

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	<i>my</i>	11/9/19
Planning Development Manager authorisation:	<i>TF</i>	13/9/19
Admin checks / despatch completed	<i>Xne</i>	13/09/19
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Application: 19/00093/DETAIL

Town / Parish: Little Clacton Parish Council

Applicant: South East Developments Ltd

Address: Land West of The Street Little Clacton

Development: Part submission of reserved matters, for 18 dwellings, following outline planning permission on 15/01550/OUT allowed on appeal.
(APP/P1560/W/16/3156070 - erection of 98 dwellings.)

The road layout has been changed from the previous applications which give rise to concern as to what final course the development would take. We would like to see the end result after all phases are complete to ensure that additional properties are not added increasing density and urban sprawl to the development, which was fiercely contested by all parties.

The roadway structure has changed, the new plan goes directly through the proposed 8 Alms-houses. The central Oak, with TPO, which was in the centre of the greensward in front of these properties is now dangerously close to plot numbers 8&9 giving concern to its safety during construction also obstruction of light and view to those properties. The added roadways add to the urbanisation of the development, which should be avoided. Paragraph 31 of the Appeal Inspectors report supports this 'The Appellant was happy to accept the suggested condition regarding conformity with the submitted site plan'.

The existing properties fronting The Street 99, 101 and 103 would have had the garden of one property overlooking them, they now have three, plots 16, 17 and 18. This increases noise, decreases the privacy and view of those existing properties, it also increases the density within that particular area from 2 dwellings to 3. There are now two properties overlooking to the side of existing building 103 The Street, originally one, again decreasing privacy to that property with increase in noise and loss of view, again 3 houses (15, 14, 1) occupying the area which was previously only proposing two increasing the urbanisation and urban sprawl to what should be sympathetic to its rural setting.

Paragraph 33 of the Appeal Inspectors report states 'I am not persuaded a phasing plan is necessary for a development of this size and I have omitted the council's condition 7 accordingly.' We would therefore need to see a complete plan for the development site to assess layout and impact on the rural nature of the village as a whole. It further states 'I have not imposed a condition relating to the maximum number of dwellings as this is contained in the description of development and is therefore unnecessary'. Is the addition of the new roadways, with decreased outside amenity space to the properties creating the urban cramped development which was not desired and had previously been refused, this development was only allowed through presumption and the lack of Local Plan, it would have been refused if a decision was to be made today.

The area which would have had 12 properties to the previous applications now have 18, with decreased outside amenity space, this would add to the cramped estate type of development which has been a reason of Refusal in past applications by all interested parties. The gardens are now overlooking each other rather than back to back which increased the urbanisation of the development and veers away from the more liner approach to which the majority of development within Little Clacton offers, a huge concern to all parties which Objected to this application in previous forms. The newly developed properties would also suffer from lack of privacy/view and increase in noise from the adjoining dwellings.

The contractor's site operating area is close to The Street which would increase dust, noise and view during the build whereas it could be moved to the rear of the development which would cause less concern during the build process. The attention to the cleaning of the wheels of contractor's vehicles (ensuring no excessive mud on the highway), parking of contractors and timed movements would be closely monitored by the residents to ensure that the criteria in place was met.

The road which was to serve to the south side of the outer development has now disappeared and a cul de sac appeared again decreasing linear flow and increasing the feel of urban density. There is also additional roads to the North/West of the site which will give rise to a decrease in public amenity space and sub sequentially increase density to the individual plots with smaller interior and exterior amenity space with an increase to hardstanding decreasing the permeable area with increase to local flooding. One of these roadways also crosses a Public Footpath unlike on the original application.

There also appears to be five trees missing from the previous applications between the development and Swains Farm, also considerably less trees within the drawing of Phase 1 (also to the whole development site) to the application reluctantly given upon Appeal, no doubt due to the increased density of development. From the application given Approval on Appeal all the gardens to a major degree backed onto each other and to the properties already in place on the site boundaries, the proposed plan to phase 1 does not reflect this and the whole development rather than being sympathetically put into place is now becoming the dense urban sprawl which was originally feared.

The increased density would also give rise to decreased light free corridors for the bats which are known to be prevalent in the area., the original plans gave clear site from tree to tree (through much larger back gardens) to allow migration as would be as near as natural without development to occur.

The Geo Tech report that was commissioned for this site was dated June 2018 which is the dry season and does not in our view reflect the historical flooding of this area. As this application is part of a much larger application that was approved by Govt Inspector on appeal, a condition from the Inspector for flooding needs to be robustly enforced. It also needs to be noted that the layout map in the Geo Tech report differs from the application. We find the Geo Tech report flawed in so much as being drafted at the wrong time of year and therefore null and void. We feel a comprehensive survey for drainage for the whole site be commissioned in the wet season, and the existing inadequate main drainage be updated by ways of a CIL contribution.

Historical evidence from Highways tell of inadequate drainage for the area, which shows that soak away systems are not sufficient, and that evidence can be provided if required.

1. Consultation Responses

Natural England	No comments received
Tree & Landscape Officer	<p>The plan shows a Root Protection Area with the RPA being 8.4m which is accordance with the tree report submitted in 2015.</p> <p>As long as the Heras fencing is erected in the location shown on the plan and retained for the duration of the construction phase of the development then the tree should not be harmed by the development proposal.</p>
Tree & Landscape Officer	That looks like a comprehensive and wholly satisfactory soft landscaping scheme.
Building Control and Access Officer	No comments at this stage.
ECC Highways Dept	<p>From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:</p> <ol style="list-style-type: none">1. Prior to the occupation of any of the proposed development the internal road and footway layout shall be provided in accord with principal Block Plan drawing no. 11 Rev. A.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.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.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.5. All single garages should have a minimum internal measurement of 7m x 3m. <p>All double garages should have a minimum internal measurement of 7m x 5.5m.</p> <ol style="list-style-type: none">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.
Environmental Protection	<p>I have reviewed the application and have the following comments to make;</p> <p>I have reviewed the Contaminated land report and it is satisfactory.</p>

Prior to the commencement of the permitted development, the applicant is advised to undertake a suitable and sufficient site investigation and any necessary risk assessment to ensure the land is free from significant levels of contamination. Therefore standard contaminated land condition is to be applied.

In order to minimise potential nuisance to nearby existing residents caused by construction works, Pollution and Environmental Control ask that the following is conditioned;

Prior to the commencement of any 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.
- 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 Saturday (finishing at 13:00 on Saturday) 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 5228:2014.
- 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) All waste arising from the 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.

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 working hours (Control of Pollution Act 1974).

Waste Management	All vehicular access roads to be constructed to standard to accommodate 26 tonne refuse vehicle.
ECC SuDS Consultee	The drainage scheme for this application was approved at outline stage, therefore we have no comment at this stage of the application process. If the drainage scheme for this site changes then we should be reconsulted. However currently the next stage we should comment on for this application is the discharge of conditions stage.

2. Planning History

15/01550/OUT	Residential development of up to 98 dwellings.	Refused (Allowed on Appeal)	25.05.2016
19/00093/DETAIL	Part submission of reserved matters, for 18 dwellings, following outline planning permission on 15/01550/OUT allowed on appeal. (APP/P1560/W/16/3156070 - erection of 98 dwellings.)	Current	

3. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

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

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

COM1 Access for All

COM2 Community Safety

COM6 Provision of Recreational Open Space for New Residential Development

COM23 General Pollution

COM29 Utilities

EN1 Landscape Character

EN6 Biodiversity

EN6A Protected Species

EN11A Protection of International Sites European Sites and RAMSAR Sites

EN13 Sustainable Drainage Systems

TR1A Development Affecting Highways

TR5 Provision for Cycling

TR3A Provision for Walking

TR4 Safeguarding and Improving Public Rights of Way

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

HP1 Improving Health and Wellbeing

HP5 Open Space, Sports & Recreation Facilities

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PPL1 Development and Flood Risk

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

PPL5 Water Conservation, Drainage and Sewerage

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 (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.

4. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is situated on the western side of The Street within the settlement of Little Clacton. The site forms part of a larger piece of land, which extends to 6.57 hectares in size, on which planning permission was granted on appeal for the construction of 98 dwellings. This application relates to the first phase of the development and covers an area of 1.1 hectares with a frontage of 58m onto The Street. This section of the site directly abuts 3 properties to the south which comprise a bungalow and a pair of semi-detached dwellings. On the opposite side of The

Street is a mixture of predominantly bungalows and detached dwellings. The frontage of the site onto The Street is marked by a mature 2/3m high hedgerow. A public footpath crosses the overall site from the centre of The Street frontage connecting to Thorington Road to the north-west. A TPO applies to the land which incorporates several mature trees within the south-western corner of the site.

Proposal

This application seeks approval of the reserved matters for phase 1 which proposes 18 properties. The scheme will provide for eight semi-detached 3 bed houses, six detached 3 bed houses, two detached 4 bed bungalows and two detached 4 bed houses at an overall density of 16.3 dwellings per hectare. This phase of the development is situated in the south-eastern corner of the site and incorporates the vehicular access to the site from The Street.

The issues to be considered in this case pursuant to the terms of the outline permission concern the access, scale, layout, appearance and landscaping of the development.

Planning History

Planning permission was allowed on appeal in January 2017 for the development of 98 dwellings under reference 15/01550/OUT. This permission was accompanied by a Unilateral Undertaking in relation to the provision of affordable housing, open space, and financial contributions toward education and health. The Inspector accepted that the site met the three tests of sustainability which would outweigh the Council's opposition to the site being developed for housing.

Appraisal

The principle of development has already been established through the grant of outline planning permission by the Planning Inspectorate on 4th January 2017.

As all matters were reserved at outline stage the reserved matters under consideration as part of this detailed application are:

- Access;
- Layout;
- Landscaping;
- Scale; and
- Appearance.

Access

The access is situated in the same location as shown on the indicative layout plan submitted at outline stage. The single point of access from The Street will serve the whole development and follows extensive discussions with ECC-Highways in regard to the optimum position along the site frontage to obtain most visibility. The access would consist of a width of 5.5m with 2m wide footways either side. The visibility splays required here are 2.4m x 90m in both directions. These are comfortably achievable with only the loss of a small section of frontage hedgerow.

Internally, just beyond the entrance a private drive would serve 4 dwellings. A shared surface road 6m in width would serve the dwellings to the western side of the site, this will also serve further properties proposed within phase 2 of the development.

In terms of parking provision each property would be served by a minimum of 2 spaces each and in many case more spaces are provided. A further 6 no. visitor's spaces are provided on the eastern/western sides of the development. The size and number of parking bays/garages provided accords with the Council's parking standards.

ECC-Highways have no objections to the development proposals subject to conditions securing the submitted access details and parking areas, details of the estate roads and cycle storage. These details will be secured via condition aside from cycle storage provision as each property is

served by a garage which could be utilised for storage. A further condition ensuring that the site access is provided with 2.4m x 90m visibility splays in perpetuity will be included.

Layout

The layout largely follows the form and highway framework submitted at outline stage. Condition 4 of the appeal decision confirms that the layout should be in 'general conformity' with the indicative layout submitted at outline stage and this is considered to be achieved. To illustrate this point the key principles agreed at outline stage, including the outward facing nature of the development, the highway layout, the open space to the frontage of the development set behind a mature hedgerow and the spacing and nature of the proposed dwellings, is in general conformity. The layout also makes provision for the retention of the mature Oak Tree which will be set within a small green pocket of open space. Between plots 12 and 15 a small private drive is proposed to serve two bungalows. The remainder of the properties are larger family houses with garden sizes meeting the required threshold of 100sqm and above. In addition the spacing between the proposed properties and the relationship with existing dwellings meets the standards set out in the Essex Design Guide and ensures resident's privacy levels will be retained.

Landscaping

A comprehensive soft landscaping scheme has been provided which shows the retention of the frontage hedgerow along with the planting of shrubs to the front of properties and specimen tree planting along the site frontage, within the pocket of open space and to the front of the dwellings arranged along the western side of the site. The scheme provided will assist in enhancing the appearance of the development from key public views within the site and from The Street.

Scale

The development is for 18 properties set on 1.1 hectares of land. This equates to 16.3 dwellings per hectare and accords with the density of built form surrounding the site. The properties proposed are predominantly two-storey in scale aside from the 2 no. bungalows proposed on plots 13 and 14. Set against the surrounding context comprising of a mixture of two-storey, chalet style units and bungalows this is acceptable and means the development would appear sympathetic to character and form of properties in the locality. The properties located directly to the south are traditional two-storey dwellings (semi-detached) of a similar scale to the properties fronting The Street, which secures an appropriate relationship along the eastern frontage of the development facing onto The Street.

Appearance

With a mixed character of property type and style in the vicinity, and with the design of the proposal taking some cues from the Essex Design Guide, it is considered that the scheme would respond positively to local character, provide buildings that exhibit individual architectural quality and house-types with well-defined public and private spaces. The public realm through additional landscaping would also assist in creating a sense of place, and provide streets and spaces that are overlooked and active, promoting natural surveillance and inclusive access, as well as including parking facilities that are well integrated as part of the overall design.

The properties would comprise of a mix of varying materials including red and buff brick along with the use of composite slate and tiles to the roofs. This ensures that the development is varied and relates appropriately to the mixed character of the locality. A particular dwelling type has undergone several amendments (plots 17 & 18). The final design, whilst slightly contrived, is considered to be acceptable and with the use of boarding on the projecting porch area and a balcony area on the set back section it helps to break up the overall bulk of the property.

Overall it is considered that the scale, layout, density, height and massing of buildings and overall elevation design would harmonise with the character and appearance of the surrounding area.

Residential Amenities

The back to back distances from the rear elevations of the new dwellings on plots 16, 17 and 18 to the existing properties on The Street is approximately 45m. This comfortably exceeds the 25m distance as recommended in the Essex Design Guide thereby preserving existing resident's amenity. The properties on plots 14 and 13 are bungalows and therefore avoid overlooking into existing and future resident's gardens. Permitted development rights for roof additions to these units will be removed to avoid future conflict.

The general spacing and orientation of the proposed properties ensure that future and existing resident's outlook and light will be maintained. As stated, above each property would be served by an acceptable level of private amenity space.

Legal Obligations

The outline permission and the associated unilateral undertaking secured the following;

- Education contributions payable prior to commencement of development;
- Health contributions payable prior to commencement of development;
- Affordable housing through the 'gifting' of 7 Almshouses, which will be the subject of a further reserved matters application in due course;
- Open space/play area to be agreed and transferred to the Council.

Legal Obligation - RAMS

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). This also applies to reserved matters applications where the impact of recreational pressures on designated sites was not considered at outline stage.

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 Plan 2013-2033 and Beyond Publication Draft and Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

Other Considerations

The Council's Environmental Protection Team has requested the standard contaminated land condition. However, such a condition was applied to the outline permission and requires discharging prior to the commencement of works.

Little Clacton Parish Council raise the following points;

- Road layout has changed from outline and Oak Tree too close to plots 8 & 9 (Layout is a reserved matter and the general principles agreed in terms of the highway framework are retained. The Council's Tree and Landscaping Officer has confirmed that the submitted plan shows a Root Protection Area with the RPA being 8.4m which is in accordance with the tree report submitted in 2015. Therefore as long as the Heras fencing is erected in the location shown on the plan and retained for the duration of the construction phase of the development then the tree should not be harmed by the development proposal).

- Existing properties 99, 101 and 103 The Street will be subject to overlooking from the proposed development. (The back to back distances from the rear elevations of the new dwellings on plots 16, 17 and 18 to the existing properties is approximately 45m. This comfortably exceeds the 25m distance as recommended in the Essex Design Guide. Existing resident's privacy will therefore be maintained).
- Increase in density from outline on this section of the development. (The indicative plan submitted at outline stage did show less properties situated within this area of the overall development. However, the overall number of units proposed on the whole site remains at 98 and this section of the development has a 16 dwellings per hectare density rate, which is relatively low and ensures that each property is served by sufficient parking and amenity space to meet the relevant policy requirements).
- Need to see whole development masterplan (a development framework has been provided which show the future road layout and open space areas).
- Wheel cleaning required and construction area is too close to The Street (the construction compound is set behind the existing hedgerow which will act as a buffer for existing residents on The Street. A wheel washing procedure is outlined in the submitted CMS).
- Layout results in an adverse impact upon bats due to a lack of corridors. (The outline permission includes a condition securing the submission of protected species surveys prior to commencement of work along with management/enhancement plans to be provided. Furthermore, the main wildlife corridors around the perimeters of the site are all being retained).
- Geotech drainage report out of date (The outline permission includes a requirement for the submission of a full surface water drainage scheme prior to commencement).
- Less trees proposed than at outline stage (Trees shown on the plan at outline were indicative only. Landscaping is a reserved matter and the soft landscaping provision is considered to be comprehensive).

11 letters of objection have been received, outlining the following points;

- Development would ruin the ambience of the village
- Strain on infrastructure including health and education provision
- Traffic congestion on local roads
- Against the principle of development in this location
- Wildlife concerns and surveys are out of date
- Drainage impacts of development
- Higher density than shown on indicative plan at outline stage.

5. Recommendation

Approval

6. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans; Drawing no. 01 (Landscaping Plan), 23D, 22D, 12D, 11C, 32, 31, 30, 29, 28A, 27A, 26A, 25B, 24A, 21B, 20B, 18B, 17B, 16B, 15B, 14B, 13B and 19A.

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 the approved landscaping details drawing no. 1 and associated document titled 'Specification of Works for Proposed Landscaping at New Residential Development at Land off The Street, Little Clacton, Essex, for Southeast Developments Ltd' 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 ensure the implementation of the approved scheme and adequate maintenance of the landscaping for a period of five years in the interests of the character of the conservation area.

- 3 The development shall not be occupied until such time as the road, turning, driveways, parking bays and garages have been provided in accordance with the approved plans and shall be retained in this approved form thereafter.

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

- 4 The approved Construction Method Statement received on 2nd May 2019 shall be adhered to throughout the construction phase unless otherwise agreed in writing by the Local Planning Authority.

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

- 5 Prior to the occupation of any of the proposed development the internal road and footway layout shall be provided in accord with principal Block Plan drawing no. 11 Rev. C.

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

- 6 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. The development be constructed in accordance with the details approved.

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

- 7 The mature hedgerow along the eastern boundary of the site fronting onto The Street shall be retained aside for the section to be removed to make way for the new access and associated visibility splays.

Reason - To ensure retention of the mature hedgerow in the interests of visual amenity.

- 8 Prior to the first use of the access, the proposed vehicular access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 90 metres by 2.4 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be retained free of any obstruction at all times.

Reason - To provide adequate inter-visibility between vehicles using the vehicular access and those in the existing public highway in the interest of highway safety.

- 9 The tree protection measures outlined on drawing no. 12 shall be adhered to throughout the construction phase.

Reason - To ensure the retention of the mature Oak Tree located within the application site in the interests of amenity.

- 10 Notwithstanding the provisions of Article 3, Schedule 2, Part 1, Class B and C of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the roof of the bungalows on plots 13 and 14 shall be erected or carried out except in accordance with drawings showing the siting and design of such enlargement, improvement or other alteration which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - In the interests of visual amenity and to protect existing and future resident's privacy.

7. 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.

Unilateral Undertaking – RAMS

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.

Highway Informatives

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.

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.

Please note for the future phase on the access road (Type F) where plots 9 to 18 are to be located it is shown as a loop road with a shared surface; it is not permitted to have a shared surface on a complete loop road or where there are to be more than 25 dwellings.

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.

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