

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	30/01/2020
Planning Development Manager authorisation:	TF	31/01/2020
Admin checks / despatch completed	CC	31/01/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	SB	31/01/2020

Application: 19/00808/FUL **Town / Parish:** Elmstead Market Parish Council

Applicant: Mr Daniel Baldwin - Friendly Homes Ltd

Address: Land adjacent Finch Lane Bromley Road Elmstead

Development: Erection of detached dwelling with garage.

1. Town / Parish Council

Elmstead Parish Council Concerns regarding the protection of the trees. All necessary tree information should be submitted prior to determination (see document dated 01 July 2019 for full comments).

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 identical to an earlier application submitted in August 2017; application: 17/01260/FUL with the pedestrian and vehicle access being off Finch Lane therefore:

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

1. Prior to occupation of the development the vehicular parking and turning facility, as shown on the submitted plan 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.

2. 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.

3. Any vehicular hardstanding shall have minimum dimensions of 2.9 metres x 5.5 metres for each individual parking space, retained in perpetuity.
Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8.

4. Any double garage should have a minimum internal measurement of 7m x 5.5m. All garages shall be retained for the purposes of vehicle parking in perpetuity

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.

5. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety and in accordance with Policy DM1.

6. The Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to first occupation and retained at all times.

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

7. Prior to occupation of the proposed dwelling, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator free of charge.

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

8. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the footway / cycleway or where no provision of footway/cycleway is present, the carriageway.

Reason: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent footway/cycleway/carriageway in the interest of highway safety in accordance with policy DM1

9. 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.

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

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

Informative 1: On the completion of the Development, all roads, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional

repaired/renovated state to a standard accepted by the appropriate statutory authority.

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

Informative 3: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

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.

3. Planning History

16/01322/OUT	Residential development for the construction of 10 dwellings.	Withdrawn	13.07.2017
17/01260/FUL	Detached dwelling and garage.	Approved	10.01.2018
17/01306/OUT	Residential development of up to 9 dwellings.	Approved	22.11.2017
18/00948/DISCON	Discharge of Conditions 3 (materials), 4 (Landscaping), 9 (boundary treatment), 12 (construction method statement) and 16 (fencing panels) of 17/01260/FUL.	Approved	19.10.2018
19/01355/FUL	Erection of pair of semi-detached houses.	Withdrawn	21.10.2019

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs
QL11 Environmental Impacts and Compatibility of Uses
HG9 Private Amenity Space
HG14 Side Isolation
EN1 Landscape Character
EN6 Biodiversity
EN6A Protected Species
EN11A Protection of International Sites European Sites and RAMSAR Sites
COM6 Provision of Recreational Open Space for New Residential Development
TR1A Development Affecting Highways
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
LP1 Housing Supply
LP3 Housing Density and Standards
LP4 Housing Layout
PPL3 The Rural Landscape
PPL4 Biodiversity and Geodiversity
HP5 Open Space, Sports & Recreation Facilities
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.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application relates to a parcel of land on the southern side of Bromley Road on the corner with Finch Lane within the Parish of Elmstead Market. The site extends to approximately 0.12 hectares in size. The site is predominantly rough grass land with dense hedgerows along the frontage adjacent to Bromley Road and the eastern side boundary adjacent to Finch Lane together with some mature trees to the east.

Proposal

This application seeks full planning permission for the erection of 1 no. detached 4 bedroom dwelling with associated access on the corner of Finch Lane together with parking and turning to the front.

The dwelling will also be served by a detached double garage sited to the eastern side of the dwelling.

It is also noted that a new dwelling has been approved and built to the east of the application site under planning application 16/00390/FUL for the 'Erection of cottage style dwelling with associated parking facilities.' The agent has provided amended plans to show the siting of this dwelling in relation to the proposal.

Assessment

The main considerations are;

- Appeal History – Land Opposite;
- Planning and Appeal History – Site Specific;
- Principle of Development;
- Layout, Scale and Appearance;
- Residential Amenities;
- Access and Parking;
- Trees and Landscaping;
- Biodiversity;
- Financial Contribution - Recreational Disturbance;
- Financial Contribution – Open Space and Play Space; and,
- Representations.

Appeal History – Land Opposite

On the 31st March 2017 an appeal was dismissed for the land opposite this application site under planning application reference 16/01063/OUT, appeal reference APP/P1560/W/16/3164433.

This application sought outline permission for the erection of up to 5 detached dwellings. The application was refused solely on the demonstrable environment harm and impact on the character of the area and not on the ground of any economic or social harm.

Paragraph 8 and 9 of the Inspector's decision describes the landscape beyond the site as 'generally characterised by an undulating, rural plateaux largely free from built form' and describes the site itself as 'more closely related in character to the expanse of rural land to the north than the built up area of the settlement or indeed the loose knit development on the south side of Bromley Road.' Paragraph 10 goes on to say that 'the site appears physically and functionally disparate from the settlement.'

The Inspector dismissed the appeal concluding that 'the extent of the harm is such that the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the development.'

Planning and Appeal History – Site Specific

The above appeal decision concluded that residential development in this locality met the social objective of sustainable development. Following this, the principle of residential development on this site and the adjoining land was established under planning application reference 17/01306/OUT approved on 22nd November 2017. This application remains extant until November 2020.

This application essentially proposes development of one of the 9 plots approved under application 17/01306/OUT.

This application follows a previously approved application for a similar development under planning application reference 17/01260/FUL. The application approved development of the site for a detached 4 bed dwelling and garage but of a different design and appearance to that being considered under this current application. Application 17/01260/FUL was approved on 10th January 2018 and remains extant until January 2021.

Principle of Development

The principle of development has been established under planning application reference numbers 17/01306/OUT and 17/01260/FUL which both remain extant.

On this basis, there is no requirement to assess the principle of development in full, only the detailed considerations associated with the current proposal, which are set out below.

Layout, Scale, Character and Appearance

Paragraph 8 of the NPPF sets out the overarching objectives for achieving sustainable development, one being the environmental objective which requires the planning system to contribute to protecting

and enhancing our natural, built and historic environment including making effective use of land. Paragraph 127 of the NPPF states that developments should function well, should add to the overall quality of the area, are visually attractive as a result of good architecture and layout and are sympathetic to local character. Saved Policies QL9, QL10 and QL11 of the adopted Tendring District Local Plan (2007) 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.

The proposed dwelling is sited approximately 24 metres back from the highway with ample spacing to both side and rear boundaries being a continuation of the linear development on this side of Bromley Road. The proposed garage is set back behind the dwelling to its eastern side. The development appears spacious within its plot and will not appear prominent within the street scene. Any views of the dwelling will be further minimised by the mature trees and hedgerows around the site. The closest neighbouring properties are to the east consisting of single and 1.5 storey properties with examples of 2 storey properties within Bromley Road to the west and opposite and directly to the rear fronting Clacton Road. The street scene plan provided shows that the proposed dwelling will have a slightly higher ridge line than the immediate neighbouring property to the east. However, the proposed dwelling has a fully hipped roof arrangement minimising the bulk and prominence of the roof and its relationship with its neighbour. The dwelling is of a traditional double fronted design being similar to the recently completed development to the rear of the site at Winterbourne Gardens. The footprint of the dwelling and size of the plot is similar to the existing pattern of development.

For these reasons, the layout, scale and appearance of the proposal therefore satisfactorily respects the existing mixed pattern residential character and will not result in any material harm to visual amenities or the character of the area overall.

Residential Amenity

The NPPF, in paragraph 127 states that planning should always seek to secure a good standard of amenity for all existing and future occupants. In addition, Policy QL11 of the Tendring District Local Plan (2007) 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'. Emerging Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017 supports these objectives.

The remainder of the site to the west currently lies vacant. The only immediate neighbouring property is the new dwelling to the east known as Copperbeech Cottage with Evergreens (and cattery) beyond. The submitted block plan shows that approximately 16 metres is retained between Copperbeech Cottage and the proposed dwelling. There are no windows within the east facing flank wall of the proposed dwelling. Copperbeech Cottage has a slightly angled siting within its plot which also has an angled western boundary. The dwellings are separated by Finch Lane and screened by dense mature trees and vegetation. No direct views or harmful overlooking of the private amenity space serving Copperbeech Cottage will be possible from the rear facing windows within the proposed dwelling.

The Essex Design Guide states that where habitable rooms are located at the rears of neighbouring properties and the rear facades face each other, a minimum spacing of 25m between the rears of the properties is required. A 25 metre back to back distance with the neighbouring properties in Winterbourne Gardens to the rear is achieved.

For these reasons, the proposed development will not result in any material harm to neighbouring amenities in terms of outlook, sunlight, daylight or privacy.

Policy HG9 of the adopted Tendring Local Plan 2007 states that a 4 bedroom dwelling should be served by a minimum of 100 square metres of private amenity space. The proposed development provides a rear private garden area in excess of these standards.

Access and Parking

Paragraph 108 of the NPPF seeks to ensure that safe and suitable access to a development site can be achieved for all users.

Saved Policy QL10 of the adopted Tendring District Local Plan 2007 states that planning permission will only be granted if amongst other things; access to the site is practicable and the highway network will be able to safely accommodate the additional traffic the proposal will generate and the design and layout of the development provides safe and convenient access for people. The sentiments of this policy are carried forward within draft Policy SPL3 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

The Council's Adopted Parking Standards require that for dwellings with 2 or more bedrooms that a minimum of 2 parking spaces is required. Parking spaces should measure 5.5 metres by 2.9 metres and garages, if being relied on to provide a parking space, should measure 7 metres by 3 metres internally.

Essex County Council Highway Authority raise no objection to the development subject to conditions.

The proposed dwelling will be served by ample parking, turning and garaging in excess of the above-mentioned requirement. The introduction of an access to serve a single dwelling is not excessive and will not amount to any material harm to highway safety.

For these reasons, there are no objections on highway grounds.

Trees and Landscaping

In order to show the extent to which the trees on the application site and on adjacent land are a constraint on the development of the application site and to identify the way that retained trees would be physically protected should planning permission for development be granted the applicant is required to provide an Arboricultural Impact Assessment (AIA) as part of a Tree Survey and Report.

The required AIA has been submitted which satisfactorily accords with BS5837: 2012 Trees in relation to design, demolition and construction Recommendations.

The applicant has provided a plan showing the footprint of the proposed dwelling overlaid with the Tree Constraints Plan. This shows how trees covered by Tendring District Council Tree Preservation Order 11/09/TPO will be protected for the duration of the construction phase of any development for which planning permission may be granted. It also identifies and shows those trees that need to be removed to facilitate the development proposal.

If the recommendations contained in the Tree Report are adhered to the development proposal could be implemented without causing harm to the protected trees on, or adjacent to, the application site. Therefore, the appropriate conditions will be added. Furthermore, in order to soften and enhance the appearance of the development and to ensure that it is satisfactorily assimilated into its setting, a soft landscaping scheme will also be secured by condition.

Biodiversity

The application is accompanied by a suitable Ecology Report and updated walkover which satisfies any biodiversity and protected species considerations. The conclusions within the report do not raise any concerns. A condition will be imposed regarding the timing of clearance to minimise any disturbance to nesting birds and to ensure that the content of the report is adhered to in terms of the recommendations and 'potential for biodiversity gain' delivered through a mitigation and enhancement strategy.

Financial Contribution - Recreational Disturbance

Under the Habitats Regulations, a development which is likely to have a significant effect or an adverse effect (alone or in combination) on a European designated site must provide mitigation or otherwise must satisfy the tests of demonstrating 'no alternatives' and 'reasons of overriding public interest'. There is no precedent for a residential development meeting those tests, which means that all residential development must provide mitigation.

The application scheme proposes a residential on a site that lies within the Zone of Influence (Zol) being approximately 4000 metres from the Essex Estuaries SAC and the Colne Estuary SPA and Ramsar. New housing development within the Zol would be likely to increase the number of recreational visitors to the Essex and Colne Estuaries and in combination with other developments

it is likely that the proposal would have significant effects on the designated site. Mitigation measures must therefore be secured prior to occupation.

A completed unilateral undertaking has been provided to secure this legal obligation and to ensure 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.

Financial Contribution - Open space and Play Space

Policy COM6 of the adopted Tendring District Local Plan 2007 states "For residential development below 1.5 hectares in size, developers shall contribute financially to meet the open space requirements of the development in proportion to the number and size of dwellings built". These sentiments are carried forward within emerging Policy HP5.

In line with the requirements of saved Policy COM6 and emerging Policy HP5 the Council's Open Space Team have been consulted on the application to determine if the proposal would generate the requirement for a financial contribution toward public open or play space.

There is currently a deficit of 4.51 hectares of equipped play/formal open space in Elmstead Market.

Although there is a deficit of play space in Elmstead Market, it is not felt that this development would have a significant impact upon the current deficit.

Representations

Elmstead Market Parish Council have not raised an objection to the application but do raise concerns regarding the protection of the trees on site and the requirement for a tree survey.

This has been addressed in the main report above.

3 letters of objection have been received. The comments raised can be summarised and addressed as follows;

- Incorrect plans not showing Copperbeech Cottage.
A corrected plan has been provided.
- Loss of protected trees and hedgerows.
Trees and landscaping are addressed in the main report above. Unfortunately the loss of a protected tree is irreversible but the requirements and conditions of this application will safeguard to the future of the vegetation on site. Approval of a planning application overrides the hedgerow act provisions.
- Loss of privacy.
The impact on neighbouring amenity is addressed in the main report above.
- Unsuitable access in Finch Lane which is just a track.
- Traffic will block existing access of adjacent neighbour and customers (cattery business).
- Noise and disturbance from building.
Noise and disturbance during construction is an inevitable part of development process and cannot constitute a reason for refusal. A condition requiring a Construction Method Statement and restricting construction times will be imposed in the interests of highway safety and noise nuisance. The site frontage provides ample spacing to ensure construction vehicles and materials do not obstruct the access.
- Outside village envelope.
- Site does not form part of the local plan.
The principle of the development has been addressed above. Elmstead is one of the district's highest scoring settlements and the site constitutes a small infill which will not be harmful to the wider landscape. There is no identified harm which outweigh the benefits of the development.

- Points of the previously withdrawn application need to be considered under this application. *This is for a single dwelling and the previous application was a major scale development where the statutory requirements are different to that for a minor development. This application is not a major application.*

Conclusion

Having regard to the development plan and all other material considerations, the proposed development will make a modest contribution toward boosting the Council's housing numbers located adjacent to one of the most sustainable settlements for the area. The benefits arising from the development are not outweighed by any adverse impacts. The application is therefore recommended for approval.

6. Recommendation

Approval - Full

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: BR-PL-001 Rev. A.

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

- 3 The external facing and roofing materials to be used in the construction of the dwelling hereby approved shall be in accordance with the materials details provided within Section 9 of the accompanying application form, unless otherwise agreed in writing by the Local Planning Authority.

Reason - The development is publicly visible and therefore sympathetic materials are a visually essential requirement.

- 4 No above ground works shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels. The landscaping scheme shall take into account the particulars of the submitted Arboricultural Impact Assessment and Preliminary Method Statement (including all Appendices) Reference No. TPSarb0240619 dated 9th July 2019 and 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 - In the interests of visual amenity and the character of the area.

- 5 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 ensure that the landscaping scheme is suitably implemented within an appropriate timescale.

- 6 All new driveways and parking areas shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellings.

Reason - In the interests of sustainable development and to ensure that run-off water is avoided to minimise the risk of surface water flooding.

- 7 The development shall be carried out in strict accordance with the Arboricultural Impact Assessment and Preliminary Method Statement (including all Appendices) Reference No. TPSarb0240619 dated 9th July 2019. The tree protection fencing shall be retained throughout construction of the development.

Reason - To ensure that the trees to be retained are protected in the interests of visual amenity and landscape character.

- 8 The removal of all vegetation shall only be carried out outside of the bird nesting season (March to August inclusive).

Reason - To ensure the protection of birds potentially nesting on site.

- 9 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.

- 10 Notwithstanding the details shown on the street scene plan BR-PL-001 Rev. A, prior to the commencement of any above ground works, a plan indicating the positions, elevations, design, materials and type of boundary treatment to be erected on all boundaries of the site shall be submitted to and approved by the Local Planning Authority. The approved boundary treatments shall be implemented before the dwelling hereby permitted is occupied and retained in this approved form unless otherwise agreed in writing by the local planning authority.

Reason - In the interests of visual amenities and preserving the character of the area.

- 11 Notwithstanding the provisions of Article 3, Schedule 2 Part 2 Class A 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 provision of fences, walls or other enclosures (other than those on the approved details) shall be erected forward of the front elevation of the dwellings hereby approved.

Reason - In the interests of visual amenity.

- 12 The development hereby approved shall be carried out in strict accordance with the recommendations, mitigation and enhancement strategies proposed within the Preliminary Ecological Appraisal dated 7th November 2017 and follow up Wildlife survey and site assessment dated 21st June 2019

Reason - In the interests of biodiversity.

- 13 Prior to the commencement of development, a Construction Method Statement shall be submitted to and approved in writing by the local planning authority. The Construction Method Statement shall provide for:

- safe access to/from the site;
- the parking of vehicles of site operatives and visitors;

- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- wheel washing facilities;
- measures to control the emission of dust and dirt during demolition and construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- details of hours of deliveries relating to the demolition and construction of the development;
- details of hours of site clearance or construction;
- a scheme to control noise and vibration during the demolition and construction phase, including details of any piling operations.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason - In the interests of residential amenity and highway safety and to reduce the likelihood of complaints of statutory nuisance.

- 14 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the footway / cycleway or where no provision of footway/cycleway is present, the carriageway.

Reason - To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent footway/cycleway/carriageway in the interest of highway safety.

- 15 Prior to occupation of the development the vehicular parking and turning facility, as shown on the approved plan 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.

- 16 Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason - To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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.

Highways Informatives

Informative 1:

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

Informative 2:

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

Informative 3:

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

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Informative 4:

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 to ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety.