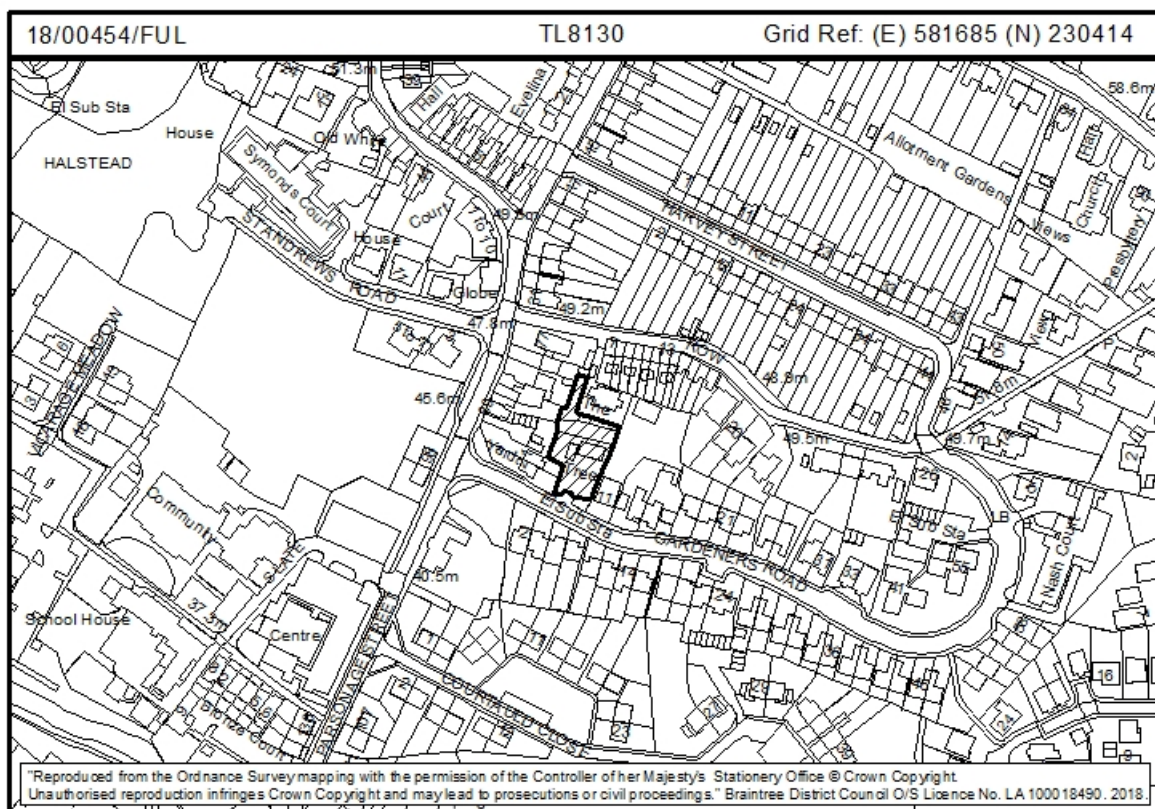


PART A

APPLICATION NO:	18/00454/FUL	DATE VALID:	12.03.18
APPLICANT:	Mr B Edwards 127 Broad Road, Braintree, Essex, CM7 9RZ, UK		
AGENT:	Andrew Stevenson Associates Mr Andrew Stevenson, 21A High Street, Great Dunmow, Essex, CM6 1AB		
DESCRIPTION:	Erection of 1no. two bedroom dwelling with associated parking and landscaping		
LOCATION:	Walnut Tree House, 9 Gardeners Road, Halstead, Essex, CO9 2JU		

For more information about this Application please contact:
Mr Sam Trafford on:- 01376 551414 Ext. 2520
or by e-mail to: sam.trafford@braintree.gov.uk



SITE HISTORY

17/01310/FUL	Erection of two bedroom dwelling with associated parking and landscaping	Withdrawn	21.09.17
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POLICY CONSIDERATIONS

Currently the Council's development plan consists of the Braintree District Local Plan Review (2005) and the Core Strategy (2011).

The Council is currently working on a Draft Local Plan, which was approved by the Council unanimously for consultation on the 20th June 2016 and was the subject of public consultation between the 27th June and 19th August 2016. The Draft Local Plan, now referred to as the Publication Draft Local Plan, was approved by the Council on 5th June 2017 for consultation and for submission to the Secretary of State. The public consultation ran from 16th June to 28th July 2017. The Publication Draft Local Plan was submitted to the Secretary of State on the 9th October 2017.

The Publication Draft Local Plan is currently the subject of an examination by an Inspector appointed by the Secretary of State for Housing, Communities and Local Government.

The joint North Essex-Authorities (NEAs) have received a post hearing letter dated 8th June 2018. This letter outlined a number of short comings about the Garden Communities in the Section 1 Plan relating to transport infrastructure, employment, viability, and the sustainability appraisal.

The letter has outlined 3 options for how to proceed with the Section 1 Publication Draft Local Plan.

- Option 1 – Remove the Garden Communities proposals from the Section 1 Plan at this stage, and commit to submitting a partial revision of Section 1 for examination by a defined time.
- Option 2 – The NEAs carry out further work on evidence base and Sustainability Appraisal, and bringing forward any resulting revised strategic proposals, before the commencement of the Section 2 examinations. This option would result in the suspension of the examination, and the part 2 examination could not take place.
- Option 3 – Withdraw Section 1 and Section 2 of the Plans from examination and to resubmit them with any necessary revisions, after carrying out required further work on the evidence base and Sustainability Appraisal, and the relevant consultation and other procedures required by legislation.

A further Supplementary Post-hearing letter dated 27th June has also been received. This letter provided the Inspectors views on policy SP3 of the Section 1 Plan which covers housing requirements. The letter concludes that

the housing requirement figures for each of the NEAs set out in policy SP3 is its respective objectively-assessed housing needs, which for Braintree is 716 dwellings per annum.

The North Essex Authorities have agreed to produce further evidence to present to the Planning Inspector on the section 1 Local Plan. The authorities will need to agree with the Planning Inspector a timetable for the completion of this work, but this will result in a delay to the adoption of the Local Plan.

In accordance with paragraph 48 of the NPPF, from the day of publication the Council can give weight to the emerging Draft Local Plan and the weight that can be given is related to:

“The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given) and;

The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)”.

Accordingly the Council can currently afford some weight to the emerging Publication Draft Local Plan 2017.

It should also be noted that the Council was previously working on a Site Allocation and Development Management Plan (the ADMP). This plan was subject to extensive public consultation in 2013 and 2014. The ADMP was not however submitted to the Planning Inspectorate, due to the decision to begin work on a new Local Plan, to take into account the most up to date Government guidance. However parts of the ADMP have been rolled forward into the Draft Local Plan. It is therefore considered that it would be consistent with the provisions in paragraph 48 of the NPPF, to afford more weight in decision making to the parts of the Draft Local Plan which have been rolled forward from the ADMP, due to the more advanced stage reached by those elements.

National Planning Guidance

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Braintree District Local Plan Review 2005

RLP3	Development within Town Development Boundaries and Village Envelopes
RLP9	Design and Layout of Housing and Mixed Use Areas
RLP10	Residential Density

RLP56	Vehicle Parking
RLP74	Provision of Space for Recycling
RLP90	Layout and Design of Development

Braintree District Local Development Framework Core Strategy 2011

CS7	Promoting Accessibility for All
CS8	Natural Environment and Biodiversity
CS9	Built and Historic Environment

Braintree District Publication Draft Local Plan 2017

SP1	Presumption in Favour of Sustainable Development
SP6	Place Shaping Principles
LPP1	Development Boundaries
LPP17	Housing Provision and Delivery
LPP45	Parking Provision
LPP50	Built and Historic Environment
LPP55	Layout and Design of Development

Other Material Considerations

Essex Design Guide

- Page 76 & 77 – Amenity Space
- Page 89 - 45° Rule & Overlooking
- Page 81 – 109 – Design

Essex Parking Standards

INTRODUCTION / REASON FOR APPLICATION BEING CONSIDERED AT COMMITTEE

This application is being reported to the Planning Committee as the applicant is related to a member of staff.

SITE DESCRIPTION

The application site consists of a two storey residential dwellinghouse known as Walnut Tree House, located on a plot of land set back from Gardeners Road. The site is located within the town development boundary of Halstead.

Adjacent to the existing dwelling is a plot of approximately 36 metres in depth and 11 metres in width at its widest, and tapers down to approximately 8.5 metres at its narrowest point. At present this plot is vacant and overgrown.

The site is located on higher ground than street level at Gardeners Road, although this change in level is not overly prominent due to large amounts of boundary treatments.

PROPOSAL

The application seeks full planning permission for the provision of a one and a half storey residential dwellinghouse being located adjacent to the existing dwelling. The dwelling would be detached and feature cat-slide roof dormers. The new dwelling would be accessed via the existing access off of Gardeners Road.

To the rear would be amenity areas for both the existing and proposed dwellings, and to the front would be a parking area, which the plans show could accommodate 5 parking spaces.

CONSULTATIONS

Essex Highways – No Objections, subject to a condition requiring there to be no unbound materials within 6 metres of the access.

REPRESENTATIONS

Halstead Town Council – Raises objection to the planning application on two grounds; being the new dwelling would result in an overdevelopment of the site, and that the new dwelling would interfere with overhead cables. Both of these objections are discussed below.

A site notice was displayed at the front of the site and neighbours were notified by letter. Representations had been received from a total of 3 addresses, all of which raise objection to the application. Their concerns can be summarised as follows. That the proposed dwelling would result in an unacceptable impact on neighbouring residential amenities by way of overbearing and loss of light, that the design of the dwelling would be out of keeping with the surrounding area, and that the proposed plans show land being included in the application site which is not within the applicant's control (officers note that revised plans have since been sought which correct the red line plan to remedy this issue, and that at the time of writing the report an objection had not been made to the revised plans on this basis). Another objection raised concern in relation to the sizes of the gardens.

REPORT

Background

This application follows a previous application for full planning permission, withdrawn in 2017. This application was for a larger dwellinghouse, set further forward in its plot. Although the application was withdrawn before the application was determined at the Planning Committee, Officers identified several issues with the application, and would have recommended the application for refusal. It was considered that by virtue of its siting and size, together with the change in levels on the site, the proposed dwelling would have resulted in a cramped form of development, which would not have been

in keeping with the character of the street scene and surrounding area. Also, Officers considered that its relationship with the neighbouring dwellinghouse at 1 Garden Yard would have led to the proposed dwellinghouse having an unacceptable unneighbourly and overbearing impact on the neighbouring residential amenities of the aforementioned dwellinghouse.

This application has been submitted which seeks to address all abovementioned issues, by significantly reducing the size of the dwelling, setting it further back in its plot, and changing its design. Additional information has also been submitted in relation to its appearance in the street scene, and in relation to the topography of the site.

Officers consider that these changes have amounted to an application which is now acceptable, for the reasons which are discussed in the report below.

PRINCIPLE OF DEVELOPMENT

National Planning Policy Framework (NPPF) 2018

As set out in Paragraph 7 of the NPPF, the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 of the NPPF explains that achieving sustainable development means that the planning system has three overarching objectives: economic; social; and environmental; 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).

Paragraph 9 of the NPPF outlines that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area. In addition, paragraph 38 of the NPPF prescribes that local planning authorities should approach decisions on proposed development in a positive and creative way and that decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 12 of the NPPF sets out that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. In addition, paragraph 47 of the NPPF states that planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise.

The NPPF underlines the Government's objective of significantly boosting the supply of homes. In this regard, paragraph 59 of the NPPF highlights the importance of ensuring that there is a sufficient amount and variety of land that can come forward where it is needed, that specific housing requirements are met, and that land with permission is developed without unnecessary delay. Paragraph 73 of the NPPF outlines that local planning authorities should identify and update annually a supply of specific deliverable sites

sufficient to provide a minimum of five years' worth of housing against (in the case of Braintree District) our 'local housing need' plus the relevant buffer.

In this regard, and in considering the overall planning balance as to whether the proposed development subject to this application constitutes sustainable development, an important material consideration in this case is whether the Council can robustly demonstrate a 5 Year Housing Land Supply. This will affect whether Paragraph 11 of the NPPF is engaged and consequently the weight that can be attributed to the Development Plan.

The Development Plan

Currently the Council's statutory Development Plan consists of the Braintree District Local Plan Review (2005) and the Braintree District Core Strategy (2011).

Policy RLP3 of the Adopted Local Plan and Policy LPP1 of the Draft Local Plan state that new development within Town Development Boundaries and Village Envelopes will be acceptable in principle, subject to detailed design considerations.

The proposed development is therefore considered to be in compliance with the Development Plan and the emerging Draft Local Plan.

5 Year Housing Land Supply

In order to determine whether a given application for a housing scheme should be granted, the Council needs to understand the current housing land supply situation.

In accordance with the PPG, the Council published the housing land supply situation in its Annual Monitoring Report dated 31 December 2017. Following best practice, the Council updated its position on the basis of completion rates in March and June 2018.

However, in July 2018, the Government published a revised NPPF. The Council is bound to take into account this revised version of national policy by s.70(2)(C) Town and Country Planning Act 1990.

By paragraph 73 NPPF, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against (in the case of Braintree District) our 'local housing need' plus the relevant buffer. 'Local housing need' is defined as the 'standard method'. The new standard methodology applies a 3 step process as follows:

- Step 1 is the calculation of housing need from the household projections – this derives a baseline target. When new projections are published (usually every 2 years), these should be taken into account

and the target recalculated. The 2016 based household projections were published on 20 September 2018;

- Step 2 is an adjustment to take account of affordability, using the most recent published local affordability ratio – this derives a target number of dwellings per annum. New affordability ratios are planned to be published every year. The most recent (2017) local affordability ratios were published in Spring 2018;
- Step 3 caps the level of any increase to 40% over the baseline target. The cap is only applicable if the target number of dwellings per annum, derived from steps 1 and 2, exceeds the baseline target + 40%.

The 5 Year Housing Land Supply target is then calculated as follows: target number of dwellings per annum x 5 years + appropriate buffer (the Council currently accepts that the appropriate buffer for the Braintree District is 20% as required by the NPPF as there has been a significant under-delivery of housing over the previous 3 years).

Since 31st March 2017 the Council has produced quarterly updates on the 5 Year Supply Assessment to assist in the consideration and determination of planning applications. To date, and based on these assessments, the Council within both Committee and Delegated reports, has acknowledged that it is unable to demonstrate a 5 year Housing Land Supply, and as such Paragraph 11 of NPPF (previously Paragraph 14 of the NPPF 2012) is engaged. However, applying paragraph 73 NPPF to its supply, the latest land supply update statement indicates a 5.83 years' supply.

That said, it is important to note that the latest update position is not an annual monitoring report, based on a comprehensive assessment of sites, in accordance with the revised definition of 'deliverable' in the NPPF. That will be done within the 2018 annual monitoring report which is due to be published on 31st December 2018.

In addition, the Council's latest 5 year supply figure of 5.83 years (as at 31st March 2018) must also be considered in the context of the emerging Publication Draft Local Plan. The Publication Draft Local Plan which currently sits with the Inspector must be able to demonstrate a 5 Year Housing Land Supply in order for it to be found sound and adopted. Unlike the current methodology for calculating 5 year supply which takes account of housing undersupply in the standard methodology formula, the methodology for calculating 5 year supply under a new Local Plan must add on the backlog from previous years. This results in a higher 5 year supply requirement.

SITE ASSESSMENT

Design, Appearance and Layout/Impact upon Character of the Area

The proposal essentially constitutes a form of backland development, however it still has a direct access onto the public highway and is located

adjacent to an existing dwelling. The NPPF states inappropriate development of residential gardens, for example where development would cause harm to the local area, should be resisted.

Policy RLP3 of the Adopted Local Plan permits new residential development within village envelopes and town development boundaries where it satisfies amenity, design, environmental and highway criteria and where it can take place without material detriment to the existing character of the settlement. Policy LPP 37 of the Draft Local Plan states development should seek to create sustainable, inclusive and mixed communities through providing a mix of house types and size at an appropriate density for the area, which reflects local need. The NPPF states that new development should seek to improve “streetscapes and buildings to create attractive and comfortable places” by using design which reflects “local character and history, and reflect the identity of local surroundings and materials”, thereby resulting in a form of development which is “visually attractive as a result of good architecture and appropriate landscaping”.

Policy RLP90 of the Adopted Local Plan and Policy LPP55 of the Draft Local Plan require designs to recognise and reflect local distinctiveness in terms of scale, density, height and massing of buildings, and be sensitive to the need to conserve local features of architectural and historic importance, and also to ensure development affecting the public realm shall be of a high standard of design and materials, and use appropriate landscaping.

Although the dwelling would be set back from the road, it would still be visible in some views from Gardeners Road. However, the new dwelling would be relatively small and contained in terms of its footprint and proportions. The use of a one and a half storey form would minimise the dwelling’s bulk and massing. The design of the building itself would be inoffensive, and better suited to this backland location than a dwelling of more traditional design.

A topographical survey was submitted with the application which shows how the ground would be regraded to accommodate the proposed dwelling. This, along with a street scene elevation to illustrate how the site would relate to Gardeners Road, shows that the design and layout of the site would be acceptable, despite the site’s backland location.

The application includes the provision of private amenity space to be provided for both the existing and proposed dwellinghouses. According to the Essex Design Guide 2005, residential dwellings of 3 or more bedrooms should be provided with a private, useable amenity space of at least 100 square metres.

The submitted plans show that the existing dwelling would retain an amenity space of approximately 115 square metres, and that the proposed dwelling would be provided with an amenity space of approximately 120 square metres. The plans show these spaces would be enclosed by close boarded fencing. Given this material exists elsewhere in the immediate locality, this would be considered acceptable in this context.

Taking the above assessment into account, the application is considered to be acceptable in terms of its design, appearance and layout.

Impact on Neighbour Amenity

The NPPF states that new development should “always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”, whilst Policy RLP90 of the Adopted Local Plan and Policy LPP55 of the Draft Local Plan allow for new development where there would be “no unacceptable or undue impact” on neighbouring residential amenities by way of loss of “privacy, overshadowing, loss of light or overbearing impact”.

The representations received at the time of writing the report predominately raise objection in relation to an overbearing impact resulting from having a one and a half storey dwellinghouse adjacent to a boundary shared with neighbouring dwellings on Parsonage Street.

The dwelling would be located close to a boundary shared with a residential dwelling which is situated on lower ground than the application site, which is known as 1 Gardeners Road. The proposed dwelling has been relocated further to the rear within the site to reduce impacts by virtue of overbearing or loss of light. In this position, although there would be some impact as the dwelling would be visible from the neighbouring dwellings, Officers consider that these impacts would not be unacceptable. The Essex Design Guide provides guidance on for assessing impacts for this type of application. It says that where a new house would be at a right angle to an existing house, eye-to-eye distances must not be less than 15 metres. In the case of this application, the distances from the windows in the front elevation of the new dwelling to the windows in the rear 1 Gardeners Road would measure approximately 16.6 metres, and therefore would comply with the Essex Design Guide. Impacts on the ‘The Bungalow’, which is located behind the site, are less likely; this dwelling is on higher ground than the application site. Officers therefore consider impacts upon neighbouring residential amenities would not warrant refusal of the application.

Highway Issues

The Council refers to the latest adopted version of Essex Parking Standards Design and Good Practise (2009) Supplementary Planning Guidance, which requires new residential dwellinghouses of two or more bedrooms to benefit from a minimum of two car parking spaces. The standards specify that parking spaces shall measure at least 5.5 metres x 2.9 metres.

The proposal would not intensify the existing access to a degree which would require alterations to it, and there would be a sufficiently sized parking area to the front of the site. It is considered that the application is acceptable in regard to highway and parking issues.

The highway authority raised no objection to the application; recommending a condition which would restrict the use of unbound materials within 6 metres of the public highway. This is to prevent any loose materials reaching the highway, which could result in a highway safety issue.

The highway authority also recommended an informative to be attached to the decision notice, to suggest construction vehicles have their wheels washed when leaving the site to prevent mud from entering the public highway.

HRA / RAMS

Natural England have published revised interim guidance on 16th August 2018 in connection with the emerging strategic approach relating to the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitats Regulations.

In accordance with the revised interim guidance an appropriate assessment has been completed for this application, as it falls within the threshold of a scheme of 99 residential units or less and is located within the updated Zones of Influence. Where an appropriate assessment concludes that a likely significant effect would occur, the Local Planning Authority is required to secure a financial contribution towards off site mitigation at the identified natura 2000 sites to mitigate the impact of the development upon these sites.

However, whilst the appropriate assessment of the Local Plan has identified a likely significant effect for all residential development in-combination with other plans and projects, the amount of minor and major development proposals for 1-99 houses that is likely to be granted planning permission prior to the adoption of the RAMS, which will require financial contributions for all residential proposals, is considered to be de minimis considering that the RAMS will be dealing with the in-combination effects of housing growth across Essex over a 15 year period. As such, it is concluded that this proposal would not have a likely significant effect and therefore no financial contribution is requested in this case. Notwithstanding the above, at the present time, there are no specific costed projects identified and no clear evidence base to give the Local Planning Authority any ability to impose such a requirement for a proportionate, evidence based contribution.

Other Issues

Part of the Town Council's objection related to existing overhead cables at the site. The telegraph pole and cables on the site are located forward of the front elevation of the proposed dwelling, and therefore would not be prejudiced by the development.

CONCLUSION

As set out within Paragraph 47 of the NPPF, planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this case the application site is located within the Town Development Boundary for Halstead and it is therefore in compliance with the Development Plan and the emerging Draft Local Plan.

Although the Council can currently demonstrate a 5 Year Housing Land Supply (5.83 years as at 31st March 2018), this latest update position, as identified above, is not an annual monitoring report based on a comprehensive assessment of sites in accordance with the revised definition of 'deliverable' in the NPPF. Therefore the current position of 5.83 years does not represent a robust housing supply position. In addition, and as highlighted above, the methodology for calculating 5 year supply under a new Local Plan must add on the backlog from previous years, which will on adoption of the Local Plan, result in a higher 5 Year Housing Land Supply requirement.

The Government's policy objective of significantly boosting the supply of homes as highlighted in Paragraph 59 of the NPPF is an important material consideration in this case, however this in itself is not considered to be sufficient to outweigh the conflict with the Adopted Development Plan as identified above. In contrast, the above factors which affect the robustness of the Council's current 5 Year Housing Land Supply, are also considered to be important material considerations, which in Officers view, justify attributing only moderate weight to the policies of the Development Plan which restrict the supply of housing (specifically Policy RLP2 of the Adopted Local Plan and Policy CS5 of the Adopted Core Strategy).

As set out in Paragraph 8 of the NPPF, achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and needed to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): 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); 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 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).

In the case of this application, the proposal represents a new dwelling in a location which would have good access to facilities and services. The proposal would have economic and social benefits, in terms of employment generated from the construction period and the provision of a new dwelling which would contribute to the supply of housing. Such benefits would be consistent with the social and economic objectives of sustainable development; however they would be limited in weight due to the scale of the development. Furthermore, there would not be any adverse environmental impacts arising from the proposed development. The proposed dwelling would not have an unacceptable impact on the locality by virtue of its design, appearance and layout, and would not have an unacceptable impact on neighbouring residential amenities. Both the existing and proposed dwellings would be provided with amenity space and parking space in accordance with the Council's adopted standards.

When considering the planning balance and having regard to the benefits as identified above, and having regard to the requirements of the NPPF as a whole, Officers have concluded that the benefits of this proposal outweigh the harms, and therefore consider the proposed development would constitute sustainable development and recommend that planning permission is granted.

RECOMMENDATION

It is RECOMMENDED that the following decision be made:
Application GRANTED subject to the following conditions and reasons and in accordance with approved plans:-

APPROVED PLANS

Location Plan	Plan Ref: 01	Version: D
Existing Block Plan	Plan Ref: 02	Version: D
Proposed Block Plan	Plan Ref: 03	Version: D
General Plans & Elevations	Plan Ref: 04	Version: D
Section	Plan Ref: 05	Version: D
Section	Plan Ref: 06	
Street elevation	Plan Ref: 07	

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.

Reason

This Condition is imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed above.

Reason

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

- 3 Construction of any building shall not be commenced until samples of the materials to be used on the external surfaces have been submitted to and approved in writing by the local planning authority. The development shall only be implemented in accordance with the approved details.

Reason

To conform with the pattern of the existing development in the locality.

- 4 The building hereby permitted shall not be occupied until the first floor windows and rooflights on the rear facing elevation have been glazed with obscure glass to a minimum of Level 3, and no part of those windows or rooflights that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. The windows and rooflights shall be so maintained in this form at all times.

Reason

In the interests of residential amenity and in order to secure the privacy of adjoining occupiers.

- 5 No piling shall be undertaken on the site in connection with the construction of the development until a system of piling and resultant noise and vibration levels has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be adhered to throughout the construction process.

Reason

To protect the amenities of the occupiers of nearby residential properties and the surrounding area.

- 6 No burning of refuse, waste materials or vegetation shall be undertaken in connection with the site clearance or construction of the development.

Reason

To protect the amenities of the occupiers of nearby residential properties and the surrounding area.

- 7 No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason

To avoid displacement of loose material onto the highway in the interests of highway safety.

INFORMATION TO APPLICANT

- 1 Your attention is drawn to the need to discharge conditions before development starts where it is a requirement of the condition/s. Development will be treated as having been commenced when any material change of use or material operation has taken place, pursuant to Section 56 of the Town and Country Planning Act 1990. A material operation means any work of construction in the course of the erection of a building, including: the digging of a trench which is to contain the foundations, or part of the foundations of a building; the laying of any underground main or pipe to a trench, the foundations, or part of the foundations of a building; any operation in the course of laying out or constructing a road or any part of a road; and any work of demolition of a building. If development begins before the discharge of such conditions then those conditions cannot be discharged and a breach of planning control will have occurred, which may result in enforcement action being taken.
- 2 Please note that in accordance with Government Legislation a formal application must be made to the Local Planning Authority when submitting details in connection with the approval of details reserved by a condition. Furthermore, a fee of £34 for householder applications and £116 for all other types of application will be required for each written request. Application forms can be downloaded from the Council's web site www.braintree.gov.uk
- 3 Measures shall be implemented to prevent the spread of dust and mud from the site onto the Public Highway, where it can cause a highway safety issue.
- 4 In respect of Condition 4, the applicant is advised that glazing to provide privacy is normally rated on a scale of 1-5, with 5 providing the most privacy.

CHRISTOPHER PAGGI
PLANNING DEVELOPMENT MANAGER