



## 2. Consultation Responses

ECC Highways Dept  
27.02.2023 (initial  
comments)

The information submitted with the application has been assessed by the Highway Authority and conclusions reached based on a desktop study in conjunction with a site visit. The site is situated on the B1035 Heath Road that is subject to a 40-mph speed limit. It is noted that the new vehicular access is being provided with a maximum visibility splay of 2.4 metres x 70 metres in both directions.

From a highway and transportation perspective the impact of the proposal is NOT acceptable to the Highway Authority for the following reasons:

The Highway Authority will protect the principal use of the highway as a right of free and safe passage of all highway users.

The proposal would lead to the creation of a new substandard access onto Heath Road, where the lack of suitable visibility from the proposed access for both emerging and approaching vehicles would result in an unacceptable degree of hazard to all road users to the detriment of general highway safety.

The main function of this highway is that of carrying traffic freely and safely between centres of population. The existence of other accesses in this location is a matter of fact and therefore some degree of conflict and interference to the passage of through vehicles already occurs but the intensification of that conflict and interference which this proposal would engender would lead to a deterioration in the efficiency of the through road as a traffic carrier to the detriment of highway safety.

The proposal is therefore contrary policies DM1 and DM3 contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative:

1: Visibility splays must be achieved within the limits of public highway and/or land in the control of the applicant. Highway boundary information can be obtained from Highway Records. Email address Highway.Status@essexhighways.org

2: In addition, the applicant would need to base the visibility splays on the recent speed survey results undertaken in November 2022 for application: 22/00053/FUL and should be measured from and along the nearside edge of the carriageway in both directions.

- i. A Site Access as Proposed Layout Plan, shall be provided, which shows the appropriate clear to ground visibility splays in both directions with a minor or "X" distance of 2.4 metres by "Y" distance:
  - a. "Y" distance appropriate for vehicle speeds travelling along Heath Road on the approach to the proposed access (vehicles approaching from the east) as determined from the outcome of the speed survey for the measured 85th percentile speeds.
  - b. "Y" distance appropriate for vehicles travelling along Heath Road on the non-approach to the proposed access (vehicles approaching from the west) as determined from the outcome of the speed survey for the measured 85th percentile speeds.
  - c. The location points of the speed measurement must be shown on a Site Layout Plan.

Clearly if the applicant does commission additional work there is no guarantee that the required standards can be met or that the proposal will be acceptable to the Highway Authority.

The Highway Authority reserves making a recommendation until such time as the above information has been considered and provided.

UU Open Spaces  
01.12.2022

Response from Public Realm  
Open Space & Play

#### Application Details

Application No: 22/01761/FUL

Site Address: Highland House Heath Road Tendring Clacton On Sea

Description of Development: Proposed demolition of existing property and erection of 4 bed dwelling including new 3 bay garage with home office over

#### Current Position

There is currently a deficit of '1.33 hectares of equipped play/formal open space in the village of Tendring.

#### Recommendation

No contribution is being requested on this occasion.

Tree & Landscape  
Officer  
17.11.2022

No trees or other significant vegetation will be adversely affected by the proposed development.

ECC Highways Dept  
19.07.2023 (Second set  
of comments, still  
objecting)

The information submitted with the application has been assessed by the Highway Authority and conclusions reached based on a desktop study in conjunction with a site visit. The site is situated on the B1035 Heath Road that is subject to a 40-mph speed limit. It is noted that the amended proposals show that the new vehicular access is being provided with a maximum visibility splay to the west of 2.4m x 82m and 2.4m x 80m to the east (DMRB 1 step below), but would appear to be unachievable as the visibility splay cannot be achieved within the limits of public highway and/or land in the control of the applicant:

From a highway and transportation perspective the impact of the proposal is NOT acceptable to the Highway Authority for the following reasons:

1. The Highway Authority will protect the principal use of the highway as a right of free and safe passage of all highway users.

The applicant has failed to demonstrate adequate visibility splays from the proposed access in accordance with the speed of the road, to the satisfaction of the Highway Authority. The lack of such visibility would result in an unacceptable degree of hazard to all highway users to the detriment of highway safety.

2. The proposal would introduce a new vehicular access onto Heath Road (secondary distributor), which has deficiencies in geometric layout, where visibility from the proposed site access and forward visibility along Heath Road, is not in accordance with current safety

standards. The main function of this highway is that of carrying traffic freely and safely between centres of population. The existence of other vehicle accesses in this location is a matter of fact and therefore some degree of conflict and interference to the passage of through vehicles already occurs but the intensification of that conflict and interference which this proposal would engender would lead to a deterioration in the efficiency of the through road as a traffic carrier to the detriment of highway safety.

The proposal is therefore contrary policies DM1, DM3 and DM7 contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative:

1: The visibility splays shown on the drawing supporting the application (based on the speed survey results) would appear to include third party land, which is not in control of the applicant or highway. The applicant has failed to provide evidence that the visibility splays can be provided and retained free from any obstruction in perpetuity.

2: Visibility splays must be achieved within the limits of public highway and/or land in the control of the applicant and ideally be included within the red line of the application.

ECC Highways Dept  
31.08.2023 (final  
comments)

The information submitted with the application has been assessed by the Highway Authority and conclusions reached based on a desktop study in conjunction with a site visit. The site is situated on the B1035 Heath Road that is subject to a 40-mph speed limit. It is noted that the amended proposals will utilise and share the existing private vehicular access serving the Haulage Depot with a private vehicular access for the dwelling being located off this private drive, similar to the current arrangement for the existing dwelling. The proposed dwelling will be set further back than the current alignment of the property to be demolished which will improve the visibility across the site frontage of the existing plot. The proposed vehicle movements associated with this dwelling will be on a par or possibly reduced, the proposal provides adequate parking and turning for the replacement dwelling, therefore:

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

1. There should be no obstruction above ground level within a 2.4-metre-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 and retained free of obstruction above 600mm at all times.

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

2. Prior to the occupation of the dwelling the internal layout and private drive shall be provided in principle with drawing numbers:

- BN330 P - 501 Rev. B Block and Location 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.

3. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the private access.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety and in accordance with Policy DM1.

4. The proposed dwelling shall not be occupied until such time as the vehicle parking area indicated on the approved plans, has been hard surfaced, and sealed. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.

5. Any new boundary planting to the front of the dwelling 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. 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: 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](mailto: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: 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.

4: Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the Essex Climate Action Commission proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the Essex Developers' Group Climate Charter [2022] and to view the advice contained in the Essex Design Guide. Climate Action Advice guides for residents, businesses and schools are also available.

### **3. Planning History**

95/00335/FUL	(Highland House Farm, Heath Road, Tendring) Retention of extension to existing shed/workshop	Approved	30.05.1995
05/00920/FUL	Redevelopment to provide 36 dwellings together with access road, parking areas, landscaping and ancillary works.	Refused	12.07.2005
05/00946/FUL	Redevelopment to provide 36 dwellings together with access road, parking areas, landscaping and ancillary works.	Refused	12.07.2005
22/01012/FUL	Proposed demolition of existing property and erection of 2 no. 4 bed detached dwellings including new vehicular access road.	Refused	07.10.2022

### **4. Relevant Policies / Government Guidance**

National:

National Planning Policy Framework July 2023 (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

SP3 Spatial Strategy for North Essex

SP7 Place Shaping Principles

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

SPL1 Managing Growth

SPL3 Sustainable Design

LP4 Housing Layout

LP7 Self-Build and Custom-Built Homes

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Essex Design Guide

### **Status of the Local Plan**

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), supported by our suite of evidence base core documents (<https://www.tendringdc.uk/content/evidence-base>) together with any neighbourhood plans that have been brought into force.

### **Neighbourhood Plans**

A neighbourhood plan introduced by the Localism Act that can be prepared by the local community and gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan to promote development and uphold the strategic policies as part of the Development Plan alongside the Local Plan. Relevant policies are considered in the assessment. Further information on our Neighbourhood Plans and their progress can be found via our website <https://www.tendringdc.uk/content/neighbourhood-plans>

## **5. Officer Appraisal**

### **Site Description**

The application site is a property known as 'Highland House', which is a two storey detached residential dwelling located along the southern section of Heath Road, within the parish of Tendring.

To the rear of the site is a large haulage depot, which is accessed via a driveway to the west of the application site. To the north and east are residential properties. Further out to all sides the character becomes more rural, with large parcels of grassed and agricultural land.

The site falls outside of a recognised Settlement Development Boundary within the adopted Local Plan 2013-2033.

### Description of Proposal

This application seeks planning permission for the replacement of the dwelling known as 'Highland House' with a two storey, detached dwelling served by four bedrooms. A separate car port is also proposed to the west of the dwelling.

The proposed dwelling is to be located slightly to the rear of the existing dwelling, and will be accessed via an access to the west of the site, which itself connects to a shared access (within the applicants ownership) with the haulage depot to the rear.

The plans that were initially submitted proposed a new access point directly from Heath Road, as well as a far larger outbuilding that was to be served as a garage and studio at first floor level. Due to concerns raised by Officers and Essex Highways Authority, a revised set of drawings have since been submitted.

### Site History

Under planning reference 22/01012/FUL, planning permission was refused in September 2022 for the demolition of the existing dwelling and replacement with two detached dwellings. This was refused on the grounds that the site was located outside of a recognised Settlement Development Boundary, and due to the introduction of a vehicular access with inadequate visibility splays.

A separate planning application (reference 22/00053/FUL) is currently being determined relating to the site to the rear, which would see the erection of a factory building in lieu of the current haulage depot, but has not been determined at the time of writing.

### Assessment

#### 1. Principle of Development

The application involves the one-for-one replacement of an existing dwelling on the site, and will therefore not result in any additional dwellings. Moreover, although the application does not explicitly propose a self-build dwelling, the principle of a replacement dwelling is supported by Policy LP7, subject to detailed considerations discussed below.

#### 2. Scale, Layout and Appearance

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.

The proposal will result in the erection of a replacement dwelling that will have a slightly larger footprint but is broadly similar in terms of scale. It is acknowledged that the site is of a sufficient size to comfortably accommodate the additional footprint, including the proposed cart lodge, and due to being set further back into the site will appear less prominent in views from within the street scene.

In terms of the design, Officers acknowledge that it is broadly in-keeping with the adjacent residential plots located to the east. Given this, and that the design includes features to break up the overall bulk, including a front gable and canopy, no objections are raised.



### 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.

There are neighbouring properties to both the east and west. However, on this occasion Officers note there is an existing building of a similar two storey scale, and there are good separation distances to both plots. Given this the new dwelling will not appear imposing or oppressive, nor result in significant loss of daylight/sunlight.

In terms of overlooking, it is noted the dwelling being sited further back will allow some partial views to the rear garden area of 'Nekada' to the east, however any views will be limited due to there being no first floor side elevation windows (beyond an en-suite which will be obscure glazed) and the views from the first floor rear elevation only having views to the rear section of the neighbouring garden, an area less likely to be regularly occupied.

Taking the above into consideration, Officers conclude that the proposal will not result in any significant harm to neighbouring amenities that would warrant recommending a reason for refusal.

### 4. Highway Safety

Paragraph 108 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. Paragraph 111 of the Framework states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Adopted Policy CP1 (Sustainable Transport and Accessibility) states proposals for new development must be sustainable in terms of transport and accessibility and therefore should include and encourage opportunities for access to sustainable modes of transport, including walking, cycling and public transport.

Essex Highways Authority have been consulted and initially raised an objection due to the proposal creating a sub-standard access onto Heath Road where the lack of suitable visibility from the proposed access for both emerging and approaching vehicles would result in an unacceptable degree of hazard to all road users to the detriment of general highway safety. In order to address this, the agent for the application has provided amended drawings that show the access to be from the west, via an existing access off Heath Road that currently serves the Haulage Depot.

Following re-consultation, Essex Highways Authority have confirmed they no longer raise an objection subject to conditions relating to visibility splays, the use of no unbound materials, the vehicle parking area, boundary planting, and a Residential Travel Information Pack.

The Essex Parking Standards (2009) require that for dwellings with two or more bedrooms, a minimum of two parking spaces is required. Parking spaces should measure 5.5m x 2.9m and garages, if being relied on to provide a parking space, should measure 7m x 3m internally. The site is of a significant size to comfortably accommodate the necessary parking requirements.

### 5. Renewable Energy

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 for a development that has the potential to incorporate renewable energy features. There are no details that accompany the planning application that demonstrate the water, energy and resource efficiency measures that the scheme will incorporate, and a condition requesting details of this is recommended.

### Other Considerations

Tendring Parish Council object to the application on the following grounds:

1. Size and scale of garage structure;
2. Garage will have adverse impact to areas character and result in overdevelopment;
3. Concern the first floor of garage may be used as a business; and
4. Dwelling could be used as a House of Multiple Occupation (HMO).

In answer to this, revised plans were provided during the determination of this application that addresses points 1, 2 and 3. In response to point 4, the application is for a new dwelling; should the property be operated as an HMO this would require planning permission in its own right.

There have been no other letters of representation received.

### Conclusion

The application proposes the erection of a replacement dwelling, and therefore while the site is outside of a settlement development boundary, the principle of development is accepted. In addition, Officers raise no concerns in terms of the scale, design or layout, while there will be no significant harm to neighbouring amenities. Essex Highways Authority, following the submission of revised drawings, have confirmed they raise no objections. Accordingly, the application is considered to be policy compliant and is recommended for approval.

## **6. Recommendation**

Approval.

## **7. Conditions**

### 1 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later the expiration of three years from the date of this permission.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. 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 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.

Drawing Numbers P-500 Revision A, P-501 Revision B, P-502, P-503 Revision A, P-504 Revision B.

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.

- 3 CONDITION: Prior to first use of the access, visibility splays shall be provided with a minimum clear to ground visibility splay with dimensions of 2.4 metres across the entire site frontage, as measured from and along the nearside edge of the carriageway, and shall then be retained in its approved form. Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction over 0.6 metres high shall be erected, constructed, planted or permitted to grow within the areas of the visibility splays.

REASON: To ensure vehicles exiting the access would have sufficient visibility to enter the public highway safely and vehicles on the public highway would have sufficient warning of a vehicle emerging in order to take avoiding action.

NOTE/S FOR CONDITION:

It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the ECC Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Essex County Council or its agents at the applicant's expense.

- 4      CONDITION: The access hereby approved shall have a bound material surface and shall be laid out for a minimum distance of 5 metres from the edge of the carriageway prior to first use. The bound material as implemented shall then be retained thereafter.

REASON: In the interests of highway safety to prevent hazards caused by loose materials on the highway.

NOTE/S FOR CONDITION:

Carriageway is the part of a road intended for vehicles rather than pedestrians normally define by kerb if available or edge of a bound surface. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the ECC Highway Authority. Any conditions which involve work within the limits of the public highway do not give the applicant permission to carry them out. Unless otherwise agreed in writing all works within the public highway shall be carried out by Essex County Council or its agents at the applicant's expense.

- 5      CONDITION: Prior to first occupation of the hereby approved development, the vehicle parking area indicated on the approved plans shall be hard surfaced and sealed. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed in writing with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety.

- 6      CONDITION: Any new boundary planting to the front of the dwelling 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.

- 7      CONDITION: Prior to first occupation of each dwelling, a Residential Travel Information Pack (travel pack) shall be provided to each dwelling for use of its first occupiers. The travel pack shall be agreed, in writing, by the Local planning authority prior to provision and shall include a minimum of six one day travel vouchers for use with a local transport operator.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

- 8      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-butt 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.

9 CONDITION: Prior to the commencement of development details of the construction methodology and timetable shall be submitted to and approved, in writing, by the Local Planning Authority. This shall incorporate the following information:-

- a) Details of the hours of work/construction of the development within which such operations shall take place and the hours within which delivery/collection of materials for the said construction shall take place at the site.
- b) Details of the loading/unloading/storage of construction materials on site, including details of their siting and maximum storage height.
- c) Details of how construction and worker traffic and parking shall be managed. This shall include routing of all traffic and any directional signs to be installed and where.
- d) Details of any protection measures for footpaths and trees surrounding the site.
- e) Details of any means of access to the site during construction.
- f) Details of the scheduled timing/phasing of development for the overall construction period.
- g) Details of measures to control the emission of dust and dirt during construction, and including details of any wheel washing to be undertaken, management and location it is intended to take place.
- h) Details of the siting of any on site compounds and portaloos.
- i) Details of the method of any demolition to take place, including the recycling and disposal of said materials resulting from demolition.
- j) Site waste management plan (that shall include reuse and recycling of materials)
- k) Scheme for sustainable construction management to ensure effective water and energy use.
- l) Scheme of review of complaints from neighbours.
- m) Registration and details of a Considerate Constructors Scheme
- n) Details on the provision, location and management of any show home/s or reception, including opening times, parking and advertisements (including flags and directional signs).

The said methodology as may be approved shall be implemented in its entirety and shall operate as may be approved at all times during construction.

REASON: To minimise detriment to nearby residential and general amenity by controlling the construction process to achieve the approved development. This condition is required to be agreed prior to the commencement of any development as any construction process, including site preparation, by reason of the location and scale of development may result adverse harm on amenity.

NOTE/S FOR CONDITION:

You are strongly advised to discuss this condition with the Local Planning Authority and if possible/available local residents likely to be affected by this development prior to submission of details.

- 10      **CONDITION:** If during construction/demolition works evidence of potential contamination is encountered, works shall cease, and the site fully assessed to enable an appropriate remediation plan to be developed. Works shall not re-commence until an appropriate remediation scheme has been submitted to, and approved in writing by, the Local Planning Authority and the remediation has been completed.

Upon completion of the building works, this condition shall not be discharged until a closure report has been submitted to and approved in writing by the Local Planning Authority. The closure report shall include details of;

a) Details of any sampling and remediation works conducted and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology.

b) Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

c) If no contamination has been discovered during the build, then evidence (e.g. photos or letters from site manager) to show that no contamination was discovered should be included.

**REASON** - To ensure that any risks from land contamination to the future users of the land and neighbouring land are minimised.

## **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.