

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	MP	18/05/23
Planning Manager / Team Leader authorisation:	SCE	22.05.2023
Planning Technician final checks and despatch:	CC	23.05.2023

Application: 23/00439/OUT **Town / Parish:** Little Bromley Parish Council

Applicant: Mr and Mrs Michael and Patricia Hatcher

Address: Land West of Hunyani Ardleigh Road Little Bromley

Development: Outline Planning Application (all matters reserved) for proposed erection of two dwellings.

1. Town / Parish Council

Little Bromley Parish Council No comments received.

2. Consultation Responses

ECC Highways Dept
11.05.2023

The information submitted with the application has been fully assessed by the Highway Authority and conclusions reached based on a desktop study in conjunction with a site visit. The site is situated on Ardleigh Road, classed as a local road part of the road to the east of the existing vehicular access is subject to a 30-MPH speed limit and is approximately 70 metres from the junction with Shop Road/ Chequers Road. The proposal would utilise the existing vehicular access onto Ardleigh Road which would be shared with the host and the two proposed dwellings. Both approaches to the existing access are straight, while the traffic data indicates that there have been no recorded collisions for the most recent 5-year period (01/04/2018 to 31/03/2023) at or in the vicinity of the host site, considering these factors:

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 road junction / access at its centre line shall be provided with a minimum clear to ground visibility splay with dimensions of 2.4 metres by 43 metres to the east and 2.4 metres by 140 metres to the west, as measured from and along the nearside edge of the carriageway. 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 vehicles using the road junction / access and those in the existing public highway in the interest of highway safety in accordance with policy DM1.

Note: It is envisaged that some or all of the boundary hedge to the host dwelling will have to be cut back/ removed, either side of the existing site access to achieve the 2.4 metre set back distance, currently the highway verge width is only 1.8 metres between the

back edge of the carriageway and hedgerow.

2. Prior to occupation of the development a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority shall be constructed, surfaced, and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety in accordance with policy DM1.

3. Prior to the occupation of the proposed dwellings, the proposed private drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of Carriageway / Highway Boundary and shall be provided with an appropriate vehicular crossing.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety in accordance with policy DM1.

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

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

5. 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. 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.

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: 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

2: 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.

3: 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.

4: 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.

Environmental Protection
17.04.2023

I have looked at this outline application and the associated construction method statement and can confirm that Environmental Protection have no comments to make at this time.

UU Open Spaces
26.04.2023

Public Realm Assessment

Play Space - current deficit:

- Deficit of 0.23 hectares of equipped play in Little Bromley

Formal Play - current deficit:

- Deficit of 0.46 hectares of open space Little Bromley

Settlement provision:

- Currently there is no provision of open space or play facilities in Little Bromley

Officer Conclusions and Recommendations

Contribution necessary, related, and reasonable?
to comply with CIL Regs*

- No contribution is being requested on this occasion.

Identified project*:

(In consultation with Town / Parish Council on upcoming projects or needs for maintenance)

- N/a

Tree & Landscape Officer
20.04.2023

The application site currently forms part of the residential curtilage of the host property. The garden is set to grass and is well populated with trees.

The boundary with the highway is demarcated by a hedge comprising of primarily Hawthorn and Blackthorn. The hedge contains a row of established Oaks that are a significant feature in the landscape.

The main body of the land contains several trees comprising of primarily Willow and Poplar. There is a large Walnut close to the

existing detached garage on the site.

The trees on the perimeter of the application site are not threatened by the development proposal and combined with the boundary hedge provide a good level of screening and enclosure. The Willow and Poplar, in the main body of the application are not well-formed specimens and add little to the character and appearance of the area. The Walnut is a mature healthy specimen that it would be desirable to retain however its amenity value is relatively low as it is screened from view by existing boundary vegetation.

To fully assess the extent to which the trees and hedge are a constraint on the development of the land and to identify the way that retained trees would be physically protected should planning permission for development be granted the applicant will need to provide an Arboricultural Impact Assessment (AIA). The AIA should be in accordance with BS5837: 2012 Trees in relation to design, demolition and construction ' Recommendations.

Should planning permission be likely to be granted then details of soft landscaping should be secured as a reserved matter. Soft landscaping should aim to soften, screen and enhance the appearance of the development.

3. Planning History

N/A

4. Relevant Policies / Government Guidance

National:

National Planning Policy Framework July 2021 (NPPF)

National Planning Practice Guidance (NPPG)

Local:

Tendring District Local Plan 2013-2033 and Beyond North Essex Authorities' Shared Strategic Section 1 Plan (adopted January 2021)

SP1 Presumption in Favour of Sustainable Development

SP2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

SP3 Spatial Strategy for North Essex

SP4 Meeting Housing Needs

SP7 Place Shaping Principles

Tendring District Local Plan 2013-2033 and Beyond Section 2 (adopted January 2022)

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

HP5 Open Space, Sports & Recreation Facilities

DI1 Infrastructure Delivery and Impact Mitigation

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PPL3 The Rural Landscape

PPL5 Water Conservation, Drainage and Sewerage

PPL10 Renewable Energy Generation

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex Design Guide

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

Planning law requires that decisions on applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework (the Framework). The 'development plan' for Tendring comprises, in part, Sections 1 and 2 of the Tendring District Council 2013-33 and Beyond Local Plan (adopted January 2021 and January 2022, respectively), together with any neighbourhood plans that have been brought into force.

In relation to housing supply:

The Framework requires Councils 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 of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, to account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible or if housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, Paragraph 11 d) of the Framework requires granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole (what is often termed the 'tilted balance').

The Local Plan fixes the Council's housing requirement at 550 dwellings per annum. On 19 October 2021 the Council's Strategic Housing Land Availability Assessment (SHLAA) updated the housing land supply position. The SHLAA demonstrates in excess of a six-and-a-half-year supply of deliverable housing land. On 14 January 2022 the Government published the Housing Delivery Test (HDT) 2021 measurement. Against a requirement for 1420 homes for 2018-2021, the total number of homes delivered was 2345. The Council's HDT 2021 measurement was therefore 165%. As a result, the 'tilted balance' at paragraph 11 d) of the Framework does not apply to applications for housing.

5. Officer Appraisal

Site Description

The application site, which measures approximately 0.15 hectares, is land sited adjacent to the west of a property known as 'Hunyani', and is located along the northern section of Ardleigh Road within the parish of Little Bromley.

The site is accessed via Ardleigh Road, is laid to grass and includes a number of trees, and the southern boundary consists of an established hedgerow. The character of the area is typically semi-rural in nature; there are residential properties along Shop Road to the south-east and further out along Ardleigh Road to the west (including Grade II Listed 'Ash Cottage'), however the wider area consists of large plots of open grassed or agricultural land.

The site falls within the Settlement Development Boundary for Little Bromley within the adopted Local Plan 2013-2033.

Description of Proposal

This application seeks outline planning permission with all matters reserved, for the erection of two dwellings on land to the west of 'Hunyani'.

The remaining matters, namely access, appearance, landscaping, layout and scale, do not form part of the determination of this application.

Assessment

1. Principle of Development

The site is located within the Settlement Development Boundary (SDB) for Little Bromley, as established in the adopted Local Plan 2013-2033. Adopted Policy SPL2 states that within the Settlement Development Boundaries, there will be a general presumption in favour of new development subject to detailed consideration against other relevant Local plan policies. As such, at an overarching high level, the principle of residential development on the site is acceptable, subject to the detailed considerations below.

2. Design and Visual Impacts

Paragraph 130 of the National Planning Policy Framework (NPPF) (2021) requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place.

Adopted Policy SP7 of Section 1 of the 2013-33 Local Plan seeks high standards of urban and architectural design, which responds positively to local character and context. Policies SPL3 and LP4 of Section 2 of the 2013-33 Local Plan also require, amongst other things, that developments deliver new dwellings that are designed to high standards and which, together with a well-considered site layout that relates well to its site and surroundings, create a unique sense of place.

Adopted Policy LP4 states the design and layout of new residential developments is expected to provide for amenity space of a size and configuration that meets the needs and expectations of residents, and which is commensurate to the size of the dwelling and character of the area.

The development will consist of two additional dwellings on the land sited to the west of 'Hunyani', which will be accessed via the existing access point off Ardleigh Road to the south of the site. Scale, layout and appearance do not form part of the determination of this application, and as such no elevational drawings have been provided for Officers to comment on. However, it is noted that 'Hunyani' is a single storey property and the supporting statement outlines that the dwellings are likely to be single storey within any future reserved matters application. Officers consider that this would be an acceptable and in-keeping addition, and would not object to such a scale.

Furthermore, Officers consider that given the width of the plot measures approximately 60 metres and has a depth of approximately 15 metres, there is sufficient space to accommodate two dwellings on spacious plots that are also able to provide sufficient private amenity space and necessary parking requirements, and therefore no objections are raised in this regard.

3. Impact to Neighbouring Amenities

Paragraph 130 of the National Planning Policy Framework (2021) confirms planning policies and decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy SP7 of Section 1 of the 2013-33 Local Plan requires that the amenity of existing and future residents is protected. Section 2 Policy SPL 3 (Part C) seeks to ensure that development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties.

The application is in outline form, with all matters reserved for any future reserved matters planning application. That notwithstanding, it is acknowledged that there is significant separation distance of 15 metres to the nearest neighbours located to the east (Hunyani). Within any future reserved matters application, Officers are therefore content a design and layout can be provided that would ensure no significant harm to existing amenities.

4. Highway Safety

Paragraph 110 of the National Planning Policy Framework 2021 seeks to ensure that safe and suitable access to a development site can be achieved for all users, whilst Paragraph 104 requires that streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

Adopted Policy CP1 (Sustainable Transport and Accessibility) of the Tendring District Local Plan 2013-2033 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.

Essex Highways Authority have been consulted and have confirmed that both approaches to the existing access are straight, while the traffic data indicates that there have been no recorded collisions for the most recent 5-year period at or in the vicinity of the host site, and as such offer no objections. Conditions have been requested relating to visibility splays, a vehicular turning facility, the width of the access, the use of no unbound materials, any boundary planting being set back a minimum of 1 metre from the highway, and parking space measurements. However given that access is not a matter for consideration within the determination of this application, these will instead be added as informatives that should be taken into consideration ahead of any future reserved matters application.

Furthermore, the Essex County Council Parking Standards set out the parking requirements for new development, and confirm that for residential properties of two bedrooms or more there should be two parking space measuring a minimum of 5.5 metres x 2.9 metres or, if being used as one of the parking spaces, a garage should measure a minimum of 7 metres x 3 metres. While no indicative layout has been provided, Officers consider that within any future reserved matters planning application, the above standards could be met given the space across the site.

5. Impact to Trees

The Council's Tree and Landscape Officer has been consulted, and has confirmed the following:

“The application site currently forms part of the residential curtilage of the host property. The garden is set to grass and is well populated with trees.”

The boundary with the highway is demarcated by a hedge comprising of primarily Hawthorn and Blackthorn. The hedge contains a row of established Oaks that are a significant feature in the landscape.

The main body of the land contains several trees comprising of primarily Willow and Poplar. There is a large Walnut close to the existing detached garage on the site.

The trees on the perimeter of the application site are not threatened by the development proposal and combined with the boundary hedge provide a good level of screening and enclosure. The Willow and Poplar, in the main body of the application are not well-formed specimens and add little to the character and appearance of the area. The Walnut is a mature healthy specimen that it would be desirable to retain however its amenity value is relatively low as it is screened from view by existing boundary vegetation.

To fully assess the extent to which the trees and hedge are a constraint on the development of the land and to identify the way that retained trees would be physically protected should planning permission for development be granted the applicant will need to provide an Arboricultural Impact Assessment (AIA). The AIA should be in accordance with BS5837: 2012 Trees in relation to design, demolition and construction ' Recommendations.

Should planning permission be likely to be granted then details of soft landscaping should be secured as a reserved matter. Soft landscaping should aim to soften, screen and enhance the appearance of the development."

Taking the above comments into consideration, within a future planning application it is expected that it would be accompanied by an Arboricultural Impact Assessment as well as soft landscaping details.

6. Drainage

Paragraph 174 of the Framework states that planning policies and decisions should contribute to and enhance the natural and local environment by preventing new development from contributing to unacceptable levels of water pollution. Furthermore, Paragraph 185 of the Framework states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects of pollution on the natural environment.

Policy PPL5 of Section 2 of the adopted Local Plan states that all new development must make adequate provision for drainage and sewerage. Private sewage treatment facilities will not be permitted if there is an accessible public foul sewer. Where private sewage treatment facilities are the only practical option for sewage disposal, they will only be permitted where there would be no harm to the environment, having regard to preventing pollution of groundwater and any watercourses and odour.

The agent for the application has provided details within the submission to show that a Package Treatment Plant is to be utilised in order to dispose of sewerage, suggesting that a mains drainage connection is not feasible on this occasion.

In considering the acceptability of the proposed non-mains drainage, the site is located on the edge of a small rural settlement, is not close to any designated site of importance to biodiversity, nor is it located within close proximity to any watercourse. The site is not located within a Drinking Water Safeguard Zone or a Source Protection Zone, and the site is sufficiently large enough to accommodate a soakaway. Furthermore, flows from a treatment plant serving two dwellings would be very low. Taking all these factors into account, and the absence of a mains connection in close proximity to the site, the proposed foul drainage arrangements are considered to be acceptable.

7. Renewable and Energy Conservation Measures

Paragraph 112 of the Framework states that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles (ULEV) in safe, accessible and

convenient locations. However, recent UK Government announcements that ULEV charging points will become mandatory for new development have yet to be published.

Policies PPL10 and SPL3, together, require consideration be given to renewable energy generation and conservation measures. Proposals for new development of any type should consider the potential for a range of renewable energy generation solutions, appropriate to the building(s), site and its location, and be designed to facilitate the retro-fitting of renewable energy installations.

The proposal includes new roof space which has the potential to incorporate solar photovoltaic installation, and car parking areas have the potential for the provision of ULEV charging points for electric cars. It is therefore necessary and reasonable for Officers to insist on a planning condition for renewable energy generation solutions to be incorporated within the design, in order to meet the policy requirements.

8. Financial Contributions - Open Space and RAMS

(i) Open Space

Paragraph 55 of the National Planning Policy Framework (2021) states Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Paragraph 57 of the NPPF states planning obligations must only be sought where they are necessary to make the development acceptable in planning terms, directly relate to the development and fairly and reasonably relate in scale and kind to the development.

Section 2 Policy HP5 states that the Council will work with partners and sports providers across the district to maintain, expand and improve the quality and accessibility of public open space, sports and recreational facilities of different types and will aim to achieve and exceed standards set out in the Council's 2017 Open Spaces Strategy or any future update. Financial contributions will also be sought through s106 legal agreements (or an appropriate alternative mechanism) towards ongoing maintenance.

In line with the requirements of Section 2 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. The outcome of the consultation is that there is currently a deficit of 0.23 hectares of equipped play and 0.46 hectares of open space in Little Bromley, however no contribution is requested on this occasion.

(ii) Habitat Regulations Assessment

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 (Zoi) being approximately 3,250 metres from Stour and Orwell Estuaries SPA and RAMSAR sites. New housing development within the Zoi would be likely to increase the number of recreational visitors to these sites 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 unilateral undertaking has been prepared to secure this legal obligation. This will ensure that the development would not adversely affect the integrity of European Designated Sites in accordance with Section 1 Policy SP2 and Section 2 Policy PPL4 of the Tendring District Local Plan 2013-2033 and Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

Other Considerations

Little Bromley Parish Council have provided a series of observations as follows:

1. The Block Plan extends beyond the Settlement Development Boundary;
2. The site contains many large and mature trees;
3. Loss of vegetation either side of the access following ECC Highways requirements;
4. Overall loss of existing hedges; and
5. Concerns there will be insufficient amenity space for all three properties.

In answer to this, points 1, 2 and 5 are addressed within the main body of the report above. In response to points 3 and 4, it is unclear what is meant by the loss of vegetation as a result of ECC Highways comments, although if this relates to the requirement for visibility splays, this would be subject of the future reserved matters application. In addition, a visibility splays plan has been provided which shows the required splays are achievable, and while this is a matter for a future reserved matters application, Officers consider this to be achievable without the loss of existing boundary hedgerow.

There has been four letter of objection received, raising the following concerns:

1. Highway safety impacts;
2. Harm to the character of the area;
3. No mains drainage;
4. Not a sustainable location;
5. Outside of a settlement boundary; and
6. Set a precedent for further development.

In answer to this, points 1, 2, 3, 4 and 5 are addressed within the main body of the report above. In response to point 6, while each case must be assessed on its own individual merits, and therefore the potential development of two dwellings within this location does not set a future precedent.

Conclusion

The application will result in two additional dwellings within a recognised Settlement Development Boundary, and accordingly the principle of development is acceptable. While no detailed drawings have been provided, Officers are content that through the submission of a future reserved matters application, and acceptable design can be put forward that would also not be harmful to neighbouring amenities. Essex Highways Authority have raised no objections, and therefore the proposal is considered to be compliant with local and national planning policies and is recommended for approval.

6. Recommendation

Approval.

7. Conditions

1 COMPLIANCE REQUIRED: TIME LIMIT FOR RESERVED MATTERS APPLICATION

CONDITION: Application for approval of all outstanding and the final reserved matters for any phase of the development must be made to the Local Planning Authority not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than the expiration of two years from the final approval of the reserved matters for the relevant phase or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The reserved matters need to be received by the Local Planning Authority within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If there is no phasing plan, this condition is considered to apply to the whole site as a single phase. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

2 APPROVAL OF RESERVED MATTERS

CONDITION: No development in any phase shall commence until approval of the details of:-

- the Appearance of the building(s) and place,
- Scale of the building(s),
- Layout of the building(s) and site,
- the means of Access,
- Landscaping

(hereinafter called "the reserved matters") for that particular phase have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and agreed order of phasing.

REASON: To enable the Local Planning Authority to secure an orderly and well designed development in accordance with the character and appearance of the neighbourhood and in accordance with the Development Plan. This condition is required to be agreed prior to the commencement of any development in accordance with proper planning principles to allow public engagement on the outstanding reserved matters and ensure no significant adverse harm results.

NOTE/S FOR CONDITION:

This condition requires approval of all reserved matters as may be listed to agreed in writing prior to any commencement of the approved development. Failure to comply with this condition may result in the permission becoming lapsed and unable to be carried out. If there is no phasing plan, this condition is considered to apply to the whole site as a single phase.

The reserved matters that may be listed above are further defined under government guidance as follows:-

ACCESS: The accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network

APPEARANCE: The aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

LANDSCAPING: The treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features

LAYOUT: The way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.

SCALE: The height, width and length of each building proposed within the development in relation to its surroundings.

3 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents). Such development hereby permitted shall be carried out in accordance with any Phasing Plan approved, or as necessary in accordance with any successive Phasing Plan as may subsequently be approved in writing by the Local Planning Authority prior to the commencement of development pursuant to this condition.

Documents titled 'Construction Method Statement', 'Electric Vehicle Charging', 'Klargester BioDisc Domestic Sewage Treatment Plant', the untitled Site Location Plan (received 5th April 2023), the untitled Visibility Splays plan (received 24th April 2023) and the untitled Block Plan (received 5th April 2023).

REASON: For the avoidance of doubt and in the interests of proper phased planning of the development.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits. Lastly, this condition also allows for a phasing plan to be submitted for consideration as a discharge of condition application should phasing be needed by the developer/s if not otherwise already approved as part of this permission. A phasing plan submission via this condition is optional and not a requirement.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

4 CONDITION: No development shall commence above slab level until a scheme for the provision and implementation of water, energy and resource efficiency measures for the lifetime of the development shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme should include as a minimum the following:-

- Electric car charging points per dwelling;
- A Water-butts per dwelling;
- Compost bin per dwelling;
- Agreement of heating of each dwelling/building; and
- Agreement of scheme for waste reduction

The scheme shall be fully implemented prior to the first occupancy of the development unless otherwise agreed in writing by the Local Planning Authority. The scheme shall be constructed and the measures provided and made available for use as may be agreed and thereafter shall be maintained.

REASON: To enhance the sustainability of the development through better use of water, energy and resources reduce harm to the environment and result in wider public benefit in accordance with the NPPF.

NOTE/S FOR CONDITION:

Slab level is normally refers to the concrete slab supported on foundations or directly on the subsoil and is used to construct the ground floor of the development. In any other case, please assume slab level to be the point before any walls and/or development can be visually above ground level or seek confirmation from the Local Planning Authority for your development.

The greatest threat to our planet is the belief that someone else will save it and also forgetting that small acts, when multiplied by millions of people, can transform the world. Developments will provide buildings/homes to thousands/millions of people over their lifetime. A well designed sustainable development in the beginning will restrict the contribution each person makes to that threat and help enable them to transform the world.

- 5 CONDITION: Prior to the commencement of development, an Arboricultural Impact Assessment shall be submitted to, and approved in writing by, the Local Planning Authority.

REASON: There are a number of trees on the application site, and the assessment is therefore required to fully assess the extent to which the trees and hedge are a constraint on the development of the land and to identify the way that retained trees would be physically protected.

NOTES: The Arboricultural Impact Assessment should be in accordance with BS5837: 2012 Trees in relation to design, demolition and construction' Recommendations.

8. Informatives

Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highways Conditions:

Essex Highways Authority, upon consultation, have confirmed that they raise no objections subject to a series of conditions. However, given the application is outline only with all matters reserved, these are instead recommended to be added as an informative and should be taken into consideration ahead of any future reserved matters planning application.

1. Prior to occupation of the development, the road junction / access at its centre line shall be provided with a minimum clear to ground visibility splay with dimensions of 2.4 metres by 43 metres to the east and 2.4 metres by 140 metres to the west, as measured from and along the nearside edge of the carriageway. 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 vehicles using the road junction / access and those in the existing public highway in the interest of highway safety in accordance with policy DM1.

Note: It is envisaged that some or all of the boundary hedge to the host dwelling will have to be cut back/ removed, either side of the existing site access to achieve the 2.4 metre set back distance, currently the highway verge width is only 1.8 metres between the back edge of the carriageway and hedgerow.

2. Prior to occupation of the development a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority shall be constructed, surfaced, and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety in accordance with policy DM1.

3. Prior to the occupation of the proposed dwellings, the proposed private drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of Carriageway / Highway Boundary and shall be provided with an appropriate vehicular crossing.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety in accordance with policy DM1.

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

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

5. 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. 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.

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.

Highways Informatives:

1: 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

2: 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.

3: 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.

4: 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.