

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AC	18 th Sept 2019
Planning Development Manager authorisation:	AN	19 th Sept 2019
Admin checks / despatch completed	SB	19/09/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	XND	19/09/19.

Application: 19/01111/FUL **Town / Parish:** Lawford Parish Council

Applicant: Mr Steve Wheelhouse - Jenny Moody Properties Ltd

Address: Lawford House Bromley Road Lawford

Development: Variation of condition 2 of approved application 16/00618/FUL to omit drawings 8206/050 P02, 051 P02, 053 P02, 054 P02, 080 P02 and add 1067/02C, 03A, 04E, 07E.

1. Town / Parish Council

Mrs Peachey - Lawford
Parish Council

Council has no objection to this application

2. Consultation Responses

UU Open Spaces	The comments from Public Realm remain the same as the original application 16/00618/FUL.
Housing Services	No comments received
Essex County Council Archaeology	The revisions will have no additional impact on the historic environment and our advice as previously given remains the same.
Anglian Water Services Ltd	No comments received
Babergh District Council	No comments received
ECC Highways Dept	It is noted that this application only concerns the variation of condition No. 2 only, the Highway Authority does not object to the proposals as submitted.
Historic England	On the basis of the information available to date, we do not wish to offer any comments.
Natural England	Natural England currently has no comment to make on the variation of condition 2.
ECC Schools Service	No comments received
ECC SuDS Consultee	Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission.
Tree & Landscape Officer	Notwithstanding previous comments made in relation to the impact of the development proposal on the protected trees on the site the amended layout -proposed as a result of the omission and addition of

new plans - will not significantly alter the impact of the development proposal on the retained trees.

The slight lengthening of the north easternmost access road serving plots 5 and 6 will not result in any further incursion into the Root Protection Areas (RPA's) of retained trees.

Environmental Protection No comments received

3. Planning History

TRE/97/38	Crown reduce Oak by 50-70%	Current	27.08.1997
93/01144/FUL	Temporary residential mobile home and builders unit whilst major repairs are carried out to house	Approved	22.11.1993
03/01265/TPO	Removal of dead tree T2	Approved	16.07.2003
03/01692/TPO	G2. - Fell severely decaying Lime tree	Approved	15.09.2003
03/01867/TPO	G2: Reduce Horse Chestnut by up to 50% to coincide with felling of adjacent dangerous Lime already approved	Approved	08.11.2003
07/01255/TPO	1 No. Oak - remove dangerous branch	Approved	07.09.2007
16/00618/FUL	Erection of 8 no. detached dwellings and garages and formation of new access.	Approved	12.01.2017
16/00619/LBC	Erection of 10 no. detached dwellings and garages and formation of new access.	Approved	
17/00956/FUL	Various alterations to existing property to facilitate a new single storey rear extension.	Withdrawn	10.07.2017
17/00957/LBC	Various alterations to existing property to facilitate a new single storey rear extension.	Withdrawn	10.07.2017
17/01023/FUL	Erection of farm style store building.	Approved	14.09.2017
17/01231/FUL	Formation of new vehicular access entering onto 'Grange Road, Lawford' an unclassified Highway.	Withdrawn	27.04.2018
17/01232/LBC	Formation of new vehicular access entering onto 'Grange Road, Lawford' an unclassified Highway.	Withdrawn	27.04.2018
17/01237/FUL	Various alterations to existing property to facilitate a single storey	Approved	19.09.2017

	rear extension.		
17/01238/LBC	Various alterations to existing property to facilitate a single storey rear extension.	Approved	19.09.2017
18/00838/FUL	Proposed swimming pool.	Approved	29.08.2018
19/00234/FUL	Variation of condition 5 to Planning Application 18/00838/FUL - to allow the use of the Swimming Pool for private swimming lettings.	Approved	02.08.2019
19/01111/FUL	Variation of condition 2 of approved application 16/00618/FUL to omit drawings 8206/050 P02, 051 P02, 053 P02, 054 P02, 080 P02 and add 1067/02A, 03A, 04B, 07D.	Current	

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

QL12 Planning Obligations

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG3A Mixed Communities

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

COM2 Community Safety

COM6 Provision of Recreational Open Space for New Residential Development

COM21 Light Pollution

COM23 General Pollution

COM29 Utilities

COM31A Sewerage and Sewage Disposal

EN1 Landscape Character

EN5 Areas of Outstanding Natural Beauty (AONB's)

EN6 Biodiversity

EN6A Protected Species

EN6B Habitat Creation

EN12 Design and Access Statements

EN13 Sustainable Drainage Systems

EN23 Development Within the Proximity of a Listed Building

EN29 Archaeology

TR1A Development Affecting Highways

TR6 Provision for Public Transport Use

TR3A Provision for Walking

TR4 Safeguarding and Improving Public Rights of Way

TR5 Provision for Cycling

TR7 Vehicle Parking at New Development

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

SP1 Presumption in Favour of Sustainable Development

SP4 Providing for Employment & Retail

SP5 Infrastructure & Connectivity

SPL1 Managing Growth

SPL3 Sustainable Design

HP4 Safeguarded Local Greenspace

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PP12 Improving Education and Skills

PPL1 Development and Flood Risk
PPL3 The Rural Landscape
PPL4 Biodiversity and Geodiversity
PPL5 Water Conservation, Drainage and Sewerage
PPL7 Archaeology
PPL9 Listed Buildings
CP1 Sustainable Transport and Accessibility
CP3 Improving the Telecommunications Network

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.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site comprises 2.5 hectares of land which form part of the grounds of Lawford House which is a Grade II Listed Building. The land is square in shape, lies to the east of the Listed Building and is immediately south of Grange Road and immediately west of Bromley Road with the wider grounds of Lawford House extending into the open countryside to the south. The site contains a significant number of established trees and its boundaries are marked by fairly dense hedgerows which contain large trees. The hedgerow along Grange Road is particularly dense and offers limited visibility into the site although the hedgerow and trees along Bromley Road contain more gaps and it is possible to see across the land towards the Listed Building.

Description of Proposal

The application proposes make a number of internal and external changes to the eight dwellings approved under application 16/00618/FUL by way of amending approved plans. The extent of the proposed changes are set out here:-

Approved Drawing Number	Revised Plan No.	Proposed Changes
050 P02; Amended Proposed Masterplan	1067 07E	Plot 6 and its garage has been turned around so that it now forms part of a group of 5 dwellings accessed from the southerly of the drives. Plot 5 and its garage has been turned around so that it now forms part of a group of 5 dwellings accessed from the southerly of the drives.

Approved Drawing Number	Revised Plan No.	Proposed Changes
051 P02; Amended Plans And Elevations - House Type H	1067 02 C; House Type 1	<u>Internally</u> Rooms re-orientated at ground floor First Floor dressing room now Bedroom 5 <u>Externally</u> One chimney omitted. Front elevation; forward-facing hallway windows repositioned as sidelights to main door. Side elevation(s); angle of front gable pitch has been decreased Rear elevation; no change

Approved Drawing Number	Revised Plan No.	Proposed Changes
053 P02; Amended Plans And Elevations - House Type D	1067 04 E; House Type 3	<u>Internally</u> Rooms re-orientated at ground floor Rooms re-orientated at first floor

		<p><u>Externally</u></p> <p>Front elevation; 2 front dormers omitted, replace 2 single first floor central windows with one</p> <p>Side elevation; at ground floor; removal of two narrow windows adjacent patio doors and replace with two sidelights attached to patio doors, alteration to appearance of one window. At first floor; minor enlargement to the width of one window, one new window, alteration to appearance of one window.</p> <p>Rear elevation; at ground floor, omit the two-storey glazed feature, insert one new window, install patio doors. At roof level; omit dormer and omit all rooflights.</p> <p>Side elevation; at ground floor insertion of one new window, minor alterations to the size and appearance of 3 windows. At first floor minor alterations to the size and appearance of 3 windows.</p>
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Approved Drawing Number	Revised Plan No.	Proposed Changes
054 P02; Amended Plans And Elevations - House Type Q	1067 03 A; House Type 2	<p><u>Internally</u></p> <p>Rooms re-orientated at ground floor Size of master Bedroom reduced New Bedroom 5 Rooms re-orientated at first floor</p> <p><u>Externally</u></p> <p>Front elevation; no change Side elevation(s); no change Rear elevation; minor adjustment to siting of first floor windows.</p>

Approved Drawing Number	Revised Plan No.	Proposed Changes
080 P02; Amended Site Section A-A	To be omitted	Not applicable

Principle of the Development

The application site is not allocated for housing or mixed use development in the adopted Local Plan and lies completely outside, albeit abutting, the 'settlement development boundary' – on one site in the adopted Local Plan and on two sides in the emerging Local Plan (reflecting the major development with provisional outline planning permission on land east of Bromley Road). Notwithstanding this; the current application proposes changes to dwellings which are already the subject of an extant planning permission which could be implemented at any point up to January 2020.

Impact on the setting of Lawford House

In determining the impact of the proposed development on the setting of Lawford House (a Grade II Listed Building) the officer made the following observations that the proposed new dwellings are located in the north-east corner of the estate in an area that is mostly occupied by a paddock that feels separated from the gardens of the listed house by the shared drive. The assessment states that the loss of the original drive will have an adverse impact but this is mitigated by the retention of the immediate approach to Lawford House from the east, reducing the impact to 'medium adverse'. The new entrance will create a safer access to and from the site and will be located where it will have minimal impact on views from the House. With the changes to the northern boundary being kept to a minimum the new access road will have a low adverse impact on the landscape and a

neutral impact on the listed building itself. The new houses will be built predominantly of traditional materials in a variety of styles that reflect the local vernacular of pitched or hipped slate roofs and walls of buff or red brick.

The changes proposed to the dwellings amount, typically, to the reduction in a ridge height, the removal of a two-storey element, changes to fenestration and the reorientation of internal rooms. None of the changes proposed would diminish the quality of the quality of the scheme already permitted.

Impact upon Trees

In determining application 16/00618/FUL the officer comments that many of the trees on the land are proposed to be removed in order to facilitate the development. Whilst most boundary vegetation will be retained, several established trees on the eastern boundary adjacent to Bromley Road, and the majority of the trees in the main body of the land are proposed for removal.

None of the changes proposed would have a greater impact on trees of high amenity than the scheme already permitted.

Highways, Transport and Accessibility

Policy TR1a in the adopted Local Plan requires that development affecting highways be considered in relation to reducing and preventing hazards and inconvenience to traffic including the capacity of the road network.

Policy QL2 in the adopted Local Plan and Policy CP1 in the emerging Local Plan seek to ensure that developments maximise the opportunities for access to sustainable transport including walking, cycling and public transport. The site is located 1.2 kilometres from Lawford Surgery in Colchester Road and 1.3 kilometres from the Manningtree High School. It is also between around 1.6 kilometres from the mainline railway station and just over 2 kilometres from Manningtree Town Centre and Lawford Dale Industrial Estate.

None of the proposed changes affect the highways network, access to transport nor the accessibility of the development any more than has already been approved.

Dedham Vale Area of Outstanding Natural Beauty

The Dedham Vale Area of Outstanding Natural Beauty (AONB) is located to the north of the application site, its boundary defined by Cox's Hill and Wignall Street. In the NPPF, AONBs are afforded a high level of protection and Policy EN5 in the adopted Local Plan provides that development that would harm or otherwise fail to conserve the natural beauty of the landscape of an AONB, including views towards it from outside, will not be permitted – having regard to Dedham Vale Management Strategy.

None of the proposed changes affect views towards the AONB from outside.

Ecology

Paragraph 118 of the NPPF requires Councils, when determining planning applications, to aim to conserve and enhance biodiversity. Where significant harm to biodiversity cannot be avoided, mitigated or, as a last resort, compensated for, Councils should refuse planning permission. Policy EN6 of the adopted Local Plan and Policy PLA4 of the emerging Local Plan give special protection to designated sites of international, national or local importance to nature conservation but for non-designated sites still require impacts on biodiversity to be considered and thereafter minimised, mitigated or compensated for.

None of the proposed changes have a greater impact on the ecological issues, biodiversity, native and wildlife are any greater than that already approved. Notwithstanding this, all of the necessary

mitigation/enhancement measures and additional surveys are secured through planning conditions (see Condition 18).

Flood risk, Drainage & Sewerage

Paragraph 103 of the NPPF requires Councils, when determining planning applications, to ensure flood risk is not increased elsewhere. Although the site is in Flood Zone 1 (low risk), the NPPF, Policy QL3 in the adopted Local Plan and Policy PLA1 in the emerging Local Plan still require any development proposal on site larger than 1 hectare to be accompanied by a site-specific Flood Risk Assessment (FRA). The applicant demonstrated through their Flood Risk Assessment that development could, in principle, be achieved without increasing flood risk elsewhere. With the planning condition suggested by ECC (see Condition 17) therefore addresses the flood risk element of the environmental dimension of sustainable development.

Anglian Water previously advised that there is sufficient capacity in the foul sewerage network to deal with the levels of effluent expected from this scheme and others in the area but if the Council is minded to approve the application a condition is requested requiring a drainage strategy be secured through a planning condition to ensure necessary measures are put in place that will eliminate the risk of flooding downstream.

None of the proposed changes have a greater impact on the flood risk or drainage than that already approved.

Design and Layout

The proposed development includes substantial dwellings of high-quality traditional design at a density that is very low (around 3 dwellings per hectare). From the new access onto Grange Road, the new dwellings would be arranged around two 'private' drives with open space and retained trees between the two sections of the site. The dwellings would be set upon significant plots and would each be served with a double garage. The properties themselves will each be of traditional design and of a grand scale which reflects the proximity to the substantial Lawford House complex.

The design and layout of the scheme has considered the position of the protected trees, the setting of the Listed Building and through its spacious nature, comfortably meets general development management requirements for garden sizes and distances between properties.

None of the proposed changes proposed reduce the quality of design in regards to their external appearance nor their siting in regards to the layout.

6. Recommendation

Approval – Full

7. Conditions / Reasons for Refusal

- 1 The development hereby permitted shall be begun before the expiration of three years from the 16th January 2017.

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:-

Received 28th April 2016 -

8206 060 A00 External Works

8206 010 D00 Location Plan
Arboricultural Impact Assessment

Received 2nd August 2016 -

Amended Flood Risk Assessment

Received 13th December 2016 -

8206 055 P02 Garage Type 1 Plans and Elevations (Plots 3)
8206 056 P02 Garage Type 2 Plans and Elevations (Plots 1, 2, 4, 5, 6, 7 & 8)
Amended Perspective View
2016.12.12 091 P02 Material Schedule

Received 19th December 2016 -

Amended Tree Schedule
Arboricultural Statement
Amended Tree Constraints Plan 118-01 REV D
Amended Tree Protection Plan 118-01 REV D

Received 25th July 2019 -

1067 02C
1067 03A
1067 07E

Received 19th September 2019 -

1067 04E

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

- 3 No development shall commence until a detailed landscaping plan with long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas has been submitted to and approved, in writing, by the Local Planning Authority. The landscaping plan so approved shall be carried out in accordance with the details and timescales to be contained in that document.

Reason - To ensure the proper planning, management and maintenance of the approved landscaping in the interests of amenity and the character and appearance of the area.

- 4 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the landscaping details required to be submitted and approved under condition 3 above 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.

Reason - In order to ensure the earliest practicable implementation of new planting required to mitigate the impact of development, in the interests of local and residential amenity.

- 5 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 order to ensure the satisfactory establishment of new planting required to mitigate the impact of development, in the interests of local and residential amenity.

- 6 The development shall be carried out in accordance with the tree protection measures set out in the Tree Protection Plan 118-01 Rev D for application 16/00618/FUL; received 19th December 2016.
- Reason - In order to ensure the protection of trees, in the interests of local character and residential amenity.
- 7 Prior to the first occupation of any of the proposed dwellings, the proposed vehicular access shall be constructed to a width of 5.5m and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge to the specifications of the Highway Authority.
- Reason - To ensure that all vehicles using the private drive access do so in a controlled manner and to ensure that opposing vehicles may pass clear of the limits of the highway, in the interests of highway safety.
- 8 Prior to the proposed access being brought into use, minimum vehicular visibility splays of 43m by 2.4m by 43m as measured along, from and along the nearside edge of the carriageway, shall be provided on both sides of the centre line of the access and shall be maintained in perpetuity free from obstruction clear to ground.
- Reason - To ensure adequate intervisibility between drivers of vehicles using the proposed access and those in the adjoining highway, in the interests of highway safety.
- 9 No unbound materials shall be used in the surface treatment of any of the proposed vehicular accesses within 6m of the highway boundary or proposed highway.
- Reason - To ensure that loose materials are not brought out onto the highway, in the interests of highway safety.
- 10 Prior to commencement of the proposed development, a vehicular turning facility for service and delivery vehicles of at least size 3 dimensions and of a design which shall be approved in writing by the Local Planning Authority, shall be provided within the site and shall be maintained free from obstruction in perpetuity.
- Reason - To ensure that vehicles using the site access may enter and leave the highway in a forward gear, in the interests of highway safety.
- 11 Prior to commencement of the proposed development, a vehicular turning facility for motor cars for each dwelling of a design which shall be approved in writing by the Local Planning Authority, shall be provided within the site and shall be maintained free from obstruction in perpetuity.
- Reason - To ensure that vehicles using the site access may enter and leave the highway in a forward gear, in the interests of highway safety.
- 12 Prior to first occupation of the proposed development, a (communal) recycling/bin/refuse collection point shall be provided within 25m of the highway boundary or adjacent to the carriageway and additionally clear of all visibility splays at accesses.
- Reason - To minimise the length of time a refuse vehicle is required to wait within and cause obstruction of the highway, in the interests of highway safety.
- 13 The existing access at the junction of Grange Road and Bromley Road as shown on Drawing 010, revision D00 for application 16/00618/FUL; received 28th Apr 2016 shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the re-instatement to full height of the highway verge/footway/kerbing to the specifications of the Highway Authority, immediately the proposed new access is brought into use.

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

- 14 Prior to commencement of the proposed development, details of the provision for the storage of bicycles for each dwelling shall be submitted to and approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted and shall be maintained free from obstruction at all times for that sole purpose in perpetuity.

Reason - To promote the use of sustainable means of transport.

- 15 All off street car parking shall be in precise accord with the details contained within the current Parking Standards.

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

- 16 No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities
- v. use of barriers to mitigate impact of noisy operations
- vi. construction times and working hours
- vii. use of machinery on site
- viii. waste management

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

- 17 No development shall commence until details of a surface water drainage works shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works have been implemented in accordance with the approved details.

Reason - To prevent environmental and amenity problems arising from flooding.

- 18 No development shall commence until an Ecological Mitigation Scheme and Management Plan for that particular phase has been submitted to and approved, in writing, by the Local Planning Authority. The document shall include:

- i) A survey to confirm (or otherwise) the presence of protected species on the application site.

If protected species are present, the survey shall be accompanied by a scheme of appropriate mitigation measures (including precise details of the timing and method/s of protection). No development shall be undertaken except in full accordance with any such approved scheme of mitigation.

- ii) A management plan to demonstrate how biodiversity within the site will be encouraged by the development.

Reason - In order to safeguard protected wildlife species and their habitats and in the interests of biodiversity.

- 19 No development shall take place on the site until a Written Scheme of Archaeological Investigation shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- a. the programme, including phasing, and methodology of site investigation and recording;
 - b. the programme for post investigation assessment;
 - c. the provision to be made for analysis of the site investigation and recording;
 - d. the provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - e. the provision to be made for archive deposition of the analysis and records of the site investigation; and
 - f. the nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

Reason - To allow proper investigation and recording of the archaeological and historic significance of the site.

- 20 No development shall commence until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in the construction of the dwellings have been submitted to and approved, in writing, by the Local Planning Authority. Such materials so approved shall be those used in that particular phase of development.

Reason - To ensure a satisfactory development in relation to external appearance.

- 21 No development shall take place until precise details of the provision, siting, height, design and materials of all boundary walls and fences which face onto public spaces/highways or private drives have been submitted to and approved in writing by the Local Planning Authority. The boundary walls and fences so approved shall be erected prior to the building/s to which they relate being first occupied and shall thereafter be retained in their approved form.

Reason - To ensure a satisfactory development in terms of appearance and functionality, in the interests of amenity.

- 22 Prior to commencement of development, details of all refuse/recycling storage and collection points required to serve that phase of development shall be submitted to and approved in writing by the Local Planning Authority. Each refuse/recycling storage and collection point so approved shall be provided prior to first occupation of any dwelling to which it relates and shall be retained thereafter as approved.

Reason - To ensure a satisfactory development in terms of appearance and functionality in the interests of amenity.

- 23 No development shall commence until details of external lighting are submitted to and approved in writing by the Local Planning Authority. External lighting shall be implemented in accordance with the approved scheme.

Reason - To ensure lighting is sensitively designed, minimises light spillage and ensures the use of low level, directional lighting to minimise light pollution and ensure there will not be a light nuisance to the existing residential dwellings.

- 24 The hereby permitted development shall not be occupied until a fibre optic broadband connection installed on an open access basis and directly accessed from the nearest exchange, incorporating the use of resistant tubing, has been installed at the site, in accordance with details that shall be submitted to and approved, in writing, by the Local Planning Authority. If the applicant is unable to achieve this standard of connection, and can evidence through consultation that this would not be possible, practical or economically viable an alternative superfast (i.e. will provide speeds greater than 24mbps) wireless service will be considered acceptable.

Reason - To ensure the development is able to be equipped with high speed broadband to enable opportunities for web-based communication and homeworking.

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

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.

Are there any letters to be sent to applicant / agent with the decision?		NO
Are there any third parties to be informed of the decision?		NO