

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
Case officer recommendation:	CC	14.11.2023
Planning Manager / Team Leader authorisation:	JJ	15/11/2023
Planning Technician final checks and despatch:	JJ	17/11/2023

Application: 23/01124/FUL **Town / Parish:** Clacton Non Parished

Applicant: Mr Goni

Address: 1 Meredith Road Clacton On Sea Essex

Development: Proposed conversion of dwelling house into 2x2 bed self-contained flats with internal alterations and single storey rear extension.

1. Town / Parish Council

Clacton non-parished No consultation / comments required

2. Consultation Responses

ECC Highways Dept
01.09.2023

The information submitted with the application has been assessed by the Highway Authority and conclusions reached based on a desktop study on the information submitted with the application together with google image dated September 2018. It is noted that parking within Meredith Road is controlled by existing restrictions and a residents permit holders scheme, the proposal incorporates bicycle storage being provided for each flat in the rear garden. Owing to the sites central location the proposal has a number of key facilities and amenities all within walking distance and falls within a primary shopping area, the location is close to existing public transport facilities that offer numerous bus routes that run through the centre of the town including the Railway Station located to the east of the site and to the rear of the plot Wellesley Road car park; considering these factors, it is not considered that the proposed changes to the building would give rise to a significant increase in vehicle movements to and from the site or result in a material change in the character of the traffic in the vicinity of the 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. The powered two-wheeler/cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the development and retained at all times.

Reason: To ensure appropriate powered two-wheeler and bicycle parking is provided in accordance with Policy DM8.

2. Prior to occupation of the proposed flats, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per room, 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.

3. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway.

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

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

Informative:

1: 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:

2: In main urban areas with frequent and extensive public transport, cycling and walking links, the EPOA Parking Standards recommend that a reduced parking standard provision may be applied to residential developments. A reduced parking standard provision level can be applied to this proposal as it is located very close to regular public transport services and public car parking facilities.

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.

Environmental Protection
22.08.2023

Thank you for your consultation regarding the proposed development above. The Environmental Protection Team's comments are given below:

STANDARD CONSTRUCTION - MINIMUM REQUIREMENT

In order to minimise potential nuisance caused by construction and renovation, Environmental Protection recommend that the following below is conditioned.

- Working hours to be restricted between 08:00 and 18:00 Mondays to Saturdays (finishing at 13:00 on Saturdays) with no working of any kind permitted on Sundays or any Public/Bank Holiday whilst construction works and alterations are being carried out (audible/noisy works).

- No materials produced as a result of the site development or clearance shall be burned on site.

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

UU Open Spaces
04.09.2023

Public Realm Assessment

Play Space - current deficit:

- Deficit of 2.22 hectares of equipped play in Clacton

Formal Play - current deficit:

- Adequate formal open space in the area to cope with some future development

Settlement provision:

- Burrs Road LEAP & Open Space 1.3 miles from development site
- Vista Road LEAP and Recreation Ground 1.1 miles from development

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

3. Planning History

23/01124/FUL

Proposed conversion of dwelling house into 2x2 bed self-contained flats with internal alterations and single storey rear extension.

Current

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

SP2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

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

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

PP5 Town Centre Uses

PPL4 Biodiversity and Geodiversity

PPL8 Conservation Areas

PP14 Priority Areas for Regeneration

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

CP1 Sustainable Transport and Accessibility

DI1 Infrastructure Delivery and Impact Mitigation

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), 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.

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.

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 (including Site Description and Proposal)

Application Site

The existing site serves a detached dwelling house located to the south of Meredith Road, within the settlement development boundary of Clacton on Sea. The site also falls within an urban regeneration area and a priority area of regeneration as defined in the Tendring District Local Plan.

The application site is surrounded by significant levels of residential built form, with the town centre and commercial units located further south, south-east and south-west. The site is located in a designated critical drainage area and in flood zone 1 (low risk of flooding).

The application site area is approximately 256 metres squared.

Proposal

This application seeks full planning permission for the conversion of a dwelling house into a 2x2 bed self-contained flats with internal alterations and single storey rear extension.

As the proposal is converting an existing dwelling house, it will result in a net increase of one dwelling. The revised layout would be as follows;

Ground Floor Plan – 1 x 2 bedroom flat. Flat one will have private amenity space to the immediate rear of the building measuring approximately 58.8 metres squared. Flat 1 will also incorporate a rear extension to the existing property measuring 3.5 metres deep by 3.5 metres high, it will be finished in a brickwork to match that of the existing dwelling with a mono-pitched roof design.

First Floor Plan – 1 x 2 bedroom flat. Flat 2 will have a private amenity area to the rear of the site measuring approximately 47.3 metres squared.

Both private amenity areas will include secure cycle storage facilities.

Site History

There is no relevant site history to this application.

Assessment

1. Principle of Development

The site is located within the Settlement Development Boundary of Clacton on Sea, as established in the Tendring District Local Plan 2013-2033 and Beyond. 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 to convert a single dwelling into two flats 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) 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.

Policy SP7 of the Tendring District Local Plan seeks high standards of urban and architectural design, which responds positively to local character and context. Policies SPL3 and LP4 of the Local Plan also require 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 majority of the changes proposed are internal and therefore have no effects on the visual amenities of the area.

The proposed rear extension is shielded from the public views of the streetscene. The extension will replace a slightly smaller conservatory and is considered to be of an appropriate size and scale, with the site able to accommodate for this whilst retaining adequate private amenity space. The extension will be finished in materials to match with those of the host property helping it to blend with the site. The extension is deemed to be of an acceptable design and appearance.

Policy LP4 states there should be provision for private 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. The submitted plans show adequate private amenity spaces have been provided for both proposed flats. The site is also within a highly sustainable location within good walking distance to key amenable areas, for example the Clacton-on-Sea beach is an approximate 13 minute walk from the site.

3. Impact to Neighbouring Amenities

Paragraph 130 of the NPPF confirms planning policies and decisions should create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users.

Policy SP7 of the Tendring District Local Plan requires that the amenity of existing and future residents is protected. Policy SPL3 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 proposed extension is of a single storey nature and therefore poses no significant risk to overlooking or loss of privacy to the adjacent neighbouring dwellings. There are no additional

windows proposed at first floor level. The proposed development therefore has no significant harmful effects on the loss of privacy to the adjacent neighbouring dwellings.

There is adequate space retained between the proposed rear extension and the adjacent neighbouring dwellings so that it has no impact on the loss of light.

The creation of an additional residential unit is not considered to result in additional movement to the extent that a reason for refusal on this basis can be sustained.

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 have been consulted on the application and have concluded the proposal is acceptable to the highway authority subject to the conditions included below.

Furthermore, correspondence between the case officer and Essex Highways confirms that the North Essex Parking Partnership have been included in this consultation regarding permit holders parking bays within Meredith Road and they have confirmed that there are a good number of permit parking bays in the road and that they have never had any complaints made regarding the lack of permit parking spaces.

Therefore, whilst the plans show no provisions for adequate vehicle parking, it is considered that sufficient on street parking is available in the area, coupled with the sites highly sustainable town-centre location, on balance the lack of parking is not considered to be significantly harmful.

5. Drainage and Flood Risk

Paragraph 174 of the NPPF 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 Tendring District 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 application form submitted with this application states that the proposal will be connected to the mains sewer. This is in accordance with the above policy requirements and is therefore considered to be acceptable in the event of an approval.

The site falls within Flood Zone 1 (FZ1) according to the Government's Flood Risk Map for Flooding, but lies within the Clacton Critical Drainage Area (CDA) as shown in the Clacton Surface Water Management Plan (CSWMP) where it should be noted that the CSWMP updates the relevant SFRA for the area in this respect. However, the development proposal is

for the conversion of an existing dwelling into two flats with only a very minor increase in floorspace (single storey rear extension slightly bigger than the conservatory it will replace) and therefore will not see an intensification of the site in respect of surface water flooding. Moreover, due to the conversion nature of the scheme the search area of the site can be narrowed to the application site itself as such the proposal will pass the sequential test because the conversion scheme can only be carried out on this site. In reaching this conclusion due regard is given to the source of flooding (Critical Drainage problems) and the proposal will therefore not increase the critical drainage issues in the area because the proposal is a conversion scheme with a very minor increase in floorspace. As such, it is considered that the proposal is acceptable from a flood risk perspective and compliant with the relevant policies outlined above.

6. Financial Contributions – Open Space and RAMS

(i) Open Space

Paragraph 55 of the NPPF 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 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 this consultation is that there is currently a deficit of 2.22 hectares of equipped play in Clacton, however the facilities are adequate to cope with the development and therefore 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 residential development which lies within the Zone of Influence (Zol) being approximately 5,930 metres from the Colne Estuary. New housing development within the Zol 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 and Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

7. Renewable and Energy Conservation Measures

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.

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.

The proposal includes for an additional dwelling which has the potential to incorporate renewable and energy conservation measures. It is therefore considered reasonable and necessary to include a planning condition requiring a scheme, together with a timetable to be submitted for the consideration and installation of these measures, as such a condition is capable of addressing these policy requirements.

Other Considerations

Clacton is non-parished and therefore no consultation or comments are required.

One letter of objection has been received. This letter is objecting to the proposed conversion on the grounds that there is not enough parking spaces to service the existing residents of Meredith Road and the area to the front of the property is not large enough to accommodate a vehicle.

Officer Response – Highway safety is a material planning consideration and has therefore been fully assessed in the above report. Essex Highways have been consulted on the application and have no objection, this consultation process also included conversations with North Essex Parking Partnership who stated there are adequate permit spaces in the area and that they have not received any complaints with regards to a lack of parking. The proposal is therefore considered acceptable in terms of highway safety.

One letter of support has been received. This letter states that they feel the plans are sensible and will keep the overall look of a charming Victorian house in an old are of Clacton and provide much needed accommodation in easy walking distance of the town centre.

No other letters of representation have been received.

Conclusion

The application site is located within the settlement development boundary of Clacton on Sea and accordingly the principle of generating an additional dwelling is acceptable. The proposal is acceptable in terms of its design and appearance, its impacts on residential amenities, flood risk and highway safety. The application is compliant with the above-mentioned national and local planning polices and is therefore recommended for approval.

6. Recommendation

Approval - Full

7. Conditions / Reasons for Refusal

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.

Site Plan - Received 08.08.2023
Drawing No. ZAAVIA/1MR/101 A
Drawing No. ZAAVIA/1MR/102 A
Drawing No. ZAAVIA/1MR/103 A
Drawing No. ZAAVIA/1MR/104 A
Drawing No. ZAAVIA/1MR/105 A
Drawing No. ZAAVIA/1MR/106 A
Drawing No. ZAAVIA/1MR/107 A
Drawing No. ZAAVIA/1MR/108 A
Drawing No. ZAAVIA/1MR/109 A
Drawing No. ZAAVIA/1MR/110 A
Drawing No. ZAAVIA/1MR/112 A
Design and Access Statement - Received 08.08.2023

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.

3 ONGOING REQUIREMENT IMPOSED - NOISE RESTRICTIONS & WORKING TIME LIMITS

CONDITION: No machinery (all fixed and hand machinery) on site or as may be brought on site, as defined by the red line plan with regard to this permission, shall be operated on the site (including inside any buildings) before 08:00 and after 18:00 Monday - Fridays, with works or before 08:00 and after 13:00 on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

REASON: In the interest of the amenity of neighbouring residents having regard to the background noise levels in the area.

NOTE/S FOR CONDITION:

1) This condition shall engage and restricts the operation of the development from the first commencement of the use. This condition is imposed to ensure the development avoid unreasonable impact on the residential amenity of neighbouring dwellings, especially given the location of the development. Without the imposing of this condition, the development would be refused due to the risk of harm and this condition is considered necessary, enforceable and reasonable in all other respects.

2) This condition does not include vehicles (for example HGVs) capable of using the public highway in the definition of machinery as these are not fixed to the site and/or building/s nor regarded as hand machinery.

4 ACTION REQUIRED: PROVISION OF CYCLE PARKING

CONDITION: The powered two-wheeler / cycle parking facilities as shown on the approved plan number ZAAVIA/1MR/102 A are to be provided prior to the first occupation of the development and retained at all times.

Reason: To ensure appropriate powered two-wheeler and bicycle parking is provided in accordance with Policy DM8.

5 ACTION REQUIRED: RESIDENTIAL TRAVEL PACK PRIOR TO OCCUPATION

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.

Note: Please contact the Travel Plan Team at ECC Highways via email to Travel.PlanTeam@essex.gov.uk to obtain a Residential Travel Information Pack template and the associated day travel vouchers required.

6 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:-

- Agreement of carbon level;
- Agreement of provisions to ensure the development is zero carbon ready;
- 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.

7 ACTION REQUIRED: REFUSE BINS AND COLLECTION AREAS

CONDITION: Prior to occupation of each dwelling hereby approved the area to be provided for storage of refuse/recycling bins as shown on the approved drawing number ZAAVIA/1MR/102 A shall be provided and then retained in perpetuity.

REASON: In the interest of highway safety to ensure that refuse recycling bins do not cause any obstruction or danger on the highway.

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.

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 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: In main urban areas with frequent and extensive public transport, cycling and walking links, the EPOA Parking Standards recommend that a reduced parking standard provision may be applied to residential developments. A reduced parking standard provision level can be applied to this proposal as it is located very close to regular public transport services and public car parking facilities.

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.

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