

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	RD	12/02/2020
Planning Development Manager authorisation:	TF	12/02/2020
Admin checks / despatch completed	CC	13/02/2020
Technician Final Checks/ Scanned / LC Notified / UU Emails:	RL	13/02/2020

Application: 18/00540/FUL **Town / Parish:** Clacton Non Parished

Applicant: Stanfords

Address: Land rear of 683 St Johns Road Clacton On Sea

Development: Proposed erection of 22 x three bed bungalows.

1. Town / Parish Council

Clacton Non-Parished.

2. Consultation Responses

ECC Highways Dept Provide the following comments;

Notwithstanding the details as submitted, this Authority has assessed the highway and transportation impact of the proposal and does not wish to raise an objection subject to the following:

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

' Prior to occupation of the development the vehicular turning facilities, 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 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' 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 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' Prior to occupation of the development the vehicular access shall be provided with a suitable transition from the existing road and constructed as a shared use route to be no less than 6 metres in width, and shall be retained at that width within the site.

Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' 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 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

Note: With reference to the above condition the applicants attention should be drawn to the recent alterations to householder 'permitted development' in so far as there is now the need to provide a permeable solution (SUDS) for the hard standing to reduce the cumulative impact of surface water run-off and overloading of sewers.

' Prior to commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety in accordance with Policy DM7 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' Prior to the first occupation of the development, a 500mm wide overhang strip shall be provided adjacent to the carriageway as shown on the approved plans unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To ensure that adequate clearance for vehicles swept paths is provided in the interests of highway safety in accordance Policy DM7 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' Each new property shall be provided with 2 parking spaces and each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' Any single garages should have a minimum internal measurement of 7m x 3m

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

Reason: To encourage the use of garages for their intended purpose and to discourage on-street parking, in the interests of highway safety and in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011

' Prior to occupation of the proposed development, 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. 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 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

NOTE: All new residential development requires this condition to include travelcards unless no service is provided in the vicinity of the site.

Season tickets for either bus or rail use instead of the above vouchers should only be secured in town centre locations with excellent access to bus/rail routes and where they would represent the best use of developer contributions to mitigate site impact. This will be determined on a site by site basis by the Development Management Officer.

A copy of your recommendations where Residential Travel Information Packs are requested should be sent to the Travel Plan Team.

INF01 Highway Works - All 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.

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 Business Park, Colchester CO49YQ

INF02 Cost of Works - 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.

INF03 - Site Workers - Steps should be taken to ensure that the Developer provides sufficient turning and off loading facilities for delivery vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

Tree & Landscape Officer Provide the following comments;

The main body of the application site is rough grassland with encroaching brambles and scrubby growth. There is a single Weeping Willow in the main body of the land and two established Walnut trees in the south eastern corner of the site. The southern boundary is demarcated by an established hedgerow comprising primarily of Hawthorn. There is an established Oak on the land adjacent to the application site at the western side of the northern boundary. The land is subject to planning permission 15/00899/FUL and the tree is shown

as retained

The Willow is a reasonable specimen although its location is such that it has low visual amenity value. One of the Walnuts is in poor condition with decay in old pruning wounds. The other walnut is a mature, healthy specimen with no obvious defects however its amenity value is low because of its secluded position and it makes only a negligible contribution to the character of the public realm. None of the trees on the land merit protection by means of a Tree Preservation Order

It would be desirable to retain the hedgerow on the southern boundary as it would assist with the screening of the site from the land to the south. This feature could be reduced in height so that it was a more appropriately proportioned garden boundary feature.

With regard to the retention of the Oak on adjacent land it should not be necessary for the applicant to provide a full tree survey and report, however it will be necessary to secure details of the way that the roots of the retained tree and hedgerow will be physically protected for the duration of the construction phase of any planning permission that may be granted. This information can be secured by condition and should be in accordance with BS5837 2012 Trees in relation to design, demolition and construction; Recommendations.

Should planning permission be likely to granted then details of soft landscaping including tree planting should be secured by condition.

Building Control and
Access Officer

No comments at this stage.

Waste Management

Access and turning circles to be suitable for access by refuse and recycling vehicles

Environmental Protection

Provide the following comments;

There is some indication of contamination from our potential contaminated land database register less than 250m away. Also due to previous uses of the site there might be some contamination. (Redundant fuel tanks etc)

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

In addition to the above, an asbestos survey should be carried out prior to demolition and removal of any asbestos containing material should be carried out by a qualified contractor

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

Prior to the commencement of any construction works, the applicant (or their contractors) shall submit a full method statement to, and receive written approval from, the Pollution and Environmental Control.

' Noise Control

1) The use of barriers to mitigate the impact of noisy operations will be used where possible.

- 2) No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holidays.
- 3) The selection and use of machinery to operate on site, and working practices to be adopted will as a minimum requirement, be compliant with the standards laid out in British Standard 5228:2014.
- 4) Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).
- 5) Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Pollution and Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.
- 6) If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Pollution and Environmental Control prior to the commencement of works.

' Emission Control

- 1) All waste arising from the ground clearance and construction processes to be recycled or removed from the site subject to agreement with the Local Planning Authority and other relevant agencies.
- 2) No materials produced as a result of the site development or clearance shall be burned on site. All reasonable steps, including damping down site roads, shall be taken to minimise dust and litter emissions from the site whilst works of construction and demolition are in progress.
- 3) All bulk carrying vehicles accessing the site shall be suitably sheeted to prevent nuisance from dust in transit.

Adherence to the above condition will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control. The condition gives the best practice for Demolition and Construction sites. Failure to follow them may result in enforcement action under nuisance legislation (Environmental Protection Act 1990), or the imposition of controls on working hours (Control of Pollution Act 1974).

Anglian Water Services Ltd

No Comments;

Housing Services

Provide the following comments

The application is for new dwellings and may require a financial contribution under Policy LP5.

The department would like to see affordable housing provided on site. There is a chronic shortage of 3 bedroom bungalows in the affordable rented sector. The department's preference is that another registered provider is sought to take on the affordable homes.

UU Open Spaces

Provide the following comments

There is currently a deficit of 17.68 hectares of equipped play/open space in Clacton-on-Sea.

Any additional development in Clacton will increase demand on play facilities further. It is felt that any further development in this area will impact on the current facilities. If future development was to take place it would be necessary to increase play provision in the vicinity. Due to the significant lack of play facilities in the area it is felt that a contribution towards play is justified and relevant to the planning application.

The closest play area to the development site is Bockings Elm, which is currently only has one multi-unit this will need to be up graded to a LEAP standard to cope with any additional development. Any contribution from this development would be used to improve: Bockings Elm.

3. Planning History

02/01422/FUL	Demolition of existing residential dwelling and garages and construction of two 4 bedroom houses, three 3 bedroom chalets and two 3 bedroom bungalows and associated garages.	Approved	19.09.2002
17/00670/FUL	Erection of 12 three bed bungalows and 2 four bed bungalows.	Refused	09.08.2017
18/00540/FUL	Proposed erection of 22 x three bed bungalows.	Current	

4. Relevant Policies / Government Guidance

National Planning Policy Framework 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

HG4 Affordable Housing in New Developments

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

COM2 Community Safety

COM21 Light Pollution

COM23 General Pollution

COM29 Utilities

COM31A Sewerage and Sewage Disposal

EN1 Landscape Character

EN12 Design and Access Statements

EN13 Sustainable Drainage Systems

EN29 Archaeology

TR1A Development Affecting Highways

TR3A Provision for Walking

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

SP3 Meeting Housing Needs

SP5 Infrastructure & Connectivity

SP6 Place Shaping Principles

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

HP1 Improving Health and Wellbeing

LP1 Housing Supply
LP2 Housing Choice
LP3 Housing Density and Standards
LP4 Housing Layout
LP5 Affordable and Council Housing
PPL1 Development and Flood Risk
PPL4 Biodiversity and Geodiversity
PPL5 Water Conservation, Drainage and Sewerage
PPL7 Archaeology
Local Planning Guidance
Essex Design Guide
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 (including Site Description and Proposal)

Site Description

The application site is an oblong shaped site measuring some 0.75 hectares in area. Access is taken from St Johns Road which will lead through a new development approved under reference 15/00899/FUL (14 dwellings) and then to the application site. The application site immediately adjoins the previously approved scheme and existing residential development to the north east and east boundaries of the site. Land to the west and south is relatively open. As noted the site forms part of an allocation for mixed use development within the Publication Draft Local Plan. The site is currently used as paddock land and is relatively open in character.

A planning application to construct 14 bungalows on the application site was refused by Officers on 9 August 2017 (reference 1700670/FUL) due to the non-provision of affordable housing. Officers surmised that the application appeared to be a natural extension to the existing development for the 14 approved dwellings at the front of the site and therefore concluded that the development should be considered as a single development site and thus liable for affordable housing provision as the cumulative total amounted to 28 dwelling which exceeded the threshold for affordable housing provision under policy HG4 (15 dwellings).

It was considered that the applicant had not supplied robust enough evidence to support their claim that the two sites were indeed entirely separate. Evidence had also existed that the site had previously been in single ownership and therefore the council refused the application on the grounds that a completed section 106 had not been provided prior to the determination date. The refusal was upheld at appeal on 24 July 2018.

Proposal

This application seeks approval for the construction of 22 x three bed bungalows and 2 x four bedroom bungalows of varying designs. The layout proposes a new access road through the centre of the site, continuing the line of the approved access road.

The development will appear as a continuation of the neighbouring development with a similar form of housing being proposed. Each of the properties will be set within spacious plots with private rear gardens measuring between 101m² and 13m².

The applicant has revised the layout of the highway and related turning/parking areas which has been developed in consultation with Essex County Council highways team.

The application originally proposed one x 3 bed affordable dwelling to be gifted to the council, however the plans and scheme have now been revised and the scheme now proposes 6 affordable dwellings (plots 16 -21) along with contributions towards Open Space and the Essex Coast Recreational disturbance Avoidance & Mitigation Strategy (RAMS).

Principle of Development

The principle of development residential development on this is accepted as the land forms part of an allocation for mixed use development within the Publication Draft (Emerging Plan).

Appearance

The detailed design of the dwellings is varied with different roof forms, height and use of porches and window detailing which adds a somewhat traditional element to the design and provides visual interest.

The surrounding area comprises of a mixture of type and styles of dwellings, using a range of materials all fairly traditional in appearance, it is therefore considered that the design of the proposed dwellings are in keeping with the character of the area. The design and appearance is in keeping with the development for 14 dwellings to the front of the site.

Landscaping

The land subject to this application does not contain any significant trees other than two fruit trees which are to be removed to facilitate the development. Whilst the location of boundary treatments have been provided no details of the soft landscaping, type, height and design have been. However, this is an issue that can be dealt with by condition.

Layout

Each of the proposed dwellings, have their own private amenity space. Policy HG9 of the Saved Local Plan requires 50 sq.m for 1 bed dwellings; 75 sq.m for 2 bed dwellings and 100 sq.m for dwellings with 3 or more beds. All of the dwellings provide ample amenity space in line with the aforementioned Policy.

Parking is provided either to the front or sides of the dwellings, in appropriate locations throughout the site and therefore do not dominate the proposed development.

In conclusion there is no objection to the layout of the proposed development.

Scale

The proposal includes a mix of single storey bungalows, due to the scale of the proposed development it is not considered that there will be any adverse impact on neighbours in terms of overlooking or loss of outlook/light.

Highway Safety/Parking

Essex County Council Highways have been consulted on the application and raise no objection subject to conditions to cover the following: timings of internal road and footways; details of the estate roads and footways; provision and retention of car parking and turning areas; sizes of parking spaces and garages and provision of cycle parking in accordance with the Essex Parking Standards.

Essex County Council Parking Standards state that for one bedroom dwellings 1 off-street parking space is provided and for dwellings with 2 or more bedrooms a minimum of 2 off-street parking spaces are provided. Furthermore, 0.25 space per dwelling should be provided for visitor parking. Each parking space should measure 5.5 metres by 2.9 metres and if a garage is to be relied on it should measure 7 metres by 3 metres internally. The plans show that the proposal provides parking in accordance with the adopted standards.

Provision for cycle storage has not been shown on the plans. However, the garages are of a sufficient size to provide cycle parking and all dwellings have space within the garden area for a shed. Therefore it is considered that adequate cycle parking can be provided and a condition is not considered necessary.

The proposal is therefore acceptable in terms of highway safety. As the plans show compliance with the Essex Parking Standards in relation to sizes of parking spaces and garages it is not necessary to impose conditions to cover this matter, as requested by the Highway Authority.

Impact on Residential Amenity

The nearest residential properties to this development are situated to the north east and north of the site along St Johns Road and to the rear of Jaywick Lane.

The Essex Design Guide states that 'with rear-facing habitable rooms, the rear faces of opposite houses approximately parallel and an intervening fence or other visual barrier which is above eye level from the potential vantage point, a minimum of 25 metres between the backs of houses may be acceptable'. It also states that 'where new development backs onto the rear of existing housing, existing residents are entitled to a greater degree of privacy to their rear garden boundary, and therefore where the rear faces of the new houses are approximately parallel to the existing, the rear of new houses may not encroach any closer than 15 metres to an existing rear boundary'. The proposed dwellings are situated between 15 and 20 metres from the eastern boundary of the site. This relationship with the properties in Jaywick Lane is considered acceptable as they have a significant distance from the rear elevations of the proposed dwellings.

Plots 1, 2, 3 and 4 of the proposed development are to be sited south of the closest property to the development (no 683 St Johns Road) however it is felt that the orientation and also the scale of the dwellings will have a negligible impact on adjacent residential amenity.

The plots (of the new development under construction at the front of the site) most affected by the proposed development are between 20 and 30 metres away, which is considered acceptable as the relationship is between a side and rear elevation so the above guidance does not apply. The distance between the rear elevations of Plots 19 and 22 of the approved application 15/00899 and the proposed development is roughly 25 metres which meets the guidance set out in the Essex Design Guide. Therefore whilst there will be some impact, it is not considered that this would be sufficient to warrant a reason for refusal.

The relationship between the proposed dwellings is also considered acceptable with adequate separation to provide good standards of privacy and light.

Surface Water Drainage

Policy EN13 of the Saved Local Plan and Policy PLA3 Draft Local Plan requires that all new development, excluding householder development, to incorporate Sustainable Drainage Systems (SuDS) as a means of reducing flood risk, improving water quality, enhancing the green infrastructure network and providing amenity benefit. Justification must be given for not using SuDS.

In this regard officers consulted with Essex County Council Flood and Water Management who provided no comments however it is the case that the site falls below 1 hectare size threshold and therefore in line with national policy does not require a Flood Risk Assessment. Further, information on surface water drainage is required and this can be secured by condition.

Financial Contribution – Open Space/Affordable Housing/RAMS

Open Space Contribution

Policy COM6 of the Saved Plan states that for residential development below 1.5 hectares in size, where existing open space facilities are inadequate to meet the projected needs of the future

occupiers of the development, a financial contribution shall be made to the provision of new or improved off-site facilities in scale and kind to meet these needs.

There is currently a deficit of 17.68 hectares of equipped play/open space in Clacton-on-Sea.

Any additional development in Clacton will increase demand on play facilities further. It is felt that any further development in this area will impact on the current facilities. If future development was to take place it would be necessary to increase play provision in the vicinity.

Due to the significant lack of play facilities in the area it is felt that a contribution towards play is justified and relevant to the planning application.

The closest play area to the development site is Bockings Elm, which currently only has one multi-unit this will need to be up graded to a LEAP standard to cope with any additional development.

The Council if minded to approve the application would therefore require contributions from this development to be used to improve Bockings Elm.

Affordable Housing

Saved Policy HG4 requires up to 40% of dwellings to be affordable housing on sites of 15 or more dwellings in urban settlements (with a population of 3,000 or more) and on sites of 5 or more dwellings in rural settlements (with a population less than 3,000). The National Planning Policy Framework requires Councils to consider economic viability when it applies its policies and the Council's own 2013 viability evidence in support of the Local Plan demonstrates that 40% affordable housing is unlikely to be viable in Tendring and that between 10% and 25% (as contained within emerging Policy PEO10) is more realistic.

The Council's Housing Team have indicated that Clacton is the area of highest demand on the housing register and that those on the register are seeking a 3 bedroom property. There is a chronic shortage of 3 bedroom bungalows in the affordable rented stock in the district and there are currently 11 households on the housing register with a critical or high need for this type of property.

This applicant has stated they are happy to enter into a Unilateral Undertaking with the Council with regards to Open Space, Affordable Housing provision, (6x3 bed units), and a proportionate financial contribution in line with the Essex Coast RAMS requirements.

The RAMS requirement will ensure that the development will not have an adverse effect on the integrity of the nearby European sites from recreational disturbance.

The proposed development is therefore considered compliant with Policies COM6 and HG4 of the Tendring District Local Plan and in line with guidance as given by the Essex Coastal RAMS requirements.

Representations

Two letters of representation received which raise the following concerns (officer's response in italics):

- Existing amenities will not cope with the increase of housing in this area (the principle of development has already been established by the granting of planning permission at the front of the site)
- Area cannot cope with the additional traffic (the principle of development has already been established by the granting of planning permission at the front of the site)
- The Parish Council raise no objection to the proposals.

Conclusion

Clacton is considered to be a socially sustainable location for new dwellings and the proposal would bring some economic and social benefits to the area.

In addition in terms of settlement shape and form, development in this location is unlikely to have a significantly detrimental impact on the character of the area as the site immediately adjoins the Settlement Development Boundary (SDB) in the 2007 Adopted Local Plan.

Accordingly it is considered that the proposal complies with the definition of sustainable development as set out in paragraph 7 of the NPPF. As noted the principle of residential development on this site is acceptable. The details, design, layout, landscaping and scale are considered acceptable.

Finally the proposal would result in no significant material harm to residential amenity or highway safety and 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 18/00540/FUL from the date of the permission (11th February 2020).

Reason - To comply with the requirements of section 91 of the Town and Country Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved Drawing Nos:

Amended - plot 15 garage floor plan and elevations	
07 Sep 2018 Drawing	Amended - plots 1, 2, 9, 10 elevations
07 Sep 2018 Drawing	Amended - plots 3 and 4 garage floor plan and elevations
07 Sep 2018 Drawing	Amended - plots 3, 4 and 15 floor plan
07 Sep 2018 Drawing	Amended - plots 5 and 11 elevations
07 Sep 2018 Drawing	Amended - plots 5 and 11 floor plan V
07 Sep 2018 Drawing	Amended - plots 6 and 12 elevations
07 Sep 2018 Drawing	Amended - plots 16 and 17 elevations
07 Sep 2018 Drawing	Amended - plots 18 and 19 elevations
07 Sep 2018 Drawing	Amended - plots 18 and 19 floor plans
07 Sep 2018 Drawing	Amended - plots 20 and 21 elevations
07 Sep 2018 Drawing	Amended - site plan
07 Sep 2018 Drawing	Amended - plots 20 and 21 floor plan
07 Sep 2018 Drawing	Amended - plots 7, 8, 13, 14 and 22 floor plan
07 Sep 2018 Drawing	Amended - plots 16 and 17 floor plan
07 Sep 2018 Drawing	Amended - plots 3, 4 and 15 elevations
07 Sep 2018 Drawing	Amended - plots 7, 8, 13, 14 and 22 elevations
07 Sep 2018 Drawing	Amended - plots 1, 2, 9, 10 floor plans
07 Sep 2018 Drawing	Amended - plots 6 and 12 floor plan

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

3. Prior to commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety in accordance with Policy DM7 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

4. No development shall take place until precise details of the provision, siting, design and materials of screen walls and fences have been submitted to and approved in writing by the Local Planning Authority. The approved screen walls and fences shall be erected prior to the dwellings to which they relate being first occupied and thereafter be retained in the approved form.

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

5. No development 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 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 - In the interests of visual amenity and the character of the area.

6. No development shall take place until a Method Statement for the construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. the demolition and construction works shall be carried out in accordance with the approved Method Statement.

Details submitted in respect of the Method statement, incorporated on a plan, shall provide for wheel cleaning facilities during the excavation, site preparation and construction stages of the development. The Method Statement shall also include details of the loading and unloading of plant materials, hours of construction, dust suppression strategy, means of recycling materials, the provision of parking facilities for contractors during all stages of the development (excavation, site preparation and construction) and the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials.

Reason - To ensure that development is carried out in a controlled manner while minimising impacts on the surrounding residential properties and also in the interests of highway safety.

7. Prior to commencement of development a vehicular turning facility for service and delivery vehicles of a 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 interest of highway safety.

8. No external lighting shall be installed on the site unless details of such lighting, including the intensity of the illumination and predicted lighting contours, have been first submitted to, and approved in writing by the Local Planning Authority prior to first occupation of the site. Any external lighting that is installed shall accord with the details so approved.

Reason - To satisfactorily protect the character and appearance of the area and the residential amenities of nearby occupiers.

9. Prior to occupation of the development the vehicular turning facilities, 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 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

10. 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 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

11. Prior to occupation of the development the vehicular access shall be provided with a suitable transition from the existing road and constructed as a shared use route to be no less than 6 metres in width, and shall be retained at that width within the site.

Reason - to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

12. 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 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

13. Each new property shall be provided with 2 parking spaces and each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason - To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

14. Any single garages should have a minimum internal measurement of 7m x 3m, Any double garages should have a minimum internal measurement of 7m x 6m

Reason - To encourage the use of garages for their intended purpose and to discourage on-street parking, in the interests of highway safety and in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

15. Prior to occupation of the proposed development, 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.

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 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

16. The development hereby permitted shall not be commenced until such time as a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

Reason - The National Planning Policy Framework paragraph 103 states that Local Planning Authorities should ensure flood risk is not increased elsewhere by development.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates.

To mitigate against increased flood risk to the surrounding area during construction therefore, there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

17. No development shall take place until details of the implementation, maintenance and management of the sustainable drainage strategy have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented prior to occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details. Those details shall include:
- i) a programme for its implementation, and
 - ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.
 - iii) arrangements to enable SuDS within private properties to be accessed and maintained including information and advice on responsibilities to be supplied to future owners.

Reason - To ensure satisfactory provision of foul and surface water drainage in order to prevent the development from causing increased flood risk off site over the lifetime of the development.

18. Waste materials associated with the development of the site, including the clearance of the site, shall be disposed of in an appropriate manner and no material shall be burnt on site.

Reason - To ensure a satisfactory standard of residential environment.

19. No development shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.

Reason -To ensure a satisfactory form of development.

20. No work or machinery shall be operated on-site before 08.00 hours and after 18.00 hours on weekdays and before 08.00 hours nor after 14.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Reason -To safeguard adjacent residential amenity.

8. Informatives

Highways
Proactive Statement

<p>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</p>	<p>YES</p>	<p>NO</p>
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Are there any third parties to be informed of the decision? If so, please specify:	YES	NO
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