

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	AL	07/06/2018
Planning Development Manager authorisation:	AN	7/6/18
Admin checks / despatch completed	RW	7/6/18

Application: 18/00216/FUL

Town / Parish: Harwich Town Council

Applicant: Mr Caro - DF Homes

Address: 152 Fronks Road Dovercourt Essex

Development: Construction of 7 No Bungalows with associated garages and parking. Reconfiguration of parking and amenity space serving existing flats. Existing access from Fronks Road to serve existing flats and proposed bungalows.

1. Town / Parish Council

Harwich Town Council has no objection to this application.

2. Consultation Responses

ECC Highways Dept
AMENDED COMMENTS

See document dated 01.05.18

ECC Highways Dept
ORIGINAL COMMENTS

This Authority has assessed the highway and transportation impact of the proposal and does not wish to raise an objection subject to the following:

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

' Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 90 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the 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 access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' Prior to occupation of the development the vehicular turning facilities, as shown on the submitted plan shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

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

policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

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

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' Prior to the first occupation of the development, the proposed access drive shall be constructed as a shared use route to a width of 5.5 metres and provided with an appropriate dropped kerb crossing of the footway to the satisfaction of the Local Planning Authority.

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

' Any existing access onto Manor Lane to the rear of this site shall be suitably and permanently closed to the satisfaction of the Local Planning Authority immediately the proposed new access is brought into use.

Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

' There shall be no discharge of surface water onto the highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

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

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

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

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

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

' Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

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

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

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

INF01 Highway Works - All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 ' Essex Highways, Colchester Highways Depot, 653, The Crescent, Colchester Business Park, Colchester CO49YQ

INF02 Cost of Works - The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

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

Tree & Landscape Officer
ORIGINAL COMMENTS

The application site comprises the garden of 152 Fronks Road and the adjoining land, to the north, formerly used as a British Red Cross Centre. The boundary between the areas is demarcated by a tall evergreen hedge comprising Cupressocyparis 'Leylandii'

There are no other significant trees on the application site although there are on adjacent land ' primarily to the east.

In order to show the potential impact of the development proposal on the trees on the application site and on adjacent land the applicant has provided a tree survey and report. The tree report shows the positions and crown spread of the trees as well as the Root Protection Areas (RPA's) of the retained trees. This information is in accordance with BS5837 2012 Trees in relation to design demolition and construction: Recommendations.

The development proposal will necessitate the removal of the Leylandii hedge however they do not merit retention or protection by means of a tree preservation order. The construction of the dwellings

in the positions shown will not result in an incursion into the Root Protection Areas (RPA's) of any of the retained trees on the adjacent land.

In terms of the trees on the application site and on adjacent land the development proposal could be implemented without adversely affecting the amenity of the locality

With regard to the layout of the site and the scope for new soft landscaping to soften and enhance its appearance it is considered that the provision of an area for car parking immediately adjacent to Fronks Road would not have a positive impact on the character or appearance of the public realm. A possible solution would be to remove Plot 1 from the layout and utilise the area for car parking. This would allow new soft landscaping including tree planting, on the frontage with Fronks Road.

Should planning permission be likely to be granted then details of soft landscaping, including tree planting should be secured by a planning condition. This will be most important on the parts of the site close to the southern and northern boundaries where the planting will be visible from the public realm.

Tree & Landscape Officer
AMENDED COMMENTS

With regard to the layout of the site and the scope for new soft landscaping the details of soft landscaping provided is sufficient to screen and enhance the appearance of the development.

Environmental Protection

With regards to the above application, I can confirm that Pollution & Environmental Control team have the following comments to make:

1. Contaminated Land: Prior to the commencement of the development proposals, investigations shall be carried out to establish whether the site is contaminated in any way. If the investigations reveal contamination of the site, a further scheme shall be agreed in writing by the Local Planning Authority, setting out measures to ensure that the entire area of the site, in relation to soil conditions resulting from such contamination, will not be harmful or detrimental to human health, animal health, normal plant health or growth, to buildings, building surfaces or amenities. Such agreed measures shall be implemented and completed to the satisfaction of the Local Planning Authority prior to the commencement of any development of the site.
2. Construction Method Statement: We would also like to request that the agreed, standard response be implemented in any approval of this application.

Should you require any further confirmation on this matter, or have any queries, please do not hesitate to contact me.

Waste Management

No comments.

Building Control and
Access Officer

No adverse comments at this time.

Regeneration

No objection.

Network Planner - UK
Power Networks

No comments received.

3. Planning History

95/00178/FUL	Refurbishment of 5 flats to provide self-containment	Approved	27.06.1995
11/00791/OUT	Proposed residential development to provide 6 detached dwellings.	Approved	27.10.2011

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

EN6 Biodiversity

EN6A Protected Species

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

SP1 Presumption in Favour of Sustainable Development

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

- LP4 Housing Layout
- CP1 Sustainable Transport and Accessibility
- CP2 Improving the Transport Network
- PPL4 Biodiversity and Geodiversity

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan, despite some of its policies being out of date. Paragraph 215 of the NPPF allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 216 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in the determination of planning applications. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 216 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site extends approximately 0.37 hectares in size and comprises number 152 Fronks Road and the vacant Red Cross Centre Building to the rear fronting Manor Lane.

152 Fronks Road is a large detached property containing 5 flats (approved under 95/00178/FUL) with a large side and rear garden area with vehicular access and parking. The site is enclosed with a combination of low level walls and fencing, hedgerow planting and mature Leylandii. There are a number of mature trees within the adjacent garden of number 150 Fronks Road. To the rear of the 152, also forming part of the application site, is the former Red Cross Centre site made up of small scale, flat roof buildings and enclosed by metal gates and fencing with some overgrown vegetation, but the site is mostly cleared. 152 fronts Fronks Road to the south and the Red Cross Centre fronts Manor Lane to the north. Manor Lanes narrows to a pedestrian throughway only to the front of this part of the site.

The majority of dwellings within Manor Lane and Manor Road (north) are two-storey semi-detached and terraced dwellings, however, bungalow development characterises to the south and east, the property to the west is also a bungalow. Fronks Road is predominantly characterised by large detached dwellings on spacious plots.

There is also an electricity sub-station located within the site.

The site lies within the Settlement Development Boundary of Dovercourt as defined with both the adopted and emerging Tendring District Local Plans.

Description of Proposal

The application seeks full planning permission for the erection of 7 No bungalows with associated garages and parking.

The application results in the reconfiguration of parking and amenity space serving the existing flats. The existing access will serve the flats and proposed 7 bungalows.

The application has been amended to include a narrower access road to allow for the dwellings and overall site layout to be more spacious, the relocation of the parking areas, additional landscaping and amendments to the siting and detailed design of the proposed dwellings. These are now considered to address the concerns raised by officers and the proposal can be assessed as follows.

Appraisal

The main considerations are;

- Principle of Residential Development;
- Planning History;
- Scale, Layout and Appearance;
- Highway Safety, Access and Parking;
- Residential Amenities;
- Trees and Landscaping;
- Biodiversity; and,
- Representations.

Principle of Residential Development

The site lies within the Settlement Development Boundary (SDB) for Dovercourt as defined within the saved Tendring District Local Plan (2007) and the emerging Tendring District Local Plan Publication Draft (2017) and has not been safeguarded for an alternative use. Consequently, the principle of residential development on the site is acceptable.

Rather, the acceptability of what is proposed depends upon the impact of the development having regard to the character of the area, amenity and environmental considerations and the various detailed requirements of local plan policies, standards and guidance designed to ensure that new development relates satisfactorily to its surroundings, without harming amenity or raising highway concerns.

Planning History

There are a number of previous approvals for residential development on the Red Cross Centre site and subsequent approvals for a larger site area incorporating part of the rear of 152 Fronks Road (none for this current site area). In this instance, the most relevant is planning permission 11/00791/OUT (renewed in 2014) for residential development to provide 6 detached dwellings. The application site encompassed the Red Cross Centre site and part of the rear garden area of 152 Fronks Road. This application site is larger and now includes 152 in its entirety and proposes 7 detached bungalows with access taken from Fronks Road. There is an established planning history for both detached dwellings and bungalows on the site.

Scale, Layout and Appearance

The National Planning Policy Framework (NPPF) attaches great importance to the design of the built environment and confirms good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The adopted Tendring District Local Plan (2007) Saved Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the emerging Tendring District Local Plan Publication Draft (2017).

The character of the area comprises mostly frontage development. However, Kings Court to the east, which shares a boundary with the site, involves a degree of backland development as the 5

dwelling front a mews arrangement. Accordingly, the introduction of development of a backland nature to the rear of 152 is not considered to be out of character within the locality. The development is not considered to set a harmful precedent as 152 Fronks Road has a wider plot than the immediate neighbouring dwellings and similar development would not be achievable.

The proposal utilises the existing access onto Fronks Road that serves the 5 flats. The existing access from Manor Lane to the Red Cross Centre site is to be closed off and this boundary will form the rear boundaries of plots 5 and 6. The access road is positioned almost centrally, into the site with a size 3 turning head alongside the electricity substation. All proposed dwellings face into the site with rear or side garden areas. All dwellings are served by a garage (mostly detached) and a parking space.

The proposal includes the reconfiguration of the car parking and amenity area serving the existing 5 flats including additional landscaping to soften the appearance of the extended hardsurfacing within the site and at the access.

The bungalows are designed with hipped roofs reducing the overall scale. The elevations have been designed in brickwork or a mix of brick and render. There is also a mix of unit type which together with the variation in materials proposed will provide visual interest.

Overall, the layout, density, scale and appearance of the proposal is considered acceptable. The development is not overly cramped or contrived and achieves a satisfactory form of development that would not adversely affect the character or appearance of the area.

Highway Safety, Access and Parking

The proposed access road requires the widening of the existing drive and incorporates visibility splays for both vehicles and pedestrians. This new road serves the parking for 152 Fronks Road and the new houses with a width of 6 metres reducing to 4.8 metres further into the site.

Of the seven new detached bungalows five are 2 bedrooms and two are 3 bedrooms. All have a garage and one parking space that accord with the number and dimensions required by adopted Parking Standards.

The existing 5 flats comprise 2 no. 1 bed and 3 no. 2 bed units requiring 8 parking spaces to accord with current standards. 8 spaces are provided as part of the redevelopment of the site.

Essex County Council raise no objection to the development subject to conditions which will be imposed where necessary.

Residential Amenities

The proposed development comprises 5 no. 2 bedroom bungalows and 2 no. 3 bedroom bungalows all of which are served by private amenity areas that meet or exceed the minimum standards required by Saved Policy HG9 of the adopted Tendring District Local Plan. Whilst it is recognised that some gardens are irregular shapes, all are useable and provide sufficient privacy, storage and amenity space for the size of the dwellings. The existing 5 flats comprise 2 no. 1 bed and 3 no. 2 bed. Saved Policy HG9 requires 25sqm metres of garden should be provided per flat communally amounting to 125sqm in this instance. The redevelopment of the site retains 140sqm of communal garden space for the flats with an additional lawned but open area to the side of approximately 50sqm.

All proposed dwellings are single storey in height with hipped roofs minimising the impact on existing surrounding dwellings. The layout of the site and relationship with existing dwellings, windows and gardens is considered acceptable. Consequently, there will be no material harm to light, outlook and privacy as a result of the development. This is an improvement to the previously approved outline which gave permission for 2 storey dwellings.

The access road is positioned centrally within the site resulting in no significant noise or disturbance to existing neighbours from traffic movements. This is an improvement to the previous outline approvals which took access off the unmade, narrow Manor Lane to the north.

The proximity of the rear elevation of No 152 Fronks Road to the boundary to the proposed Plot 1 has been considered with regard to the windows that are in the rear elevation of No 152 and the potential for overlooking. Any view from No 152 is at right angles to the garden area of Plot 1 avoiding any view into the proposed bungalow. The rear elevation of 152 is stepped back so that although the rear elevation is just over 11 metres from the new fence at ground floor the distance from the first-floor elevation containing a bedroom window is 13.5 metres (measured horizontally) from the new boundary and the second-floor kitchen window is 16.6 metres. It is considered that this separation distance is acceptable.

Trees and Landscaping

A tree report has been provided in accordance with BS5837 2012 Trees in relation to design demolition and construction: Recommendations. The development proposal will necessitate the removal of the Leylandii hedge however they do not merit retention or protection by means of a tree preservation order. The construction of the dwellings in the positions shown will not result in an incursion into the Root Protection Areas (RPA's) of any of the retained trees on the adjacent land. In terms of the trees on the application site and on adjacent land the development proposal could be implemented without adversely affecting the amenity of the locality.

With regard to the revised layout of the site and additional soft landscaping, the Landscaping Scheme provided is sufficient to screen and enhance the appearance of the development.

Biodiversity

Previous applications were accompanied by Phase 1 Habitat Surveys due to the overgrown and unkempt character of the site. The site has since been cleared. The age and condition of the buildings are considered unlikely to be suitable for nesting or occupation by protected species.

In this regard, there has been a material change in the site characteristics and an ecology report is no longer required.

Representations

Harwich Town Council raise no objection to the proposal.

No individual letters of representation have been received.

Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

6. Recommendation

Approval - Full

7. Conditions

- 1 The development hereby permitted shall be begun before 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 the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans including material and landscaping details: Drawing No. 851/01 C, Drawing No. 851/02 C, Drawing No. 851/03 A, Drawing No. 851/04 B, Drawing No. 851/05 C, Drawing No. 851/06 C, Drawing No. 851/07 B, Drawing No. 851/08 A and Drawing No. 851/09 A.

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

- 3 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details Drawing No. 851/09 A shall be carried out during the first

planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - To ensure that the landscaping scheme is suitably implemented within an appropriate timescale.

- 4 No construction works or deliveries in connection with the development shall take place outside the hours of 0700 hours and 1900 hours Monday to Friday and 0800 hours and 1300 hours Saturdays, with the exception of any piling or other percussive works which shall not take place outside the hours of 0800 hours and 1700 hours Monday to Friday.

Reason - To protect the local amenity and reduce the likelihood of complaints of statutory nuisance.

- 5 Notwithstanding the provisions of Schedule 2 Part 1 Classes A, B, C, D and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), no extensions, additions, porches or alterations to the dwellings or their roofs shall be carried out and no outbuildings, enclosures, swimming or other pools shall be erected except in complete accordance with details which shall previously have been approved, in writing, by the Local Planning Authority following the submission of a planning application for such development.

Reason - To ensure that sufficient private amenity space for the dwelling is retained and in the interests of residential amenities.

- 6 All new driveways and parking areas shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellings.

Reason - In the interests of sustainable development and to ensure that run-off water is avoided to minimise the risk of surface water flooding.

- 7 Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 90 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the 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 access and those in the existing public highway in the interest of highway safety.

- 8 Prior to occupation of the development the vehicular turning facilities, as shown on the submitted plan shall be constructed, surfaced and maintained free from obstruction within the site at all times for that sole purpose.

Reason - To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

- 9 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.

- 10 Any existing access onto Manor Lane to the rear of this site shall be suitably and permanently closed to the satisfaction of the Local Planning Authority immediately the proposed new access is brought into use.
- Reason - To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.
- 11 There shall be no discharge of surface water onto the highway.
- Reason - To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.
- 12 Prior to commencement of development, details of the estate road and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.
- Reason - To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety.
- 13 Prior to the first occupation of the development, a 500mm wide overhang strip shall be provided adjacent to the carriageway unless otherwise agreed, in writing, by the Local Planning Authority.
- Reason - To ensure that adequate clearance for vehicles swept paths is provided in the interests of highway safety.
- 14 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.
- 15 All garages shall have a minimum internal measurement of 7m x 3m.
- Reason - To encourage the use of garages for their intended purpose and to discourage on-street parking, in the interests of highway safety.
- 16 Prior to the occupation of the dwellings hereby approved, the garages and parking bays for the new and existing dwellings shall be provided in accordance with the approved plans. The car parking and garages shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development.
- Reason - To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety.
- 17 Notwithstanding the provisions of Article 3, Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no provision of fences, walls or other enclosures (other than those on the approved plans) shall be erected forward of the front elevation of the dwellings hereby approved except in accordance with details that shall previously be approved by the Local Planning Authority.
- Reason - In the interests of visual amenity.
- 18 Prior to the commencement of development, investigations shall be carried out to establish whether the site is contaminated in any way. If the investigations reveal contamination of the site, a further scheme shall be agreed in writing by the Local Planning Authority, setting out measures to ensure that the entire area of the site, in relation to soil conditions resulting from such contamination, will not be harmful or detrimental to human health, animal health, normal plant health or growth, to buildings, building surfaces or amenities. Such agreed

amenities. Such agreed measures shall be implemented and completed to the satisfaction of the Local Planning Authority prior to the commencement of any development of the site.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Agent, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Highway Informatives

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

2. Highway Works - All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:

SMO1 ' Essex Highways, Colchester Highways Depot, 653, The Crescent, Colchester Business Park, Colchester CO49YQ

3. Cost of Works - The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

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

Note: With reference to the above condition number 11 the applicants attention should be drawn to the recent alterations to householder 'permitted development' in so far as there is now the need to provide a permeable solution (SUDS) for the hard standing to reduce the cumulative impact of surface water run-off and overloading of sewers.

Environmental Health Informatives

The following information is intended as guidance for applicants/developers and construction firms. In order to minimise potential nuisance to nearby existing residents caused by construction and demolition works, Pollution and Environmental Control recommends that the following guidelines are followed. Adherence to this advisory note will significantly reduce the likelihood of public complaint and potential enforcement action by Pollution and Environmental Control.

- *Noise Control*

- 1) The use of barriers to mitigate the impact of noisy operations will be used where possible.
- 2) No vehicle connected with the works to arrive on site before 06:30 or leave after 19:30 (except in the case of emergency). Working hours to be restricted between 07:00 and 19:00 Monday to Saturday (finishing at 13:00 on Saturday) with no working of any kind permitted on Sundays or any Public/Bank Holidays.
- 3) The selection and use of machinery to operate on site, and working practices to be adopted will, as a minimum requirement, be compliant with the standards laid out in British Standard 5228:1984.
- 4) Mobile plant to be resident on site during extended works shall be fitted with non-audible reversing alarms (subject to HSE agreement).
- 5) Prior to the commencement of any piling works which may be necessary, a full method statement shall be agreed in writing with the Planning Authority (in consultation with Pollution and Environmental Control). This will contain a rationale for the piling method chosen and details of the techniques to be employed which minimise noise and vibration to nearby residents.
- 6) If there is a requirement to work outside of the recommended hours the applicant or contractor must submit a request in writing for approval by Pollution and Environmental Control prior to the commencement of works.

- *Emission Control*

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

UK Power Networks Informatives

As with the previous approvals, the UK Power Networks advises that the substation access route is formally altered in a new lease or freehold to be entered into by the landowner on similar terms to the existing.

The existing underground electricity cables will now be in the back gardens and driveways of some of the new dwellings. This can cause UK Power Networks problems with future access to the cables for fault repairs or replacement due to sheds, greenhouses and other obstructions. In order to minimise future disturbance we would propose that spare ducts are laid alongside the existing cables.

The applicant should be requested to provide confirmation from the owners of the electrical substation within the site that the proposed access arrangements are adequate and suitable for their requirements.

Ecology Informatives

Vegetation clearance should be undertaken during the period October to February (inclusive) to avoid the bird nesting season. If this is not possible, prior to commencement on site a check for nesting birds should be undertaken by a suitably experienced ecologist and any active nests will need to be left in situ.

Soffits and barge boards on the main building should be removed by hand prior to demolition, preferably outside of the bat active season.

The vegetation along the boundary with Manor Lane should be strimmed prior to site clearance to ensure that no reptiles are present on site.