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Item No: 7.4

Application: 230380

Applicant: Mr Jim Parker

Agent: Mr Jim Parker

Proposal: A new 3 bedroom Art-deco influenced dwelling and separate garage. (Revised drawings)

Location: Land adj to, 179B Shrub End Road, Colchester, Essex, CO3 4RG

Ward: Prettygate

Officer: Hayleigh Parker Haines

Recommendation: **Approval** subject to completion of Unilateral Undertaking under s.106 of the Act to secure contributions.

1.0 Reason for Referral to the Planning Committee

- 1.1 This application is referred to the Planning Committee due to a Member Call-In by Cllr. Lissimore for the following reasons:

Layout and density of building.
Design.
Loss of privacy.
Road access.

2.0 Synopsis

- 2.1 The key issues for consideration are the design of the proposed dwelling and associated impact on character and appearance of the surrounding area, the impact on neighbouring amenity and highway matters
- 2.2 It is considered, that whilst the proposed dwelling is of a unique design, this would not have a detrimental impact on the character and appearance of the surrounding area, and subject to suitably worded conditions would not represent an unneighbourly form of development. These matters are discussed further within the report. The application is subsequently recommended for approval.

3.0 Site Description and Context

- 3.1 The application site sits to the north-eastern side of Shrub End Road, to the rear of the Berechurch Arms Public House, and benefits from an existing access to the north of Shrub End Road which runs north alongside 179 Shrub End Road and serves two other dwellings. The site previously formed part of the car park associated with the public house. The site falls within the settlement boundary, there are no listed buildings within the vicinity of the site and it does not sit within a conservation area. There are no TPO or trees or significant vegetation worthy of protection/retention.

4.0 Description of the Proposal

- 4.1 Planning permission is sought for the construction of a self-build, two storey detached, flat roofed dwellinghouse of art deco design. This would have a height of 7.2 metres, a maximum width of 20.88 metres and a maximum depth of 14.32 metres. This would provide a hall, office, lounge, kitchen/diner and two bedrooms with ensuites at ground floor and one bedroom with ensuite, bathroom and two roof terraces at first floor.

5.0 Land Use Allocation

- 5.1 The land to be utilised was formally associated with the public house to the south.

6.0 Relevant Planning History

- 6.1 There is no recent planning history particularly relevant to the determination of this application

7.0 Principal Policies

- 7.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) must be taken into account in planning decisions and is a material consideration, setting out national planning policy. Colchester's Development Plan is in accordance with these national policies and is made up of several documents as follows below.

7.2 Local Plan 2017-2033 Section 1

The shared Section 1 of the Colchester Local Plan covers strategic matters with cross-boundary impacts in North Essex. This includes a strategic vision and policy for Colchester. The Section 1 Local Plan was adopted on 1 February 2021. The following policies are considered to be relevant in this case:

- 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

7.3 Local Plan 2017-2033 Section 2

Section 2 of the Colchester Local Plan was adopted in July 2022. The following policies are of relevance to the determination of the current application:

SG1 Colchester's Spatial Strategy
SG2 Housing Delivery
ENV1 Environment
CC1 Climate Change
DM2 Community Facilities
DM9 Development Density
DM10 Housing Diversity
DM12 Housing Standards
DM15 Design and Amenity
DM18 Provision of Open Space and Recreation Facilities
DM19 Private Amenity Space
DM20 Promoting Sustainable Transport and Changing Travel Behaviour
DM21 Sustainable Access to development
DM22 Parking
DM23 Flood Risk and Water Management
DM25 Renewable Energy, Water Waste and Recycling

7.5 Regard should also be given to the following adopted Supplementary Planning Documents (SPD):

The Essex Design Guide
External Materials in New Developments
EPOA Vehicle Parking Standards
Backland and Infill
Community Facilities
Open Space, Sport and Recreation
Sustainable Construction
Managing Archaeology in Development.
Developing a Landscape for the Future

8.0 Consultations

8.1 The stakeholders who have been consulted and who have given consultation responses are as set out below. More information may be set out on our website.

The North Essex Parking Partnership have raised no objections or comments

Essex County Council Highways have raised no objection to the proposal subject to the inclusion of a number of conditions should the application be approved

Environmental Protection have raised no objections to the proposal subject to the inclusion of a condition limiting the hours of construction and an informative on EV charging points and demolition and construction

The Landscape Officer has raised no objections.

The Contaminated Land Officer has raised no objections.

The Archaeological Officer has raised no objections to the proposal.

Place Services Ecology have raised no objection to the proposal subject to a condition securing biodiversity enhancement of the site.

9.0 Parish Council Response

9.1 Non-Parished

10.0 Representations from Notified Parties

10.1 The application resulted in a number of notifications to interested third parties including neighbouring properties. The full text of all of the representations received is available to view on the Council's website. However, a summary of the material considerations is given below.

Eight neighbouring letters of objection has been received and this is summarised below:

Objecting Comment	Officer Response
Design is unsympathetic and not in-keeping	Comments noted and discussed below
The first floor windows will overlook neighbouring properties – loss of privacy	Comments noted and discussed below
Site has already been cleared – spoiling enjoyment of wildlife	Comments noted,
Access road inadequate	Comments noted and discussed below
Excessive Scale	Comments noted and discussed below
Noise impacts if parties are held on the roof terrace	Comments noted, however, this is not considered to be unreasonable given the proposed residential use of the site and no worse than any other dwelling if gatherings were to be held in rear gardens.

One letter raising a general observation has been received, advising that the site has already been cleared and is being used as an area to store plant and equipment which seems to contradict the highways recommendation.

11.0 Parking Provision

11.1 Sufficient parking will be provided on site for a minimum of two vehicles, in line with the requirements of policy DM22, this will be discussed further in the below report

12.0 Accessibility

12.1 The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. The proposed development does not raise any issues of potential direct or indirect discrimination.

13.0 Open Space Provisions

13.1 The proposed development includes appropriate provision of private amenity space and there is no need for any public open space to be provided.

14.0 Air Quality

14.1 The site is outside of any Air Quality Management Area and will not generate significant impacts upon the zones.

15.0 Planning Obligations

15.1 This application is not classed as a “Major” application and therefore there was no requirement for it to be considered by the Development Team and it is considered that no Planning Obligations should be sought via Section 106 (s.106) of the Town and Country Planning Act 1990.

15.2 Notwithstanding the above, should the application be approved a unilateral undertaking would be required to secure contributions for Community Facilities/Sport & Recreation and RAMs as per our adopted SPD.

16.0 Report

The main issues in this case are:

- Design and Layout
- Scale, Height and Massing
- Impact on the Surrounding Area
- Impacts on Neighbouring Properties
- Highway Safety and Parking Provisions (including Cycling)

16.1 Five-Year Housing Land Supply

Section 1 of the Colchester Local Plan 2017-2033 was adopted by the Council on the 1 February 2021, with Section 2 being adopted in July 2022. The complete Local Plan carries full statutory weight as the development plan.

Section 1 includes strategic policies covering housing and employment, as well as infrastructure, place shaping and the allocation of a Garden Community. Policy SP4 sets out the annual housing requirement, which for Colchester is 920 units. This equates to a minimum housing requirement across the plan period to 2033 of 18,400 new homes.

The Tendring Colchester Borders Garden Community is allocated in Section 1, all other site allocations are made within Section 2 of the Plan. Within Section 2 the Council has allocated adequate sites to deliver against the requirements set out in the strategic policy within the adopted Section 1. All allocated sites are considered to be deliverable and developable.

In addition and in accordance with the NPPF, the Council maintains a sufficient supply of deliverable sites to provide for at least five years' worth of housing, plus an appropriate buffer and will work proactively with applicants to bring forward sites that accord with the overall spatial strategy. The Council has consistently delivered against its requirements which has been demonstrated through the Housing Delivery Test. It is therefore appropriate to add a 5% buffer to the 5-year requirement. This results in a 5 year target of 4,830 dwellings ($5 \times 920 + 5\%$).

The Council's latest published Housing Land Supply Annual Position Statement (July 2022) demonstrates a housing supply of 5,074 dwellings which equates to 5.25 years based on an annual target of 920 dwellings (966 dwellings with 5% buffer applied)

which was calculated using the Standard Methodology. This relates to the monitoring period covering 2022/2023 through to 2026/27.

8. Five Year Supply Calculation

8.1 The table below illustrates the 5-year supply calculation for the district during the period between 2022/2023 through to 2026/2027.

Housing Need OAHN	
Annualised objectively assessed housing need (OAHN)	920
5 year housing requirement (5x920)	4600
5 year housing requirement and 5% buffer	4830
Supply	
Permissioned sites, existing allocations and windfall allowance	5074
Total number of years' worth of housing supply including emerging allocations	
Supply against OAN with permissioned sites, existing allocations and windfall	5.25

8.2 The calculation above demonstrates that the Council has a sufficient supply of deliverable housing to meet the 5-year requirement. A total of 5.25 years is deliverable within this period.

In accordance with paragraph 73 of the NPPF, the adoption of the strategic housing policy in Section 1 of the Local Plan the adopted housing requirement is the basis for determining the 5YHLS, rather than the application of the standard methodology.

Given the above, it is therefore considered that the Council can demonstrate a five year housing land supply.

16.2 Principle of the Development

Policies SP1, SG2 and DM15 state that development within the City is directed to sites within existing settlement development boundaries, with an emphasis within policy SP1 for a favour is presumption of sustainable development. The application lies within the defined development boundary for Colchester and given its location within a built up environment, with easy access to public and sustainable modes of transport, via established footpaths with lighting, alongside the facilities offered within the vicinity of the site, it is considered that the principle of provided an additional dwelling in this location is acceptable.

16.3 Design and Impact on Character and Appearance of the Site and Surrounding Area

Policies SP7 and DM15 are relevant. These policies seek to secure high quality and inclusive design in all developments, respecting and enhancing the characteristics of the site, its context and surroundings. Policy SP7 states in particular that all new development must meet high standards of urban and architectural design. In addition,

the additional dwelling within the rear garden would be classed as Backland and infill and therefore the Backland and Infill SPD is relevant.

The Council's Adopted Supplementary Planning Document (SPD) 'Backland and Infill' states that proposed building plots should be of similar dimensions in size and shape to the existing plots in the immediate locality. Proposals that would lead to overdevelopment of a site or the appearance of cramming will be resisted. Furthermore, the SPD sets out that the layout should create a sense of place and integrate well with the existing development.

The proposed dwelling would not be readily visible within the public realm, due to the existing built form largely blocking views from public vantage points, and is therefore considered to have a limited impact on the character and appearance of the surrounding area.

The proposed dwelling would follow the relatively established building line of properties to the west of the site. The plot size however, is slightly larger than neighbouring properties but not completely uncharacteristic of the surrounding area (10 Somers Road to the rear is similar.) Furthermore, other properties to the west tend to be quite wide and provide a minor degree of separation between plots and therefore it is considered that the plot size and the width of the proposed dwelling in itself is considered acceptable and the dwelling is considered to respond to its context appropriately.

The proposed dwelling would feature a circular focal point central to the dwelling which is proposed to reflect the hexagonal feature on the public house to the south and is considered to contribute to the art deco aesthetic; whilst this design aesthetic is not overly characteristic of residential properties within the immediate area, there are some examples within the wider surrounding area. The built environment surrounding the site is considered relatively eclectic in terms of form, materials and detailing, as such it is not considered that the proposed dwelling would be at odds with any overriding character within the surrounding area.

The proposed detached garage is modest in footprint, however, given the spacious nature of the site, it is not considered that this alongside the proposed dwelling would represent a cramped form of development. Furthermore, the proposed garage is single storey in nature and does not visual compete with the host dwelling and would be read as an outbuilding.

Taking into account the above, the spatial and massing elements of the proposal appear grounded within their context and the architectural elements are considered acceptable on the basis they deliver an authentic and coherent design approach and in design terms, the proposal is considered acceptable and policy compliant.

During the assessment of the application the Urban Design Officer and Planning Officer have worked with the Agent, to provide a more typically proportioned and detailed art-deco designed dwelling, that provides a cohesive design through all elevations and whilst this results in a unique residential dwelling, subject to conditions securing the detailing.

16.4 Impact on Neighbouring residential amenity

Policy DM15 requires all development to be designed to a high standard that protects and promotes both public and residential amenity, particularly with regard to privacy, overlooking, security, noise and disturbance, and daylight and sunlight. The adopted Supplementary Planning Document (SPD) the Essex Design Guide also provides guidance on the safeguarding of residential private amenity.

The application site is bordered by five neighbouring residential properties; to the east is 18A King Harold Road, to the north are 26A King Harold Road and 10 Somers Road, to the west is 179B Shrub End Road and to the south west is 179A Shrub End Road.

The proposed dwelling would sit a minimum of 10.3 metres from the closest neighbouring property to the north and 9.61 metres from the neighbouring property to the east and 9.6 metres from the neighbouring property to the west; due to this degree of separation alongside the relationship and orientation of neighbouring properties, it is not considered that the proposed dwelling would represent an unneighbourly form of development in terms of loss of light or having an overbearing impact.

The main concern in terms of neighbouring amenity is the loss of privacy to the neighbouring occupants to the north and east due to the provision of a roof terrace at first floor. To the eastern and western boundaries, the floor level sits 1.7 metres lower than the wall to these elevations, which is considered sufficient to overcome any concerns relating to the loss of privacy to these neighbouring occupiers, as the resultant wall would sit above eye level. To the rear there is a small 'dip' where the wall falls below 1.7 metres from floor level, although it is considered a condition can be included to ensure an obscure screen with a height of 1.7 metres from finished floor level is installed and retained in perpetuity prior to the occupation of the dwelling; this is considered to overcome any concerns in regards to a material loss of privacy to neighbouring occupiers. It is also considered necessary to ensure that the first floor window to the rear elevation is also obscure glazed and of a non-opening design for 1.7 metres above the finished floor level; again, this can be conditioned.

16.5 Private Amenity Space and Landscaping

Policy DM19 requires all new residential development to provide private amenity space to a high standard, where the siting, orientation, size and layout make for a secure and usable space. For houses of one or two bedrooms a minimum of 50m² of useable amenity space is required, for houses with three bedrooms a minimum of 60m² is required and for dwelling with four or more bedrooms a minimum of 100m² will be required.

Due to the spacious nature of the plot, the dwelling would benefit from a private amenity area in excess of 200m² and therefore, it is considered that sufficient, high quality amenity space will be provided and there are no objections in this respect.

16.6 Parking, Access and Highway Safety

Policy DM21 requires all new developments to seek to enhance accessibility for sustainable modes of transport. Policy DM22 states that the Council will refer

developers to the Essex Planning Officers Association (EPOA) Vehicle Parking Standards which is an adopted SPD (November 2009). This policy requires that a minimum of two parking spaces should be provided for each dwelling of two or more bedroom.

The application would utilise an existing access and therefore, there are no objections in this respect. The hardstanding to the front of the site is considered sufficient to provide a minimum of two parking spaces. Furthermore, the proposal includes the provision of a detached garage which is considered sufficient to provide parking for a reasonable sized vehicle. Essex County Council have also raised no objection to utilising the existing access road.

16.7 Flood Risk/Drainage

Policies CC1 and DM23 state that development will be directed to locations with the least impact on flooding or water resources. Policy DM23 includes the provision that, where proposals include driveways, hardstanding or paving, the use of permeable materials and landscaping will be sought to minimise the cumulative impacts of flooding from such developments.

The application site sits within Flood Zone 1 and as the proposal site measures less than a hectare, a Flood Risk Assessment would not be required to support this application. Therefore, it is not considered that the proposal would have a harmful impact upon flooding or surface water drainage within the locality.

16.8 RAMS/ Habitat Regulations

Under the Conservation of Habitats and Species Regulations 2017 (commonly referred to as the Habitat Regulations) a Habitat Regulations Assessment (HRA) is required for land use plans and for planning applications, which are likely to have significant effects on a Habitat Site.

It is anticipated that, without mitigation, new residential development in this area could have a significant effect on the sensitive interest features of these European designated sites, through increased recreational pressure, particularly when considered 'in combination' with other plans and projects.

The necessary financial contribution has been sought to be secured within the Unilateral Undertaking and therefore, it is considered that subject to the execution of this deed, the appropriate mitigation will have been secured.

16.9 Planning Obligations (s106)

Communities have requested an amount of £2872.83 using the standard methodology for a three bedroom dwelling, this would be contributed towards one of the following projects:

- to increase the offering and accessibility of the Prettygate Baptist Church to the community, including updating/replacing their toilets and improvements to the café area.

- Update the air raid shelter at Straight Road Community Centre in order to provide a usable space for the community
- Increase and improve the offering provided at Shrub End Social Centre, including improvements to the kitchens, guttering and roof repairs, fire doors etc....

A Unilateral Undertaking has been requested as part of this application, and therefore, subject to the execution of this deed, it is considered the relevant contributions will have been secured.

16.10 Other Matters

It is noted that a number of neighbouring comments mention that the site was previously occupied by a number of trees which have since been cleared. It is clear from aerial photography that was the case until recently. The Case Officer has checked using the resources available and can confirm that this was not a protected woodland and is not recorded as being occupied by any protected species or priority habitat, so whilst the clearing of this site is regrettable, it is not considered to have had a detrimental impact on ecology or biodiversity. However, in accordance with policy CC1, any application should seek to include a 10% increase in tree canopy cover; given the site has been cleared of all vegetation, it is considered that a 10% increase could easily be achieved onsite and therefore, a condition will be included to secure this to ensure policy compliance and provide mitigation given the recent loss of vegetation.

Similarly, a neighbouring comment mentions badgers. Having checked the NBN (National Biodiversity Network) atlas, whilst 44 recordings of badgers within 5km of the area are recorded, there is no record of a badger sett on site, nor any recordings of sightings since 2021. The Case Officer did carry out a site visit whereby there was no obvious sign of any habitat or badgers. Place Services Ecology have been consulted as part of this application and have advised that there is no evidence of a Badger Sett. They have recommended that a condition securing biodiversity net gain is achieved on site, based on the habitat that was originally on site, should the application be approved.

16.11 Procedural Matter

The recommended pre-commencement conditions have been sent to the applicant for agreement in accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018. An update can be provided to Members at the Committee meeting.

17.0 Planning Balance and Conclusion

In terms of sustainability, the National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy

This stance is supported within Policy SP1. In relation to the economic role, the expenditure by future occupiers would help to support local services within Prettygate and the wider area. Also, in the short term the construction works, undertaken by the Applicant, is likely to result in local expenditure for materials, etc.... and could generate local employment and therefore, it is considered the scheme is likely to have a marginally positive economic impact. In terms of the social role, again it is considered the proposal would have a negligible impact as the dwelling is not of a size required by the City and the provision of one dwelling does significantly support the community. Lastly, in terms of the environmental role, the site is located within the settlement boundary and therefore future occupants are not considered to be reliant on the private motor vehicle to access everyday services and facilities, it is considered that the proposed Backland development would be acceptable and in principle reflective of neighbouring plots. Whilst the design of the dwelling is relatively unique, it is not considered that in environmental terms the proposed development would have a detrimental impact on the character and appearance of the area and therefore, given the minor positive impacts in term of the economic and social role and the lack of harm identified in terms of the environmental role, it is considered the proposal is acceptable.

18.0 Recommendation to the Committee

18.1 The Officer recommendation to the Committee is for:

APPROVAL of planning permission subject to the completion of a unilateral undertaking securing the relevant contributions to mitigate the impact of the proposed development within 6 months from the date of the Committee meeting. In the event that the above is not achieved within 6 months, to delegate authority to the Head of Service to refuse the application, or otherwise to be authorised to complete the agreement. Delegated authority to make non-material amendments to planning conditions as necessary. The Permission will also be subject to the following conditions:

1. Time Limit for Full Permissions

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. Development to Accord With Plans

The development hereby permitted shall be carried out in accordance with the details shown on the submitted Drawing Numbers: JRP/23/SE/03 REV C, JRP/23/SE/04 rev c, JRP/23/SE/05 REV C, JRP/23/SE/10, JRP/23/SE/01 REV A, JRP/23/SE/02 REV C and JRP/23/SE/06

Reason: For the avoidance of doubt and to ensure that the proposed development is carried out as approved.

3. Materials to be agreed

No external facing or roofing materials shall be used in the construction of the development hereby permitted until precise details of the manufacturer, types and colours of these have been submitted to and approved, in writing, by the Local Planning Authority. Such materials as may be approved shall be those used in the development.

Reason: In order to ensure that suitable materials are used on the development as there are insufficient details within the submitted planning application.

4. Architectural detailing

Notwithstanding the details submitted, no works shall commence (above ground floor slab level) until additional drawings that show details of the architectural detailing of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Details shall include window detailing (including details of the depth of reveal); doors; cills; lintels; mouldings (architraves, ribbon/beading); parapet & coping; and any rainwater goods to be used, by section and elevation, at scales between 1:20 and 1:1, as appropriate. The development shall thereafter be implemented in accordance with the approved additional drawings.

Reason: Insufficient detail has been submitted to ensure that the proposed works are of high quality design and deliver an authentic and coherent design. To ensure that the quality of approved development is not materially diminished between permission and completion.

5. Utilities

No works shall commence (above ground floor slab level) until details (including position) of all new plant, extract ducts, vents, grilles and meter housings have been submitted to and approved, in writing, by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of maintaining an authentic and coherent design, and to

ensure that the quality of approved development is not materially diminished between permission and completion.

6. Construction Management Plan

No development shall take place, including any site clearance, ground works or works of demolition, until a Construction Management Plan (CMP) has been submitted as a scaled drawing to and approved in writing by the local planning authority. The approved plans shall be adhered to throughout the construction period. The plans shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities

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

7. Biodiversity Net Gain

No development shall commence unless and until a Biodiversity Management Plan to ensure that there is a minimum 10% net gain in biodiversity within a 30 year period as a result of the development has been submitted to and agreed in writing by the Local Planning Authority.

The net biodiversity impact of the development shall be measured in accordance with the DEFRA biodiversity metric as applied in the area in which the site is situated at the relevant time and the Biodiversity Management Plan shall include:

- a) Proposals for the on-site biodiversity net gain;
- b) A management and monitoring plan for onsite biodiversity net gain including 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2,5,10,15,20,25 and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed;
- c) Proposals for any off-site biodiversity net gain provision;
- d) A management and monitoring plan for all offsite biodiversity net gain including 30 year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2,5,10,15,20,25 and 30 from commencement of development, demonstrating how the BNG is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed;

The development shall be implemented in full accordance with the requirements of the approved Biodiversity Management Plan.

Reason: To conserve and enhance protected and Priority species / habitats and allow the development to demonstrate measurable biodiversity net gains

8. Limit to hours of work

No demolition or construction work shall take outside of the following times;
Weekdays: 08:00 - 18:00
Saturdays: 08:00 - 13:00
Sundays and Bank Holidays: None

Reason: To ensure that the construction phase of the development hereby permitted is not detrimental to the amenity of the area and/or nearby residents by reason of undue noise at unreasonable hours

9. Foul Sewage Drainage

No works above ground level shall take place until details of foul drainage shall have been submitted to and approved, in writing, by the Local Planning Authority. No part of the development shall be first occupied or brought into use until the agreed method of foul water drainage has been fully installed and is available for use.

Reason: In order to avoid unnecessary environmental, amenity and public health problems that could otherwise arise.

10. Landscaping Scheme

No works above ground level shall take place until a scheme of hard and soft landscaping works has been submitted to and agreed, in writing, by the Local Planning Authority. This scheme shall include any proposed changes in ground levels and also accurately identify positions, spread and species of all proposed trees, shrubs and hedgerows on the site, as well as details of any hard surface finishes and external works, which shall comply with the recommendations set out in the relevant British Standards current at the time of submission. Please note that this scheme will need to evidence a 10% increase in canopy cover of the site

Reason: In order to ensure that there is a sufficient landscaping scheme for the relatively small scale of this development where there is insufficient detail within the submitted application.

11. Obscure glazed Window

Notwithstanding the provisions of Article 3, Schedule 2, Part 1 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), the first floor windows to the rear elevation shall be non-opening and glazed in obscure glass to a minimum of level 4 obscurity below 1.7 metres in height from the finished floor levels, before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason: To avoid the overlooking of neighbouring properties in the interests of the amenities of the occupants of those properties.

12. Obscure glazed Screen

Notwithstanding the provisions of Article 3, Schedule 2, Part 1 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), an obscure glazed screen to the rear elevation, where the wall height falls below 1.7 metres shall be installed with a minimum of level 4 obscurity to bring the total height to 1.7 metres, before the development hereby permitted is first occupied and shall thereafter be permanently retained in this approved form.

Reason: To avoid the overlooking of neighbouring properties in the interests of the amenities of the occupants of those properties.

13. Parking

The development shall not be occupied until such time as car parking has been provided in accord with current Parking Standards together with a workable, convenient and efficient turning area. These facilities shall be retained in this form at all times and shall not be used for any purpose other than the parking and turning of vehicles related to the use of the development thereafter.

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

14. Cycle Parking

The development shall not be occupied until such time as details of the provision for parking and storage of bicycles sufficient for all occupants and of a design that shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To promote the use of sustainable means of transport.

19.1 Informatives

19.1 The following informatives are also recommended:

Advisory Note on Construction & Demolition

The developer is referred to the attached advisory note *Advisory Notes for the Control of Pollution during Construction & Demolition Works* for the avoidance of pollution during the demolition and construction works. Should the applicant require any further guidance they should contact Environmental Control prior to the commencement of the works.

Advisory Note – Highways

It appears that the means of access is not in control or ownership of the applicant therefore, the pedestrian and vehicles rights of access should be demonstrated to exist in perpetuity.

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.uk

Advisory Note – Ecology

To avoid killing or injuring small animals which may pass through the site during the construction phase, it is best practice to ensure the following measures are implemented:

- a) Trenches, pits or holes dug on site should be covered over at night. Alternatively, ramps (consisting of a rough wooden plank) or sloped/stepped trenches could be provided to allow animals to climb out unharmed;
- b) materials brought to the site for the construction works should be kept off the ground on pallets to prevent small animals seeking refuge;
- c) rubbish and waste should be removed off site immediately or placed in a skip, to prevent small animals using the waste as a refuge; and
- d) should any protected species or evidence of protected species be found prior to or during the development, all works must immediately cease and a suitably qualified ecologist must be contacted for further advice before works can proceed.

All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.