dropped kerb crossing of the verge.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety in accordance with policy DM1

2. Prior to occupation of the development all vehicular parking and turning facilities 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 with policy DM1.

3. Any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space, retained in perpetuity.

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

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

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.

5. 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.

6. Prior to 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 free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10.

7. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway/carriageway (delete as appropriate).

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway/carriageway (delete as appropriate) is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

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

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.

### 3. Planning History

75/01315/FUL	Modernisation and extn and garage	Approved	02.02.1976
08/01263/FUL	Change of use of outbuilding to class B1(a) office.	Approved	28.11.2008
18/01002/FUL	Demolish existing large garage-workshop and build 2no, 3 bedroom chalet style houses.	Refused	10.08.2018

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

COM6 Provision of Recreational Open Space for New Residential Development

EN1 Landscape Character

EN6A Protected Species

EN11A Protection of International Sites European Sites and RAMSAR Sites

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 & Recreation Facilities

LP1 Housing Supply

LP2 Housing Choice

LP4 Housing Layout

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

SP1 Presumption in Favour of Sustainable Development

SPL1 Managing Growth

SPL3 Sustainable Design

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

### **Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) 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 is 2 Shakespeare Cottages, which is located on the eastern side of Turnpike Close within the parish of Ardleigh. The site is predominantly laid to grass but does feature a large outbuilding which is proposed to be demolished as part of the proposal. The character of the surrounding area is semi-rural, with some sporadic detached residential development mainly to the south; however further out are large areas of grassed and agricultural land. 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.

### Site History

Under appeal reference APP/P1560/W/17/3187651 (Land adjacent Fern View, Turnpike Close, Ardleigh, dated 20 March 2018) planning permission was granted for the erection of three detached dwellings approximately 30 metres to the north. The inspector acknowledged that the development would not be wholly car dependent but there would be some harm arising in accessing local shops and services. However, as the Council was unable to demonstrate a five year housing land supply at this time, the inspector felt that on balance the provision of three dwellings made the proposal acceptable.

Under appeal reference APP/P1560/W/16/3162850 planning permission was granted for the erection of two detached dwellings approximately 60 metres to the south. The inspector once again acknowledged the site is not within walking distance of many services and the A12 and A120 would be notable barriers for many pedestrians; however again afforded it little weight in the context that the Council was unable to demonstrate a five year housing land supply at this time.

Under appeal reference APP/P1560/W/18/3217198 (Site adjacent Evergreen, Turnpike Close, Ardleigh, dated 3 May 2019), planning permission was granted for two dwellings adjacent to the south of the application site. The Inspector confirmed "*there would be limited harm through the location of the proposed dwellings.*"

A similar application was refused on this site (reference number 18/01002/FUL) for two reasons. Initially the site was considered to fall in an unsustainable location outside of a recognised settlement boundary, at a time when the Council was able to demonstrate a five year supply of housing land. The second reason focussed on the cart lodge serving Plot 2, with its height and siting in close proximity to the highway appearing unduly prominent and out of keeping within the street scene.

### Description of Proposal

The application seeks planning permission for the erection of two detached chalet-style residential dwellings following the demolition of the existing pig farrowing unit.

The development proposed is similar to planning reference 18/01002/FUL, however the cart lodge previously serving Plot 2 has now been removed from the scheme.

## Assessment

### 1. Principle of Development

The application site lies outside of a Settlement Development Boundary as defined within the Adopted Tendring 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 National Planning Policy Framework 2019 (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 report, 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.

Whilst it is recognised that there would be conflict with Saved Policy QL1 and Emerging Policy SPL1 in terms of the site being sited outside the settlement development boundary, as stated above, in the context of the 5 year housing land supply paragraph 11 d) of the NPPF requires applications for housing development to be assessed on their merits, whether sites are allocated for development in the Local Plan or not and it is important to consider whether any circumstances outweigh this conflict.

Therefore, at this present time, it is correct to assess the housing development on its merits against the sustainable development objectives set out within Paragraph 8 of the NPPF. The economic objective, a social objective and an environmental objective are therefore 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.

In the Council's "Local Plan Settlement Hierarchy" document (April 2016) Ardleigh is identified as a smaller rural settlement with no defined village centre, employment area or train station. Ardleigh is therefore classed as one of the District's lowest scoring settlements in terms of its sustainability credentials. However in a recent appeal decision immediately adjacent to the south of the current application site (reference APP/P1560/W/18/3217198), the Inspector stated the following:

*"The appeal site is around 1.7 miles from the settlement boundary of Ardleigh under the development plan, which describes the village as a smaller rural settlement with no defined village centre, employment centre or train station.*

*Notwithstanding the above, the appeal site is significantly closer to the market town of Colchester than Ardleigh and therefore I place strong weight on whether future occupiers of the proposed dwellings would be able to readily and sustainably access the substantial services and facilities available within the town. In this regard, I have taken into account decisions APP/P1560/W/17/3187651 and APP/P1560/W/16/3162850 which concerned proposals for residential development close to the appeal site before me.*

*Situated close to the A12/A120 road junction, the journey would be quick and straight-forward by motor vehicle and to a moderately lesser extent by cycle. There is an hourly bus service during the day between Colchester and Ipswich which could be accessed via a bus stop located within walking distance on Ipswich Road to the south of the junction. Although the busy and noisy junction would be an unattractive walking experience for some pedestrians, there is a segregated footway along Old Ipswich Road and formal crossings at the junction.*

*Instead of taking a bus, the journey on foot to Colchester town from the south of the junction would be less than a mile with good coverage of footways and street lighting. However, north of the junction there is limited street lighting on the route to the bus stop and town. Together with the broadly daytime operation of the bus service, this would largely restrict attractive travel options during hours of darkness to the use of private vehicles.*

*There would therefore be some harm in relation to access, through sustainable transport modes, to a comprehensive range of services and facilities available to future occupiers in Colchester. However, these would also be supplemented by closer albeit less comprehensive services. There are some shops, local businesses, the Crown Public House, the Crown Business Park and the Apex 12 Business Park adjacent to the A12/A120 junction. There would also be local employment opportunities associated with these sites, as there would with the Lodge Park Business Centre which is closer still to the appeal site.*

*Taking all into account, and for the reasons I have given, there would be limited harm through the location of the proposed dwellings. The proposal, being situated outside defined settlement development boundaries would be in conflict with Saved Policy QL1 of the Tendring District Local Plan 2007 (LP) which sets out the spatial strategy for Tendring to 2011. However, this policy is several years beyond its defined period of implementation and out-of-date. Therefore, I give the proposal's conflict with it very limited weight."*

Given the proximity of this appeal site to the application site subject of this application, the site therefore is considered to meet the social strand of sustainability.

#### Environmental:

The environmental role is about contributing to, protecting and enhancing the natural built and historic environment. Although the site is located in a fairly rural area there are examples of dwellings nearby to the north and south, with more built form further to the south and south-west. Further, under planning appeal reference APP/P1560/W/18/3217198 there is an extant planning permission for two further dwellings to the south of the site. Against this backdrop, it is not considered that an additional two dwellings in place of an existing large outbuilding would result in significant detrimental harm to fail the environmental strand of sustainability.

## 2. Layout, Design 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 two proposed dwellings are to be detached, 1.5 storey and sited to the south-east of Numbers 1 and 2 Shakespeare Cottages. They will be accessed via an existing access point to the north-west corner of the site off Turnpike Close. The siting of the two dwellings will be set back approximately 8m from 1 and 2 Shakespeare Cottages; however due to there not being a consistent linear pattern of development along Turnpike Close, particularly with the adjacent property to the south 'Evergreen House' also being sited approximately 8m back, there is not significant identifiable harm with the dwellings' proposed siting.

In terms of the proposed design of the dwellings, there is not a principle objection with the 1.5 storey traditional design. Whilst there are some concerns regarding the low eaves height, off centre canopy area and that both dwellings are exactly the same design with no variety, it is also acknowledged that key features have been used to break up the bulk of the dwellings, including front and rear dormers, a brick plinth and chimney. Therefore, on balance, the identified harm is not sufficient to warrant a reason for refusal.

Under the previous refused application on this site, the cart lodge serving Plot 2, which was sited to the front of the dwellings, was considered to be unduly prominent and out of keeping with the street scene. In order to overcome this reason for refusal, the plans have now omitted this cart lodge.

It is acknowledged the reason for refusal also identified that the visual harm is amplified by the inclusion of significant areas of hardstanding to the front of the dwellings. While the scheme will still include this hardstanding area, the loss of the cart lodge certainly reduces the previous harm and, on balance, the proposal is now not considered harmful enough to warrant a reason for refusal.

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 achievable for both new dwellings and for the existing dwelling.

## 3. Impact upon neighbours

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 20-25m to each side. This will ensure no loss of light or that the dwellings will appear imposing. Further, the dwellings have each been designed to ensure no direct overlooking via first floor side elevation windows. Whilst there are two rear dormer windows serving each bedrooms for each property, as the dwellings are well set back and maintain good separation distances, there will be no significant levels of overlooking that would warrant a reason for refusal.

It is also noted that the access for the properties is adjacent to Number 2 Shakespeare Cottage; however given there is approximately 10 metres distance and that the comings and goings associated with two dwellings would not be excessive, any noise disturbances would be minimal.



#### 4. Highways

Essex County Council Highways have been consulted as part of the process of this application and have stated that they have no objections subject to conditions relating the width of the private drive and vehicular parking and turning facilities.

Condition for details of the storage of bicycles and for the submission of a Residential Travel Information Pack were also requested; however given there is significant room within each plots curtilage and that the scheme is not a major development it would not be reasonable to attach these as conditions.

Furthermore, the Council's Adopted Parking Standards require that for dwellings with 2 or more bedrooms that a minimum of 2 parking spaces is required. Parking spaces should measure 5.5 metres by 2.9 metres and garages, if being relied on to provide a parking space, should measure 7 metres by 3 metres internally. Whilst the proposed cart lodges do not meet the above requirements, there is sufficient space to the front of each dwelling to accommodate the necessary parking. Further, there is also sufficient space for the parking of two vehicles at the above measurements for the existing dwelling.

#### 5. Tree Impacts

The application site contains a few small trees at the front of the site although they can only just be seen above the boundary hedge. The trees have very low visual amenity value and do not merit retention or protection by means of a Tree preservation Order. However the boundary hedge is a positive feature and will assist in the screening and enhancement of the completed development.

A soft landscaping condition will be attached to secure an extension to the existing hedge to run the full length of the frontages of both properties. Additionally there appears to be sufficient space immediately to the east of the hedge to plant between 7-10 trees to both enhance the appearance of, and screen the development.

#### 6. Legal Obligations

Policy COM6 of the adopted Tendring District Local Plan 2007 states "For residential development below 1.5 hectares in size, developers shall contribute financially to meet the open space requirements of the development in proportion to the number and size of dwellings built".

There is currently a deficit of -1.70 hectares of equipped play in Ardleigh, with the nearest play areas being sited two miles away. Due to the size and location of the play area to the development, it is not considered this development will have an impact on the existing play areas. Therefore no contribution is being requested on this occasion.

#### 7. Habitats Regulation Assessment

Following Natural England's recent advice and the introduction of Zones of Influences around all European Designated Sites (i.e. Ramsar, Special Protection Areas and Special Area of Conservation). Within Zones of Influences (which the site falls within) Natural England are requesting financial contributions to mitigate against any recreational impact from new dwellings.

Legal advice has been sought in relation to the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) which supports the view that Tendring District Council can seek financial contributions in accordance with the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). A Habitat Regulations Assessment has therefore been undertaken to confirm that the mitigation will be the RAMS level contribution as recommended by Natural England. It is therefore considered that this contribution is sufficient to mitigate against any adverse impact the proposal may have on European Designated Sites. The contribution is secured by unilateral undertaking. There is therefore certainty that the development would not adversely affect the integrity of European Designated Sites in accordance with policies EN6 and EN11a of the Saved Tendring District Local Plan 2007, Policy PPL4 of the emerging Tendring District Local

### Other Considerations

Ardleigh Parish Council has objected to the application for the following reasons:

1. The site is located outside of a settlement development boundary;
2. The site is unsustainable; and
3. There is no requirement or need for additional detached housing in the area.

In answer to this, these points have been addressed within the main body of the report above.

There have been no other letters of representation received.

### Conclusion

Since the determination of the previous application refused on this site in August 2018, the Council is now unable to demonstrate a five year housing land of supply. An appeal decision adjacent to the site has confirmed the site is a suitable location for housing. Given this the principle of development is now considered to be acceptable. Further, following the removal of the previous cart lodge for Plot 2, the works do not appear visually harmful, and therefore the scheme has overcome the previous concerns and accordingly is recommended for approval.

## **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, the untitled Site Location Plan, and drawing numbers A1-101805-5SE, A1-101805-5EE, A1-101805-5SP Rev 2 and A1-101805-5PE Rev 3.

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

- 3 Prior to the occupation of any of the proposed dwellings, 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 and provided with an appropriate dropped kerb crossing of the verge.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety.

- 4 Prior to occupation of the development all vehicular parking and turning facilities shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

- 5 Prior to the commencement of any above ground works, a scheme of hard and soft landscaping works for the site shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include any proposed changes in ground levels and

also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction.

Reason - To enhance the visual impact of the proposed works.

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

Reason -To enhance the visual impact of the proposed works.

## **8. Informatives**

Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways Informatives:

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.

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

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.

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.