

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	17/10/19
Planning Development Manager authorisation:	AN	21/10/19
Admin checks / despatch completed	CC	22/10/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	SB	22/10/2019

Application: 19/01113/FUL **Town / Parish:** Frating Parish Council

Applicant: Mr R Sothinathan

Address: Land adjacent Tall Trees Frating Hill Frating

Development: One new dwelling with garage, parking and landscaping.

1. Town / Parish Council

Frating Parish Council Frating Parish Council has no objection to this application.

2. Consultation Responses

ECC Highways Dept
The information that was submitted in association with the application has been fully considered by the Highway Authority. The proposal is utilising an existing vehicle access which will be shared with property Tall Trees; the proposed site retains adequate room and provision for off street parking and turning, for the proposed dwelling therefore:

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

1. There should be no obstruction above ground level within a 2.4 m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided before the road junction / access is first used by vehicular traffic and retained free of any obstruction at all times.

Reason: To provide adequate inter-visibility between users of the access and the public highway in the interests of highway safety in accordance with policy DM1.

2. Prior to occupation of the development a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority 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. Prior to the occupation of the proposed dwelling, the proposed private drive shall be widened to a width of 5.5 metres for at least the first 6 metres from the back of Carriageway / Footway / Highway

Boundary and provided with an appropriate dropped kerb crossing of the footway/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.

4. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

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

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1.

6. All double garages should have a minimum internal measurement of 7m x 5.5m.

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

7. 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.

8. 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: 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 2: Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud

or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.

Informative 3: 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 4: Any work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

Essex County Council
Archaeology

The Historic Environment Record shows that there are extensive archaeological deposits within the area identified from cropmark evidence. Immediately to the north lies the remains of a double ditched enclosure (EHER 2536) with linear features running south towards the application site. To the south there are extensive cropmarks of a field system and enclosures, potentially related to Late prehistoric or Roman settlement (EHER 2611, 17569). One of these linear features if extending north of the Frating Hill Road would bisect the site. The following recommendation is in line with the National Planning Policy Framework and is the same as that on the previous application.

Recommendation: Full condition

'No development or preliminary ground works of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority'

Further Recommendations:

A professional team of archaeologists should undertake the archaeological work. The work will comprise a single trench through the house and garage which will be expanded if significant archaeology is identified. A brief outlining the level of archaeological investigation will be issued from this office on request. The District Council should inform the applicant of the recommendation and its financial implications.

3. Planning History

91/01286/FUL	Conversion of dwelling and extensions to form residential care home plus living accommodation.	Refused	04.02.1992
92/00235/FUL	Conversion of dwelling and extensions to form nursing and residential care home for 16 residents, plus private living accommodation	Refused	19.05.1992
93/00645/FUL	(Tall Trees, Clacton Road, Frating) Change of use, workshop and store to meat preparation area	Approved	20.07.1993

95/00611/FUL	(Tall Trees, Clacton Road, Frating) Change of use - Workshop and store to meat preparation area (renewal of planning permission TEN/93/0645)	Approved	04.07.1995
98/00782/FUL	Change of use - workshop and store to meat preparation area (Renewal of planning permission TEN/95/0611)	Approved	11.08.1998
05/01461/FUL	Proposed detached garage	Approved	16.11.2005
05/01808/FUL	Proposed Conservatory	Approved	13.01.2006

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

EN6 Biodiversity

EN6A Protected Species

EN11A Protection of International Sites European Sites and RAMSAR Sites

HG1 Housing Provision

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)

CP1 Sustainable Transport and Accessibility

HP5 Open Space, Sports & Recreation Facilities

LP1 Housing Supply

LP2 Housing Choice
LP3 Housing Density and Standards
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 land adjacent to Cedar Lodge, which is located to the northern section of Frating Hill within the parish of Frating. Whilst there are examples of detached residential dwellings with large curtilages within the immediate vicinity to the east and west, the area is typically rural in character, with large open grassed and agricultural plots of lands to all sides. The site lies outside of a Settlement Boundary, as established within both the saved Tendring Local Plan 2007 and the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Description of Proposal

This application seeks planning permission for the erection of a single detached two storey dwelling, with a separately detached double garage. The property will be served by four bedrooms.

Site History

Under planning permissions 16/01404/OUT and 17/01195/DETAIL, planning permission was approved for a single dwelling approximately 30m to the west. Then, under planning permission 18/00378/FUL, a revised design was also approved.

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:

It is considered that the proposal for one dwelling would contribute economically to the area, for example by providing employment during the construction of the development and from future occupants using the nearby facilities, 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.

The village of Frating itself has relatively limited day to day facilities, with a village hall, a public house, a tile shop and a car garage. Future occupants of the proposed dwelling would need to travel to Elmstead Market, approximately 2km away to access day to day shopping and services. This would be beyond a reasonable walking distance of the site. These facilities would be within a practical distance for cycling, along relatively quiet roads. However, the village has been identified by the Council as having good accessibility, based on its location along the Colchester to Clacton bus corridor, and bus stops with shelters and signage are less than 500m from the site to the east accessible via footpath. These bus stops will provide good access to Colchester and Clacton, which provides access to job opportunities and travel for school, shopping and leisure. This, together with the location of the site on the edge of Frating, and the good transport accessibility of the site suggests that the site is therefore relatively sustainable in the context of the district as a whole.

Environmental:

Environmentally, it is necessary to consider the impact on the character and appearance of the countryside. The site is located in a semi-rural area, and there are examples of residential development within the immediate vicinity to the east and west. The proposed layout shows the dwelling to be sited in a linear fashion that is in-keeping with the established building line to the west. Further, existing and proposed soft landscaping to the boundaries helps to soften the overall appearance of the dwelling. Given this, it is not considered the proposal would result in a strong physical change to the landscape and therefore meets 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 submitted plans show that the proposed dwelling is to be sited to the east of Cedar Lodge, with the dwelling to be accessed via the existing access to the south-east. The dwelling will be sited approximately in line with existing development to the west, including the recently approved dwelling under reference 18/00378/FUL. This will help to maintain the strong and linear building line to this section of Frating Hill.

The two storey dwelling design will incorporate a large front gable feature and will measure approximately 7.5 metres in height, approximately 13 metres in width and approximately 11.5 metres in depth. The surrounding area of Frating Hill is not well defined, with varying plot widths and a mixture of single storey and 1.5 storey dwellings. Against this backdrop, while the proposed dwelling will not necessarily be in-keeping with the existing street scene, there is not significant identifiable harm that would warrant a refusal reason.

The design of the dwelling is not considered to be of particularly good visual merit, however does include a number of features to help soften its appearance including a front gable, window detailing, a canopy and a chimney. Further, it will be well set back from the street scene, and also screened behind existing mature vegetation. Therefore there is not considered to be sufficient visual harm as a result to justify refusing the application.

The proposal also includes a double garage, to be sited to the eastern side of the dwelling. Whilst it is large in design, it will not be particularly prominent from the street scene given the existing mature vegetation to the southern boundary. Further, due to its siting it will be closely related to the main dwelling and will therefore appear subservient.

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 plans submitted show that this level of amenity space can comfortably be provided.

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).

In terms of the impact on neighbouring amenities, there are adjacent neighbours potentially impacted upon to the east and west. However, the dwelling is to be sited approximately 30 metre from Tall Trees to the east, and approximately 20 metres from Cedar Lodge to the east each neighbouring property, thereby ensuring it will not appear imposing or result in any loss of light. With respect to potential overlooking, there is only one first floor side elevation window, which serves a bedroom. There is significant separation distance, however the window would have views to the neighbouring amenity area, and as such a condition will be attached to this decision to ensure it is obscure glazed. The first floor rear elevation windows will not have clear views to the private amenity area and as such are acceptable.

4. Highways

Essex County Council Highways have been consulted as part of this application and have stated that they do not wish to raise an objection subject to conditions relating to visibility splays, vehicular turning facilities, the use of no unbound materials, the access width and no discharge of surface water. A further condition relating to cycle storage provision was recommended, however given the site is of a sufficient size to comfortably accommodate this it would not be reasonable to include this as a condition.

The Adopted Essex Council Parking Standards state that where a dwelling comprises of two or more bedrooms, two parking spaces should be provided measuring 5.5m x 2.9m per space or a garage should measure 7m x 3m. Whilst the proposed garage is not of a sufficient size to accommodate two vehicles, there is considered to be significant room to the front of the property to accommodate the parking of two vehicles at the above measurements.

5. Tree and Landscaping

The application site currently forms part of the garden of the host property and is set to lawn. The boundary of the garden with the highway is demarcated by an established conifer hedge that provides comprehensive screening for the whole site with the exception of the existing, narrow, vehicular access that allows 'glimpsed' views of the site.

The garden is well populated with established trees on its boundaries and there is an avenue of decorative coniferous species either side of the existing drive. It would appear that it may be necessary to remove one of the trees to create the new vehicular access to the new dwelling.

The trees on the application site cannot be clearly seen from a public place so the contribution that they make to the public realm is commensurately low and could easily be replicated by new planting.

Conditions will be attached to secure details of the way that retained trees will be physically protected for the duration of the construction phase of the development and to secure the tree planting shown on the submitted plans.

6. 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 the Colne Estuary Ramsar and SPA. The contribution is secured by unilateral undertaking. There is therefore certainty that the development would not adversely affect the integrity of the Colne Estuary Ramsar and SPA 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.

7. Archaeology

The Historic Environment Record shows that there are extensive archaeological deposits within the area identified from cropmark evidence. Immediately to the north lies the remains of a double ditched enclosure (EHER 2536) with linear features running south towards the application site. To the south there are extensive cropmarks of a field system and enclosures, potentially related to Late prehistoric or Roman settlement (EHER 2611, 17569). One of these linear features if extending north of the Frating Hill Road would bisect the site. Therefore a condition will be attached to this decision to secure the implementation of a programme of archaeological works.

Other Considerations

Frating Parish Council has no objections to the application.

There have been no other letters of representation received.

Conclusion

Having taken all of the considerations into account, it is considered that there is not any significant material harm as a result of the development and therefore the application 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, drawing numbers P04, P02, P01, P03, and the document titled 'Planning Support Statement'.

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

- 3 There should be no obstruction above ground level within a 2.4 m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided before the road junction / access is first used by vehicular traffic and retained free of any obstruction at all times.

Reason: To provide adequate inter-visibility between users of the access and the public highway in the interests of highway safety.

- 4 Prior to occupation of the development a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority 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 occupation of the proposed dwelling, the proposed private drive shall be widened to a width of 5.5 metres for at least the first 6 metres from the back of carriageway boundary and provided with an appropriate dropped kerb crossing of the footway/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.

- 6 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

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

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

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

- 8 Prior to occupation of the proposed development, details of the steps that will be taken to physically protect retained trees shall be submitted to and approved by the Local Planning Authority.

Reason - To ensure the protection of the retained trees on site.

- 9 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.

- 10 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.

- 11 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), the side elevation window serving a bedroom at first floor level shall be glazed in obscure glass before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

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

- 12 No development or preliminary ground works of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

Reason - The Historic Environment Record shows there are extensive archaeological deposits within the area identified from cropwork evidence.

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:

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.

Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.

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.

Any work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

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.