

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NW	07/01/2021
Planning Development Manager authorisation:	TC	07/01/2021
Admin checks / despatch completed	DB	07/01/2021
Technician Final Checks/ Scanned / LC Notified / UU Emails:	CC	07.01.2021

Application: 20/01622/DETAIL **Town / Parish:** Ardleigh Parish Council

Applicant: Mr McCracken

Address: Land at 44 Harwich Road Lawford Manningtree

Development: Approval of reserved matters for outline application 19/01909/OUT for proposed new dwelling.

1. Town / Parish Council

Ms Clerk to Ardleigh
Parish Council
18.12.2020

The site falls outside the settlement development boundary. The policy of the Parish Council is to object to applications outside the settlement development boundary as we wish to protect and enhance the rural nature of our village and surrounding areas and to maintain the rural feel and green spaces between Ardleigh and other local settlements.

As permission is already in place for this new dwelling so the Council does not feel it can object to this. However it should be noted that Ardleigh village has a limited and already stretched range of services and amenities and further development is bound to add to the pressure on the local school and doctors' surgery for example.

We remain particularly concerned about the continuing ribbon development of Harwich Road between Ardleigh and Lawford, where this site is located. We are aware of a significant number of new houses already given permission on a relatively short stretch of Harwich Road (22 at least).

The Council is also concerned about the loss of agricultural land which was originally provided by the land settlement agency and would like to see the concerns about continued development and loss of agricultural land in this area addressed in the local plan.

2. Consultation Responses

Building Control and Access Officer
21.12.2020

No adverse comments at this time.

Tree & Landscape Officer
03.12.2020

The applicant has provided details of a new hedge to be planted on the front boundary of the application site and the information provided in terms of species and specification are acceptable and sufficient.

Immediately adjacent to the hedge there is an area of grass which provides an opportunity to plant a single specimen tree. Therefore, the soft landscaping should be amended to include a new tree in this area.

Acer campestre (Field Maple) Sorbus aucuparia (Mountain Ashe) or Betula pendula (Silver Birch) would be acceptable species. Many other tree species would be equally acceptable.

The tree should have a minimum girth of 8-10cm at time of planting.

If the soft landscaping detail were amended to include a single tree as described then in other respects the information is sufficient.

ECC Highways Dept
30 December 2020

1. There should be no obstruction above ground level within a 2.4m 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. As indicated on drawing no. Phr-01 Rev C and prior to occupation of the dwelling a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

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

3. Prior to occupation of the dwelling 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.

4. Prior to the occupation of the dwelling the internal layout shall be provided in principal with drawing number:

- **Drawing: Phr-01 Rev C Block plan and proposed elevations and floor plans**

Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety and in accordance with Policy DM1.

5. The dwelling shall not be occupied until such time as a car parking has been provided in principal with drawing Phr-01 Rev C. These facilities shall be retained in this form at all times and shall not be used for any purpose other than the parking and/or turning of vehicles related to the use of the development thereafter.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety and in accordance with Policy DM 1 & 8.

6. 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.

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 carriageways.

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

9. 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.

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 enough 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.

2: 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 – Development Management Team
Ardleigh Depot,
Harwich Road,
Ardleigh,
Colchester
CO7 7LT**

3: 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. 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.

4: 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.

UU Open Spaces
16.12.2020

No comments from Open Spaces

3. Planning History

97/00085/FUL	(44 Harwich Road, Ardleigh) Alterations and extension to form first floor addition	Approved	24.02.1997
04/00936/FUL	Two storey extension	Approved	22.06.2004
19/01909/OUT	Proposed new dwelling.	Approved	13.03.2020
20/01622/DETAI L	Approval of reserved matters for outline application 19/01909/OUT for proposed new dwelling.	Current	

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019
National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

EN1 Landscape Character

TR1A Development Affecting Highways TR7 Vehicle Parking at New Development

COM6 Provision of Recreational Open Space for New Residential Development EN6
Biodiversity

EN11A Protection of International Sites European Sites and RAMSAR Sites

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

SP1 Presumption in Favour of Sustainable Development

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

CP1 Sustainable Transport and Accessibility

CP2 Improving the Transport Network

PPL3 The Rural Landscape

HP5 Open Space, Sports & Recreation Facilities

PPL4 Biodiversity and Geodiversity

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) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10th December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council is now making arrangements to formally adopt Section 1 of the Local Plan in its modified state and this is expected to be confirmed at the meeting of Full Council on 26th January 2021 – at which point will become part of the development plan and will carry full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan. In the interim, the modified policies in the Section 1 Local Plan, including the confirmed housing requirement, can be given significant weight in decision making owing to their advancement through the final stages of the plan-making process.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) is now expected to proceed in 2021 and two Inspectors have already been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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 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 technically falls below 5 years – but this is only because, until the modified Section 1 Local Plan is formally adopted at the end of January 2021, housing supply has to be calculated against a housing need figure derived through the government’s ‘standard methodology’ – a figure that is significantly higher than the ‘objectively assessed housing need’ of 550 dwellings per annum in the Section 1 Plan and confirmed by the Inspector in his final report to be sound. Because of this technicality, the NPPF still requires 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.

However, because the housing land supply shortfall is relatively modest when applying the standard method prescribed by the NPPF and significant weight can now be given, in the interim, to the sound policies in the modified Section 1 Plan (including the housing requirement of 550 dwellings per annum), the reality is that there is no housing shortfall and, on adoption of the Section 1 Plan, the Council will be able to report a significant surplus of housing land supply over the 5 year requirement, in the order of 6.5 years. Therefore, in weighing the benefits of residential development against the harm, the Inspector’s confirmation of 550 dwellings per annum as the actual objectively assessed housing need for Tendring is a significant material consideration which substantially tempers the amount of weight that can reasonably be attributed to the benefit of additional new housing – particularly in the consideration of proposals that fall outside of the settlement development boundaries in either the adopted or the emerging Section 2 Local Plan.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is located in the southern side of Harwich Road, forming part of a clearly identifiable ribbon of development within the locale. The site is outside any defined Settlement Boundary of the adopted or emerging Local Plans. Therefore, effectively the countryside washes over the entire area.

Typically, the dwellings are arranged in pairs of semi-detached properties, however, a detached dwelling was allowed on appeal in July 2019 on the immediately adjacent plot to the north east, 42C Harwich Road. While the host plot got approval via the LPA, for a new dwelling in March 2020.

The host plot is comparable in size to the neighbouring plot 42C. It is rectangular in shape and measures 868 m sq, some 13.5 m wide and 37 m deep. The redline site is unusual as 44 Harwich Road owns land to the rear of 43 and 42C Harwich Road that then returns to the Highway, in a horseshoe fashion.

There are no listed Buildings or Conservation Areas near to the host site.

It is also noteworthy that despite being recently built, the 1 ½ storey dwelling (42 c Harwich Road) approved via application 19/00352/FUL in April 2019 has been built and is occupied. The current owner has written in support of the application.

Planning History

Under planning application 19/01909/OUT, planning permission was approved for the erection of a single dwelling. All matters were reserved. The outline decision notice stated 7 planning conditions:

1. Two years to start the work from the date of the last reserved matter approval.
2. All reserved matters to be completed within 3 years
3. All matters were reserved
4. Construction Management Plan
5. Tree protection measures,
6. Porous parking materials
7. Minimum widths of the driveway

There was no planning condition limiting the 'size' of the building. However, the Officer report stated, a dwelling that is no greater than two – storey, with a similar 'forward' building line that was sited centrally within the plot is likely to continue to respect the character of built form in the area by not introducing a dominant form of development.

Proposal and Principle of Development

This application seeks permission for the reserved matters for the construction of a single dwellings following the approval at outline stage. The principle of development has been established through the granting of outline planning permission under reference 19/0109/OUT.

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

1. Scale, Appearance and Layout
2. Access
3. Landscaping
4. Habitat Regulations Assessment
5. Requirements of Outline Consent
6. Other Considerations

1. Scale, Appearance, Layout

Paragraphs 127 and 170 of the NPPF state that developments should add to the overall quality of the area, be visually attractive as a result of good architecture and be sympathetic to local character, including the surrounding built environment.

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. These sentiments are carried forward within Policy SPL3 of the emerging Local Plan.

The overall scale and footprint of the proposed dwelling is greater than that of the immediate neighbouring property to the north west, (42c Harwich Road that was approved under application 19/00352/FUL). However, the width and height is very similar to this neighbouring dwelling. For example, the neighbour has a ridge height of 8.2 metres and the host proposed dwelling also a ridge height of approximately 8.2 metres. Although, the eaves

height of the neighbouring dwelling (42c Harwich Road) is 3.8 metres, while the eaves of the proposed dwelling is 4.8 metres.

This eaves difference shall be noticeable, however given the outline planning permission did not limit the size of the proposed dwelling at the host plot. Indeed, the Officer Report states a dwelling that is no greater than two – storey is likely to respect the character of built form in the area by not introducing a dominant form of development. Officers accept this slight change in character of building type, in this case largely due to the ridge has respected the neighbouring dwelling.

Officers option that the eaves of 4.8 metres for the proposed dwelling is low for a two storey dwelling this helps lessen the height and bulk proposed. Nevertheless, the rear design utilising two rear projecting pitched gables with a central valley gutter does give the impression of a fairly significant two storey rear extension. The depth of the footprint from the front building line to the two storey rear building line is over 10 metres. This also provides for fairly significant side gable wall (although limited to 4.8 to the rear).

However, regarding this rearward mass. The neighbouring dwelling 42C covers most of this bulk from the east while the extensive tree line provides cover to the west.

Also, Officers note that nearby properties often have significant rear extensions at right angles to the host build, also with a pitched roof. Noticeably at 44 Harwich Road and also, 38 Harwich Road.

Overall, therefore, in this case, due to the fact that the ridge line is nearly identical to the immediate neighbour and the eaves has been kept low, the scale of the proposal is considered proportionate to the plot and the surrounding area.

The following materials are used:

Roof – Vintage Burnt Red Pantile

Brick – Weinberger Mardale Antique Red Multi

Hard Standing - Brett Alpha Silver Haze permeable paviments

The dwelling will have horizontal weatherboarding on the front elevation painted dark grey. The remaining elevations and plinth will be red brick.

The appearance and fenestration and the proposed materials detailed on the plans are considered to relate acceptably to the character of the area.

Policy HG9 of the Saved Tendring District Local Plan 2007 states that private amenity space for a dwelling of three bedrooms or more should accommodate a minimum of 100 square metres. The plans provided demonstrate that a garden size in excess of 100 sqm (some 150 sqm) in line with Policy HG9.

The submitted plans also demonstrate the layout which allows a well-spaced development retaining at least 1.2 metre to all boundaries which exceeds the standards set out within saved Policy HG14 of the Tendring District Local Plan. The dwelling is well set back from the highway having sufficient parking and turning area to the front of the dwellings.

In conclusion, the development is considered to represent an acceptable scale, layout and appearance that will not appear harmful to visual amenity or the character and appearance of the street scene.

Residential Amenities

The NPPF at Paragraph 127 f) reminds decision makers developments should have a 'high standard of amenity for existing and future users'. Whilst the Essex Design Guide seeks in part to provide minimum standards of back to back distances between dwellings to overcome both overlooking and over shadowing. Normally 'new dwellings' should be 15 metres from the rear boundary of existing dwellings. Providing for a minimum of 25 metres gap between both. However, the design guide also says that this distance can be reduced if one or both of the houses concerned are 'designed in such a way as not to overlook one another'.

The proposed dwelling has no properties to the rear of it and a rear garden of some 10.5 metres.

As the proposed dwelling shall be enclosed by fencing that will mitigate against any loss of on residential amenity at ground floor.

The two storey rear building line of the proposed dwelling extends some 2 metres beyond the rear wall of the neighbouring dwelling to the north west. However, the two neighbouring dwellings are separated by approximately 2.8 metres. This is on balance acceptable. Officers recommend the removal of permitted developments for extensions to better control this aspect going forward. Also, due to the depth, of the host dwelling, positioning of outbuildings is important so not to over dominate the neighbour, 42C Harwich Road. Therefore outbuilding under Class E are recommended to be removed also.

The ensuite side facing first floor window shall be conditioned to be obscured glass and non-opening unless 1.7 metres above internal floor height.

Overall, subject to condition, the proposal is considered acceptable in terms of neighbouring impact and residential amenities.

2. 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. These objectives are supported by emerging Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

The access is proposed direct from Harwich Road with a new 5.5m wide driveway with 1.5m pedestrian splays to either side. As the site boundary is set back behind a wide greensward, visibility splays of 2.4m x 79m to the south and 2.4m x 104m to the north clear to ground can be provided. The first 6m of the driveway will be constructed using block paving.

The Council's Adopted Parking Standards require that dwellings with 2 bedrooms or more require a minimum of 2 parking space is provided per dwelling measuring 5.5 metres by 2.9 metres, or in the case of garages being 3m wide and 7 metres deep internally.

The plans provided demonstrate that the site can accommodate two parking spaces in line with the Standards.

Essex Highway Authority have been consulted on this application and have stated that there are no objections subject to conditions relating to the, the development is constructed in accordance with the approved layout plan, the parking spaces are retained for that purpose only, visibility splays, planting back from the highway, cycling provision and a residential travel plan to be submitted. Officers accept these conditions apart from, due to the size of the development, the residential travel packs request. While, due to the size of the garages proposed, Officers believe bikes can be stored in there, thus there is no need for the cycle planning condition.

3. Landscaping

A new Portuguese Laurel hedgerow is proposed across the frontage, details of which are included upon the application drawing together with full planting specifications. There are no trees on the site although an Oak tree (*Quercus robur*) is located in the north west corner just outside the application site, with its canopy partly overhanging the site.

The Landscape Officer has confirmed the applicant has provided details of a new hedge to be planted on the front boundary of the application site and the information provided in terms of species and specification are acceptable and sufficient. The updated Block Plan includes additional planting to the front.

Officers have no objections on landscaping grounds.

4. Habitat Regulations Assessment

A unilateral undertaking accompanied the planning approval 19/01909/OUT securing a proportionate financial contribution in line with Public Open Space requirements. This undertaking also included a Essex Coast RAMS requirements to ensure that this proposal will not have an adverse effect on the integrity of the nearby European sites from recreational disturbance, when considered 'in combination' with other development. This remains in place.

5. Requirements of Outline Consent

The application was approved subject to a number of conditions and subject to a legal agreement for a financial contribution towards recreational disturbance and public open space.

Condition 1 - 3 Standard reserved matters time limit and submission of details conditions.

Condition 4 – Construction Method Statement -this is included with this application and considered discharged.

Condition 5 - The previously approved tree protection measures will be undertaken prior to commencement of work, this is included with this application and the written elements of the condition are considered discharged, but this does not confirm the works have been carried as prescribed.

Condition 6 - This is included with this application and the written elements of the condition are considered discharged, but this does not confirm the works have been carried as prescribed.

Condition 7 - This is included with this application and the written elements of the condition are considered discharged, but this does not confirm the works have been carried as prescribed.

6. Other Considerations

There has been one letter from the neighbour at 42C Harwich Road who has supported the application.

Ardleigh Parish Council have made neutral comment about the application, however the principle has already been agreed and the details of the reserve matters have been found adequate, subject to planning condition, as set out above.

6. Recommendation

Approval subject to conditions

7. Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason - The time limit condition is imposed in order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans;

Phr-01 rev d Amended block plan and proposed elevations and floor plans Received 06 Jan 2021

Landscape Plan 23 December 2020

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

3. There should be no obstruction above ground level within a 2.4m 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.

4. As indicated on drawing no. Phr-01 Rev C and prior to occupation of the dwelling a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

Reason - To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety.

5. Prior to occupation of the dwelling 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.

6. Prior to the occupation of the dwelling the internal layout shall be provided in principle with drawing number:

- Drawing: Phr-01 Rev D Amended block plan and proposed elevations and floor plans

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

7. The dwelling shall not be occupied until such time as a car parking has been provided in principle with drawing Phr-01 Rev D. These facilities shall be retained in this form at all times and shall not be used for any purpose other than the parking and/or turning of vehicles related to the use of the development thereafter.

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

8. 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.

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 carriageways.

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

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and/or re-enacting that Order) or the details provided within approved plan, Phr-01 rev d. The first floor side window facing 42C Harwich Road, serving the ensuite shall be non-opening unless; the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The window shall be glazed with obscure glass with a degree of obscurity equivalent to Pilkington level 5 and shall be permanently maintained thereafter as obscure glazed.

Reason - To safeguard the amenities of the adjoining premises from overlooking and loss of privacy

11. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A, B, C and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re – enacting that Order with or without modification), no enlargement, improvement, or other alteration to the dwelling or additional outbuilding shall be erected or carried out except in accordance with drawings showing the siting and design of such enlargement, improvement, outbuilding or other alteration which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - In order to ensure that the site is not over developed in the interest of the amenity of the occupants of adjacent dwellings and in order to maintain a satisfactory appearance in the street scene in the interest of the visual amenity of the locality.

8. Informatives

- 1: 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 these 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.

- 2: Steps should be taken to ensure that the Developer provides enough 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.

- 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:

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- 4: 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. 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.
- 5: 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.
6. Condition 4, 5, 6 and 7 of 19/01909/OUT are included with this application and the written elements of the condition are considered discharged, but this does not confirm the works have been carried as prescribed.
7. Where permitted development rights have been removed the applicant is reminded there is no planning fee to construct a development that would have otherwise been permitted development.
- 8 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.

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