



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**SOUTH EASTERN AREA PLANNING COMMITTEE
2 SEPTEMBER 2020**

Application Number	20/00552/FUL
Location	1 Stones Park, Stoney Hills, Burnham-On-Crouch
Proposal	S73A application for alterations to rear elevation of plot 1 and 2 for planning permission ful/mal/16/00408 including hip to gable on plot 1 and window to bedroom and second storey extension to plot 2. Change of roof on garages from hip to gable and internal layouts generally.
Applicant	Mr Darren Daniel - Cosy New Homes
Agent	Mr Neil Cooper – Signature Group TM Ltd
Target Decision Date	20.08.2020
Case Officer	Louise Staplehurst
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Departure from Local Plan 2017

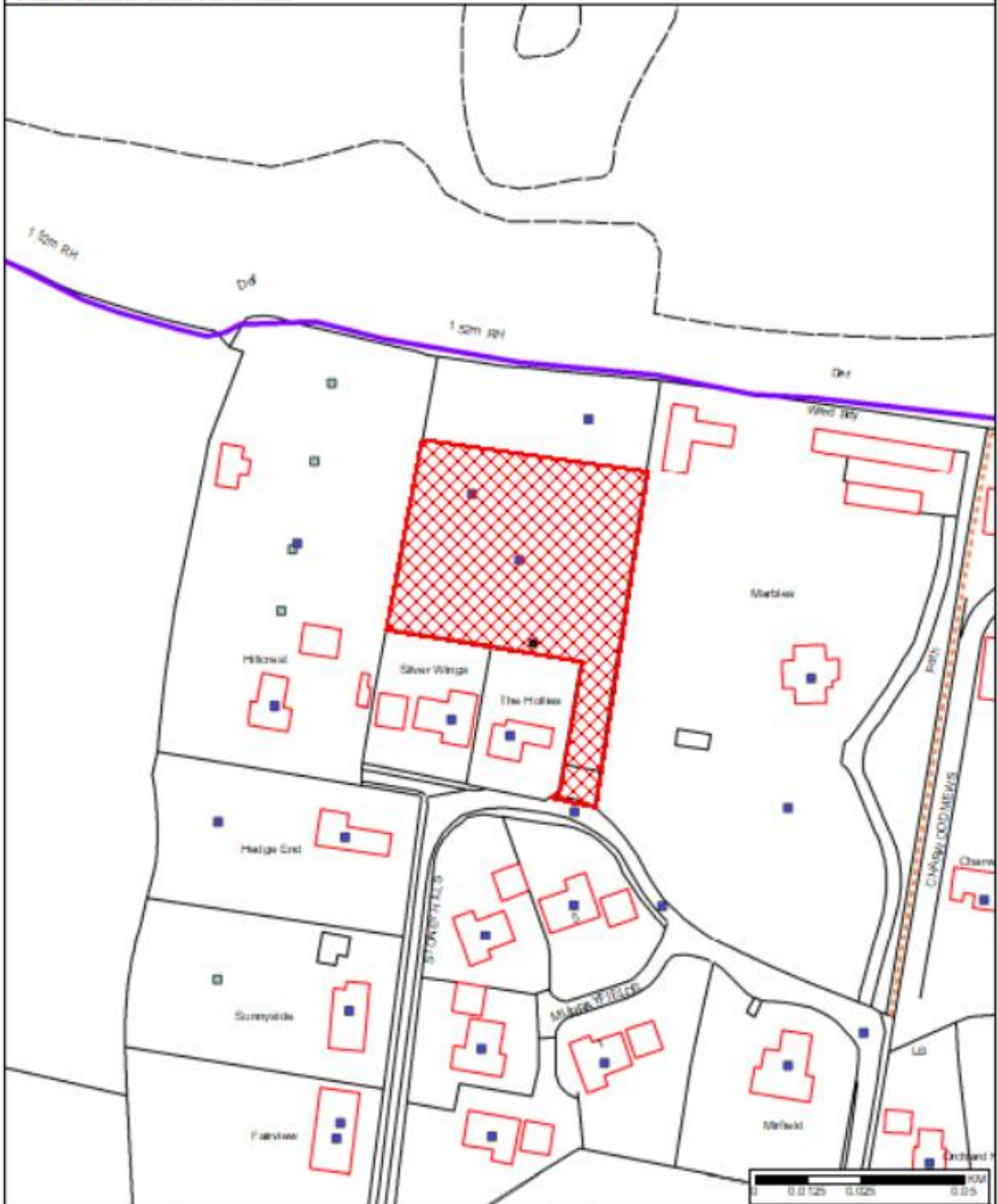
1. RECOMMENDATION

APPROVE subject to the conditions (as detailed in Section 8 of this report).

2. SITE MAP

Please see overleaf.

1 Stones Park, Burnham-on-Crouch
 South Eastern Area Committee



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 Maldon District Council 100018588 2019


 MALDON DISTRICT COUNCIL

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Scale:	1:1,250
Organisation:	Maldon District Council
Department:	Department
Comments:	2 September 2020
Date:	19/08/2020
MSA Number:	100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site is located to the north of Stoney Hills outside of the defined settlement boundary. The site is situated to the rear of The Hollies and Silver Wings, which are two storey detached houses located towards the south of the application site. To the southeast and southwest there are other properties set within large plots (Marbles and Hillcrest). Two sites are located directly to the south, Silver Wings and The Hollies. One dwelling is located to the north of the site, which was approved originally under the terms of 16/00408/FUL and amended under application 18/01271/FUL.
- 3.1.2 The site is served by Stoney Hills which is a private, unmade, single-width track which extends northward from Mill Lane to the South.
- 3.1.3 Planning permission is sought for two dwellings and associated works. It is noted that the dwellings have been built and therefore the application is retrospective in nature. It is noted that application 16/00408/FUL approved permission for three houses on the application site and including the area of land to the north. These approved dwellings were of a different design to the dwellings subject of this application. Application 18/01271/FUL approved permission for the northern-most of the three dwellings (north of the current application site) for an amended design, which is of the same style to the currently proposed dwellings. The two dwellings on this site have been built without discharging any of the conditions on the 2016 permission and therefore that permission cannot be considered extant. This application has been put in to regularise that application, the conditions and the amendments made.
- 3.1.4 The amendments relate to:
1. Design of plot 1
 - Front projections on either side altered from hipped roof to gable end with an increase in eaves and overall height by 0.5 metres
 - Front centre projection increased in eaves and overall height by 0.6 metres
 - Rear projection altered from hipped roof to gable end with glazing in the rear apex
 - Removal of Juliet balconies on front elevation
 2. Design of plot 2
 - Rear projection extended by 1 metre at first floor level and altered from hipped roof to gable end with glazing in the apex
 - Removal of rear Juliet balcony
 - Fenestration alterations
 3. Garage roof design amended from hipped to gable
- 3.1.5 The dwelling on plot 1 has a maximum width of 15.1 metres and a maximum depth of 13.4 metres. The dwelling has a main eaves height of 5 metres and an overall ridge height of 8.5 metres. It is of a hipped design with gable front and rear projections
- 3.1.6 The dwelling on plot 2 has a maximum width of 15.1 metres and a maximum depth of 13.4 metres. The dwelling will have a main eaves height of 5 metres and an overall

ridge height of 8.5 metres. It is of a hipped design with gable front and rear projections.

- 3.1.7 A double garage serves each of the plots. They measure 7.2 metres wide and 7.2 metres deep, with an eaves height of 2.5 metres and an overall height of 5.1 metres. The materials consist of black weatherboarding and slates.
- 3.1.8 In terms of materials, the dwellings are finished in white render with slate roof tiles and black UPVC windows and black aluminium doors.
- 3.1.9 In terms of landscaping, the access consists of tarmac, with each plot having a 10mm shingle driveway. The path and patio bounding each dwelling are finished in Kandala grey sandstone paving, with a grass garden area.
- 3.1.10 In terms of boundary treatments, the western boundary will have a 1.8-metre-high close boarded fence. The northern boundary and boundary between the two plots will have a mix of a 1.8-metre-high close boarded fence starting from the western side and then a 0.9-metre-high post and rail fence towards the access. The western side of the access adjacent to The Hollies is bounded by a 1.8-metre-high close boarded fence and the eastern boundary is bounded by hedging.

3.2 Conclusion

- 3.2.1 Overall, given the history of the site and the surrounding area, there are no fundamental objections to the principle of the development. In terms of design, the proposed dwellings, garages and plot layouts are considered to be acceptable and suitable for the character of the area. Additionally, the proposal is not considered to harm the residential amenity of neighbouring occupiers. The parking provision and amenity space would be suitable and in accordance with the adopted parking standards and the Maldon District Design Guide (MDDG). The proposed development can therefore be found acceptable and in line with the policies contained within the Local Development Plan (LDP) and the guidance within the MDDG and National Planning Policy Framework (NPPF).

4. MAIN RELEVANT POLICIES

Members' attention is drawn to the list of background papers attached to the agenda.

4.1 National Planning Policy Framework 2019 including paragraphs:

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 54 – 57 Planning conditions and obligations
- 117 – 123 Making effective use of land
- 124 – 132 Achieving well-designed places

4.2 Maldon District Local Development Plan 2014 – 2029 approved by the Secretary of State:

- S1 Sustainable Development
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment
- H4 Effective Use of Land
- N2 Natural Environment and Biodiversity
- T1 Sustainable Transport
- T2 Accessibility
- H2 Housing Mix
- I1 Infrastructure and Services

4.3 Burnham-On-Crouch Neighbourhood Plan

- Policy HO.1 New Residential Development
- Policy HO.8 Housing Design Principles

4.4 Relevant Planning Guidance / Documents:

- Planning Practice Guidance (PPG)
- Maldon District Design Guide SPD (MDDG)
- Maldon District Vehicle Parking Standards SPD (VPS)

5. MAIN CONSIDERATIONS

5.1 Principle of Development

5.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004, Section 70(2) of the 1990 Act and paragraph 47 of the NPPF require that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case the development plan comprises of the approved LDP.

5.1.2 Policies S1, S2 and S8 of the LDP seek to support sustainable development within the defined settlement boundaries to ensure that the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. It is clearly stated that outside of the defined settlement boundaries, Garden Suburbs and Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon.

5.1.3 Policy HO.1 of the Burnham Neighbourhood Plan states that “Proposals will be supported for residential development provided that it complies with the requirements set out in other policies of this Plan and the Development Plan”.

5.1.4 It is noted that a number of new dwellings have been approved in the area in recent years, some of which on appeal. On each occasion it has been acknowledged that, whilst the local highway is not adopted and provides no dedicated facilities for pedestrians, the area is considered to be in a sustainable location. It has also been

acknowledged that the character of the area has evolved over time, so it is no longer an area of scattered residential development but a more suburban residential area.

- 5.1.5 As previously noted, an application for three dwellings in the same location as this application, also including the land to the north, was approved at appeal under the terms of 16/00408/FUL. It is therefore considered that the principle of three residential units has been established. Application 16/00408/FUL is not considered to be extant as none of the pre-commencement conditions were discharged and therefore the dwellings have been built unlawfully. It is noted that application 16/00408/FUL was allowed on appeal in May 2017 which was prior to the LDP being adopted, however it is not considered that the main thrust of the policies within the emerging LDP and adopted LDP have materially altered in a way that would mean the proposed development should be viewed differently. Furthermore, it should be noted that the Inspector for application 16/00408/FUL considered that the development did comply with policy D1 of the LDP in terms of its impact on the character of the area.
- 5.1.6 Having regard to the development being undertaken within the Stoney Hills area, and given that the principle of erecting two dwellings on the site has been established, it is considered unreasonable for the application to be recommended for refusal on principle.

5.2 Housing Need

- 5.2.1 The proposal would provide two, new four-bedroom dwellings. Policy H2 of the LDP contains a policy and preamble (paragraph 5.2.2) which when read alongside the evidence base from the Strategic Housing Market Assessment (SHMA) shows an unbalanced number of dwellings of three or more bedrooms, with less than half the national average for one- and two-bedroom units. The Council therefore, encourages, in Policy H2, the provision of a greater proportion of smaller units to meet the identified needs and demands. The Council's updated SHMA, published in June 2014, identifies the same need requirements for 60% of new housing to be for one- or two-bedroom units and 40% for three bedroom plus units. The proposed four-bedroom dwellings will therefore not make a significant contribution to the District's Housing Need. However, it will result in the contribution of two dwellings.

5.3 Design and Impact on the Character of the Area

- 5.3.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high-quality built environment for all types of development.
- 5.3.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:

“The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.

“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, taking into account any local design standards or style guides in plans or supplementary planning documents”.

- 5.3.3 The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context and make a positive contribution in terms of:-
- a) Architectural style, use of materials, detailed design features and construction methods. Innovative design and construction solutions will be considered where appropriate;
 - b) Height, size, scale, form, massing and proportion;
 - c) Landscape setting, townscape setting and skylines;
 - d) Layout, orientation, and density;
 - e) Historic environment particularly in relation to designated and non-designated heritage assets;
 - f) Natural environment particularly in relation to designated and non-designated sites of biodiversity / geodiversity value; and
 - g) Energy and resource efficiency.
- 5.3.4 Similar support for high quality design and the appropriate layout, scale and detailing of development is found within the MDDDG (2017).
- 5.3.5 Policy H0.8 of the Burnham-on-Crouch Neighbourhood Development Plan states that proposals for housing development should produce high quality schemes that reflect the character and appearance of their immediate surroundings.
- 5.3.6 The application site lies outside of any defined development boundary. According to policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.
- 5.3.7 Within the immediate locality there are a wide variety of dwelling types, with various materials used. The proposed development will not be immediately visible from the streetscene due to the retention of the mature soft landscaping which surrounds the site and the cul-de-sac layout proposed and so would not have a direct relationship with the dwellings which face on to Stoney Hills.
- 5.3.8 The siting of the access and layout reflects the indicative layout plan that was submitted at outline stage for application 16/00408/FUL which was allowed at appeal. This includes the siting of dwellings. Whilst the layout does not truly reflect the prevailing character of Stoney Hills, no objections were raised to that layout in the appeal decision. Therefore, no objection is raised to the impact of the development upon the character and appearance of the area. Furthermore, a number of similar layouts have been granted more recently and therefore, the layout is becoming more prevalent within the area. It is considered therefore that this layout is acceptable.

- 5.3.9 In terms of the scale and bulk of the dwellings, they would be two-storey and relatively large. However there are other larger dwellings approved within the surrounding area and would not be dissimilar in scale to those at Mirfield to the south of the site or those east of Charwood. Their overall scale is similar to that approved under the terms of 16/00408/FUL, and the dwelling to the north approved under the terms of 18/01271/FUL and would be viewed within the context of the cul-de-sac in which they are positioned. Therefore, it is not considered that the scale, bulk or siting of the development is detrimental to the character and appearance of the surrounding area or countryside.
- 5.3.10 The two dwellings have a different design but with reoccurring features such as main hipped rooflines with front and rear gable projections and large windows. The dwelling on plot 2 has two front Juliet balconies. Both dwellings would have a detached pitched roof double garage to the frontage of the site. It is considered that the appearance of the proposed dwellings and detached garages would not be out of keeping with the wider area. The amendments in design from the previously approved application relate to the alteration of the rooflines of the projections and garage and the fenestration. These are considered to be acceptable and would not detract from the character of the area and in particular would be in keeping with the dwelling to the north approved under 18/01271/FUL. Given that a similar design was previously considered to be acceptable, there are no objections in this regard.
- 5.3.11 The landscaping and boundary treatments are considered to be suitable and in keeping with the character of the area and therefore there are no objections in this regard.
- 5.3.12 Having regard to the above it is considered that the proposed dwellings would be viewed in relation to the built form within the surrounding area and would not result in demonstrable harm to the character and appearance of the area. The development would be in keeping with the prevailing pattern of development and would not encroach into the open rural land and therefore the proposal would not materially harm the intrinsic character and beauty of the countryside, in accordance with policies S1, S8, D1 and H4 of the LDP.

5.4 Impact on Residential Amenity

- 5.4.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is supported by section C07 of the MDDG (2017).
- 5.4.2 The southern-most dwelling would be positioned 17.5 metres from the dwelling on The Hollies. The southern-most dwelling would be positioned 15.5 metres from the dwelling on Silver Wings. Due to the separation distance, it is not considered that the proposal would result in overshadowing or a sense of domination to these neighbours. There is one first floor window in the southern flank elevation facing these neighbouring sites which serves a bathroom. Given that the window in the application dwelling will serve an en-suite it is reasonable to impose a condition requiring it is obscure glazed and non-opening below 1.7 metres which will prevent any overlooking or loss of privacy.

- 5.4.3 The dwelling to the north, approved under the terms of 18/01271/FUL would be positioned 8 metres from the northern proposed dwelling and due to their layout, it is not considered the proposal would result in a loss of light to this site. There is a first-floor bathroom window on the northern elevation however a condition can be imposed requiring it is obscure glazed and non-opening below 1.7 metres which will prevent any overlooking or loss of privacy.
- 5.4.4 The two dwellings are positioned 6.1 metres from each other. Due to their layout, there are no concerns in relation to a loss of light between the two dwellings. There would be first floor windows facing each other on the northern elevation of plot 1 and the southern elevation of plot 2. These will serve a bathroom and can be conditioned to be obscure glazed and non-opening below 1.7 metres to ensure there is no inter-visibility between the two dwellings.
- 5.4.5 The dwellings are located a minimum distance of 22.9 metres from the rear boundary. Due to this separation distance, they will not result in any loss of light or privacy to the site to the west, Hillcrest.
- 5.4.6 The dwellings are located a minimum distance of 60 metres from the dwelling to the east, Marbles, and therefore it is not considered that the development would have a significant impact on this neighbour that would be materially different from the dwellings approved under 16/00408/FUL.
- 5.4.7 Having regard to the above it is not considered that the proposed dwelling would result in demonstrable harm to the amenity of neighbouring occupiers in accordance with policies S1 and D1 of the LDP.

5.5 Access, Parking and Highway Safety

- 5.5.1 Policy T2 aims to create and maintain an accessible environment, requiring development proposals, inter alia, to provide sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.5.2 There is no objection to the proposed access as it is noted that it was previously deemed acceptable under the terms of 16/00408/FUL.
- 5.5.3 Both dwellings would have four bedrooms and therefore three parking spaces are required for each plot, measuring 2.9 metres wide by 5.5 metres deep. There would be provision for three parking spaces on each plot within the driveways and the proposed garages as well as sufficient turning area. The proposed garages would measure 7 metres by 7 metres internally, which exceed the standards for double garages set out within the adopted parking standards (6 metres by 7 metres). It is considered that two vehicles could occupy the garages and therefore there is no objection to the parking provision at the site.

5.6 Private Amenity Space and Landscaping

- 5.6.1 Policy D1 of the approved LDP requires all development to provide sufficient and usable private and public amenity spaces, green infrastructure and public open spaces. In addition, the adopted Maldon Design Guide SPD advises a suitable garden size for each type of dwellinghouse, namely 100m² of private amenity space for dwellings with three or more bedrooms, 50m² for smaller dwellings and 25 m² for flats.
- 5.6.2 Each dwelling would have a provision of over 100sqm of private amenity space and therefore there are no objections in this regard.
- 5.6.3 Details and photographs of the boundary treatments used have been submitted and are considered suitable and appropriate for the character of the area. In terms of landscaping, a plan has been submitted showing shrub planting to the front of the dwellings with a laurel hedgerow to the south of plot 1 and along the western boundary of the access and some trees within the rear gardens and front gardens. There is an area of grass to the rear of the properties and within the front of the plots. This is considered to be suitable for the area.

5.7 Other Material Considerations

- 5.7.1 In relation to surface water drainage, a scheme has been submitted within the Surface Water Strategy Report and Environmental Health consider this to be acceptable. In relation to foul drainage, the development is connected to the mains sewer, with the drainage connections shown in red on the proposed floor plans and therefore there are no objections to this.

5.8 Impact on European Designated Sites

- 5.8.1 The application site falls within the ‘Zone of Influence’ for one or more of the European designated sites scoped into the emerging Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). This means that residential developments could potentially have a significant effect on the sensitive interest features of these coastal European designated sites, through increased recreational pressure etc.
- 5.8.2 The development of one dwelling falls below the scale at which bespoke advice is given from Natural England. To accord with NE’s requirements and standard advice an Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Habitat Regulation Assessment (HRA) Record has been completed to assess if the development would constitute a ‘Likely Significant Effect’ (LSE) to a European site in terms of increased recreational disturbance. The findings from HRA Stage 1: Screening Assessment are listed below:

HRA Stage 1: Screening Assessment – Test 1 - the significance test

Is the development within the zone of influence (ZoI) for the Essex Coast RAMS with respect to the below sites? Yes

Does the planning application fall within the following development types? Yes - The planning application relates to two dwellings

Proceed to HRA Stage 2: Appropriate Assessment to assess recreational disturbance impacts on the above designated sites

Test 2 – the integrity test

Is the proposal for 100 houses + (or equivalent)? No

Is the proposal within or directly adjacent to one of the above European designated sites? No.

5.8.3 As the answer is no, it is advised that a proportionate financial contribution should be secured in line with the Essex Coast RAMS requirements. However, it is noted that the construction of dwellings at the site was approved under application 16/00408/OUT and the development has almost been completed and therefore it is not considered that the decision of this application has resulted in any increase in demonstrable harm as the development is in place. Therefore, it is not considered reasonable to require this payment.

6. **ANY RELEVANT SITE HISTORY**

- **14/00591/OUT** - Construction of 3 houses to the rear of The Hollies – Refused
- **15/00235/OUT** - Construction of 3 houses to the rear of The Hollies – Refused
- **16/01355/LDP** - Claim for lawful development certificate for proposed erection of a detached garage including hard surface and access. – Approved
- **16/00408/FUL** - Erection of 3 dwellings on land to the north of The Hollies and associated access from Stoney Hills – Refused (Allowed on appeal)
- **16/00849/OUT** - Outline planning permission for erection of 3 dwellings on land to the north of The Hollies and associated access from Stoney Hills. – Approved

7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

7.1 **Representations received from Parish / Town Councils**

Name of Parish / Town Council	Comment	Officer Response
Burnham-On-Crouch Town Council	Support	Comments noted.

7.2 **Statutory Consultees and Other Organisations**

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Natural England	Undertake assessment in relation to RAMS	See section 5.8.

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
County Highways	No objection – subject to condition: <i>The public’s rights and ease of passage over footpath number 5 in Burnham-on-Crouch shall be maintained free and unobstructed at all times.</i>	The condition is noted however the footpath is not located adjacent to the application site, it is positioned running along the access leading to the property known as Charwood, on the eastern side of the site. Due to the location of the footpath, this condition would not meet the six tests of planning conditions as it would not be necessary, relevant or reasonable and therefore this condition will not be included.

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health	No objection to the amendments, the surface water drainage condition can be discharged.	Comments noted.

7.4 Representations received from Interested Parties

7.4.1 1 letter has been received **objecting** to the application and the reasons for objection are summarised as set out in the table below:

Objection Comment	Officer Response
The drawings show none of the changes proposed and are from the original application. There are no details of the increased garage size or first floor extension to plot 2.	The plans show the amendments made, which are set out in paragraph 3.1.4.
Concerns over impact on neighbour of Marbles.	See section 5.3.

8. PROPOSED CONDITIONS

1 The development hereby permitted shall be carried out in accordance with the following approved plans: SK03012015.1, PLOT 1 SK/170117/.1, PLOT 1 SK/170116/.1, PLOT 1 Sk/170116/.2, Surface Water Strategy Report, Specification of materials on plot 1 and 2, Plot 1 SK/170116/.2 Landscaping

- REASON: To ensure that the development is carried out in accordance with the details as approved.
- 2 The external surfaces of the buildings hereby approved shall be constructed of the materials specified on plan 'Plot 1 – SK/170116/.2 Block Plan and the Specification of materials on plot 1 and 2, and shall be retained as such thereafter.
- REASON: In the interest of the character and appearance of the area in accordance with policy D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.
- 3 The boundary treatments shall be carried out in accordance with drawing Plot 1 – SK/170116/.2 Block Plan and shall be retained as such thereafter.
- REASON: In the interest of the character and appearance of the area in accordance with policy D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.
- 4 The hard landscaping shall be carried out in accordance with plan Plot 1 SK/170116/.2 Landscaping and shall be retained as such thereafter.
- REASON: In the interest of the character and appearance of the area in accordance with policy D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.
- 5 The soft landscaping shall be carried out in accordance with plan Plot 1 SK/170116/.2 Landscaping and retained as such. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place.
- REASON: In the interest of the character and appearance of the area in accordance with policy D1 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.
- 6 The surface water drainage shall be as set out on within the Surface Water Strategy Report and shall be retained as such thereafter.
- REASON: To ensure that adequate provision is made for surface water drainage in accordance with policies D1 and D5 of the Local Development Plan and guidance contained within the National Planning Policy Framework.
- 7 The foul drainage at the site shall be connected to the mains sewer and set out in accordance with the details shown on plans Plot 1 SK/170116/.1 – Plot 1 Proposed floor plans and elevations, and Plot 1 SK/170117/.1 – Plot 2 proposed floor plans and elevations, and shall be retained as such thereafter.
- REASON: To ensure that adequate provision is made for foul drainage in accordance with policies D1 and D5 of the Local Development Plan and guidance contained within the National Planning Policy Framework.
- 8 The parking areas and means of access thereto as shown on the approved plan Plot 1 – SK/170116/.2 Block Plan which is attached to and forms part of this permission shall be constructed, surfaced, laid out and made available for use in accordance with the approved scheme prior to the occupation of any dwelling and retained for such purposes thereafter.
- REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policies D1 and T2 of the Local Development Plan and guidance contained within the National Planning Policy Framework.
- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any other amending, revoking or re-enacting that Order) and Section 55 of the Town and Country Planning Act 1990, or as may be

subsequently amended or re-enacted, the garages for each dwelling hereby permitted shall be used only for the parking of vehicles and storage of domestic items incidental to the enjoyment of the associated dwelling and for no other commercial, business or domestic use.

REASON: To ensure that the garage remains incidental to the occupancy of the dwelling and to prevent the formation of an independent residential unit in accordance with policies S1, S8, H4 and D1 of the Maldon District Local Development plan and the guidance in the National Planning Policy Framework.

- 10 Prior to the first occupation of the building hereby permitted, the first-floor windows in the southern and northern flank elevations on the dwelling on plot 1 and on the northern flank elevation on the dwelling on plot 2, shall be glazed with opaque glass and of a non- openable design with the exception of a top hung fanlight (which shall be at least 1.7m above internal floor level) and shall be retained as such thereafter.

REASON: In the interests of neighbouring amenity in accordance with policy D1 of the Local Development Plan and guidance contained within the National Planning Policy Framework.