



**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

**to
NORTH WESTERN AREA PLANNING COMMITTEE
05 FEBRUARY 2018**

Application Number	RES/MAL/17/00776
Location	Land West Of Fambridge Road North Fambridge Essex
Proposal	Reserved matters application for the approval of access, appearance, landscaping, layout and scale on approved planning application OUT/MAL/14/01016 (Outline planning application for up to 75 market and affordable dwellings, a village centre of up to 1,000 sq m of flexible commercial and community floor space, a 1.8ha village green and public open space.)
Applicant	David Wilson Homes
Agent	Mr Andy Butcher - Strutt And Parker
Target Decision Date	03.11.2017 – Extension of Time: 6 February 2018
Case Officer	Yee Cheung, TEL: 01621 876220
Parish	NORTH FAMBRIDGE
Reason for Referral to the Committee / Council	Member Call In

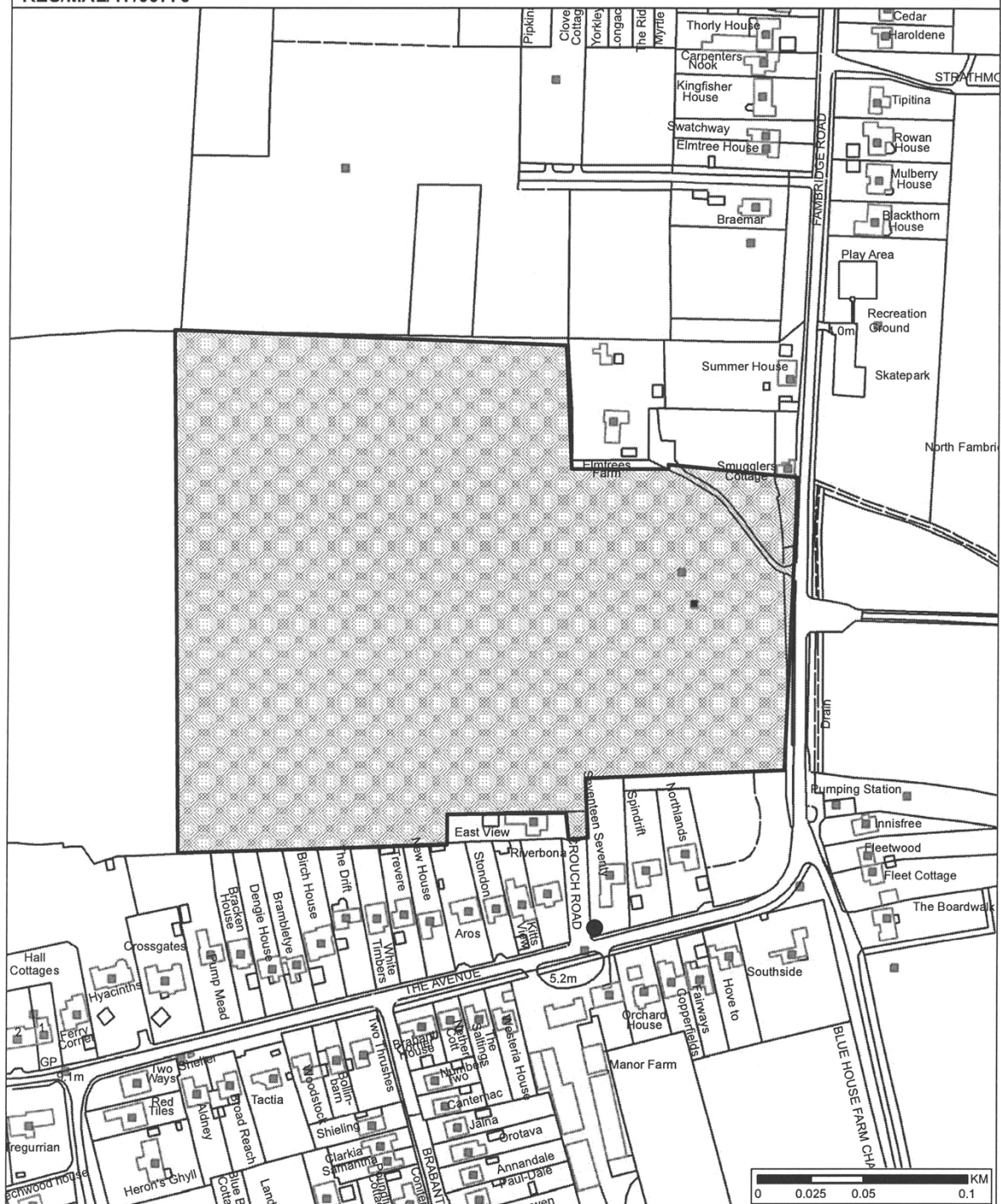
1. RECOMMENDATION

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

2. SITE MAP

Please see overleaf.

Land West of Fambridge Road North Fambridge RES/MAL/17/00776



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Maldon District Council 100018588 2014

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Scale: 1:2,500

Organisation: Maldon District Council

Department: Department

Comments: NW Committee 17/00776/RES

Date: 23/01/2018

MSA Number: 100018588

3. SUMMARY

3.1 Proposal / brief overview, including any relevant background information

- 3.1.1 The application site measuring approximately 6.19 ha in size lies within the development boundary for North Fambridge. Before the Local Development Plan was approved by the Secretary of State, the application site was located outside the development boundary for North Fambridge in the Maldon District Replacement Local Plan (MDRLP) (2005).
- 3.1.2 The site is predominantly rectangular in shape and has an existing access off Fambridge Road, opposite the access to Fleet Farm. The topography of the site is gentle, with levels rising consistently and evenly from Fambridge Road towards the west.
- 3.1.3 The site forms part of a larger agricultural field and contains limited hedgerow and tree planting along its boundaries. Rear gardens of existing residential dwellings along The Avenue abuts the southern boundary of the application site.
- 3.1.4 The application seeks the approval of reserved matters relating to the access, appearance, landscaping, layout and scale of the development following the granting of outline planning permission with all matters reserved for application OUT/MAL/14/01016 by the Council for *‘the provision of up to 75 market and affordable dwellings, a village centre of up to 1,000sqm of flexible commercial and community floor space, a 1.8ha village green and public open space’*.
- 3.1.5 The dwellings are set back by about 110 metres and 160 metres from Fambridge Road with a large open space area between the road frontage and the built form of development. The dwellings throughout the development are set to face either onto the road network or out over the open space and the countryside beyond. Landscaping is introduced within and around the perimeter of the site.
- 3.1.6 The dwellings proposed are primarily two-storeys in height with the exception of Plots 3, 7, 27, 29, 30, 33, 38, 44, 49, 50 and 61 where they will be two and half storeys in height with roof lights. The affordable units would also be two-storeys in height but in the form of semi-detached or terrace properties.
- 3.1.7 The houses will have garages, available private amenity space and on-street parking.
- 3.1.8 The external materials proposed to be used in the construction of the development would be red-multi bricks, yellow bricks, white boarding and render for the walls. The roof would be either red plain tiles or grey plain tiles. The list of materials is shown on Drawing No: 745. 204.06 dated 4.12.2017 - Materials Plan.
- 3.1.9 As part of the outline approval, the Applicant had entered a signed Section 106 legal agreement for the following contributions:-
- 30% Affordable housing
 - Education contribution
 - NHS contribution
 - Residential Travel Plan

- Open Space and Amenity Land
- Off-site ecological contribution

3.1.10 It is important to note that this current Reserved Matters application does not include a detailed proposal for the commercial elements listed in the outline planning application OUT/MAL/14/01016 (*A village centre of up to 1000sqm of flexible commercial and community floor space*). This is because the Applicant has instructed Savills (estate agents who specialises in commercial / community uses) to market the site in order to identify an appropriate end-user for the site. Savills are currently working with the Council's Economic Development Team regarding this marketing. This element in the proposal will lead the delivery of the commercial space independently from that of the 75 dwellings.

3.1.11 All conditions that were imposed on outline planning application OUT/MAL/14/01016 are still relevant.

3.2 Conclusion

The principle of the application site accommodating up to 75 dwellings to be erected on this site has already been established through the granting of outline planning permission OUT/MAL/14/01016 with all matters reserved for subsequent consideration. Therefore, this Reserved Matters submission seeks permission for access, appearance, landscaping, layout and scale which will be discussed in the report below. The Council has also considered the housing mix and while the submission does not accord with Policy H2 of the Maldon District Local Development Plan (MDLDP), legal advice was sought, as discussed in the report below, and it is concluded that the development is acceptable in this instance.

4. MAIN RELEVANT POLICIES

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

4.1 National Planning Policy Framework 2012 including paragraphs:

- Achieving Sustainable Development
- The Presumption in Favour of Sustainable Development
- Core Planning Principles
- Section 1 – Building a Strong, Competitive Economy
- Section 4 – Promoting Sustainable Transport
- Section 5 – Supporting High Quality Communication Infrastructure
- Section 6 – Delivering a Wide Choice of High Quality Homes
- Section 7 – Requiring Good Design
- Section 8 – Promoting Healthy Communities

4.2 Maldon District Local Development Plan approved by the Secretary of State on 21 July 2017

4.2.1 The following policies are considered relevant to this Reserved Matters:

- S1 – Sustainable Development.
- S2 – Strategic Growth.
- S8 – Settlement Boundaries and the Countryside.
- D1 – Design and Quality and Built Environment.
- D2 – Climate Change and Environmental Impact of New Development.
- D4 – Renewable and Low Carbon Energy Generation.
- D5 – Flood Risk and Coastal Management.
- H1 – Affordable Housing.
- H2 – Housing Mix.
- H4 – Effective Use of Land.
- N1 – Green Infrastructure Network.
- N2 – Natural Environment and Biodiversity.
- N3 – Open Space, Sport and Leisure.
- T1 – Sustainable Transport.
- T2 – Accessibility.
- I1 – Infrastructure and Services.

4.3 Relevant Planning Guidance / Documents:

- National Planning Policy Guidance (NPPG)
- National Planning Policy Framework (NPPF)
- Essex Design Guide
- Car Parking Standards
- Maldon District Design Guide

5. MAIN CONSIDERATIONS

5.1 Principle of Development

- 5.1.1 The application site lies within the development boundary for North Fambridge. Before the MDLDP was approved by the Secretary of State, the application site was originally located outside the development boundary for North Fambridge as contained in the MDRLP (2005).
- 5.1.2 The proposal seeks the approval of Reserved Matters in order to construct up to 75 dwellings with associated off-street parking, turning areas, private amenity space, public open space / village green on this plot. Policy S8 of the Local Development Plan (LDP) seeks to direct development within defined settlement boundaries to prevent urban sprawl beyond existing settlements and to protect the District's landscape. In this instance, the proposal falls within the defined settlement development of North Fambridge and on this basis the general principle of

development in this locality would be acceptable. Further, it is important to state at the outset that the principle of development on this site has been established by the granting of outline planning permission OUT/MAL/14/01016 with all matters reserved for up to 75 dwellings. Accompanied with that outline planning permission was a signed and dated Section 106 legal agreement to provide contributions as listed in Section 3.1.5 of the report above. The current application seeks to address the Reserved Matters which are ‘the access’, ‘appearance’, ‘layout’, ‘scale’ and ‘landscaping’.

- 5.1.3 Access to the site would be from Fambridge Road. As part of the outline planning application OUT/MAL/14/01016, a Transport Statement (prepared by Cottee Transport Planning) was submitted and assessed by Essex County Council Highways had assess who raised no objection to the proposal subject to conditions.
- 5.1.4 Soft landscaping would be introduced on and around the perimeter of the site. An area of open space / village green of approximately 1.8 hectare village green and public open space would be created to the east of the site.
- 5.1.5 The Council is fully aware that raw sewerage and foul drainage has always been an issue in North Fambridge. However, this issue was identified in the outline planning application: OUT/MAL/14/01016 in relation to foul water infrastructure improvements, capacity issues and the viability and delivery of the development. In the officer’s 2014 report, it stated that:-

“There is an “absolute right”, conferred by S106 of the Water Industry Act (1991), on the owner or occupier of premises, to connect those premises to a public sewer without any requirement to give more than 21 days notice. Unless the Undertaker is provided with sufficient advance notice of large scale increases there is the potential for the public sewer to not have surplus capacity capable of accommodating the increased load, without the risk of flooding. This problem is accentuated by the fact that the budgets of Sewerage Undertakers and the charges that they are permitted to make, have to be agreed by OFWAT and that this process takes place at five yearly intervals”.

“It is also clear that it is entirely undesirable to permit a development to take place which then has an automatic right to discharge into a public sewer, which it will overload”.

“The accepted legal stance is that that a Local Planning Authority (LPA) can make planning permission conditional upon there being in place adequate sewerage facilities to cater for the requirements of the development without ecological damage. Therefore, if the developer indicates that he intends to deal with problem of sewerage by connecting to a public sewer, the LPA can make planning permission conditional upon the sewerage authority first taking any steps necessary to ensure that the public sewer will be able to cope with the increased load. Thus, the LPA can prevent a developer from overloading a sewerage system before the Undertaker has taken steps to upgrade the system to cope with the additional load”.

“Within the planning system there is an acknowledged presumption in favour of development unless the proposal would result in demonstrable harm to interests of acknowledged importance. Furthermore, planning permission should not be withheld

when it is possible to impose a condition, upon the granting of planning permission that would overcome any demonstrable harm from the development. It has been decided at the High Court that Grampian Conditions in relation to foul water infrastructure are an appropriate ‘tool’ for controlling any environmental harm”.

“As such, the first reason for refusal can be adequately addressed by way of appropriately worded planning conditions”.

5.1.6 Planning conditions were therefore imposed on OUT/MAL/14/01016 in relation to the above and is currently with the Council as a Discharge of Condition application DET/17/05154 which is pending consideration subject to consultation responses from internal and external bodies.

5.1.7 The dwelling mix will be as set out in the following table (Accommodation Schedule No: 745.500.05 dated 28.11.2017):

Market Housing		
Beds	Type	Number
3	House (5 person)	5
4	House (5 person)	4
4	House (7 person)	7
4	House (8 person)	13
5	House (10 person)	23
Total		52
Affordable Housing		
Beds	Type	Number
2	Semi-detached (4 person)	17
3	Terrace dwelling / semi-detached (Plots 17, 18, 19, 20, 54 and 56) (5 person)	6
Total		23

5.1.8 In terms of dwelling mix, it is noted that a high percentage of larger dwellings are proposed which is not consistent with the Council’s latest Strategic Housing Market Assessment (SHMA) Although the mix is different from that as set out in the SHMA where smaller housing units of one and two bedrooms are preferable than three or more bedroom units, it is important to note that in the outline planning application OUT/MAL/14/01016, the provision of 30% affordable housing was approved in accordance with Policy H9 of the MDRLP (2005). This was carried through in the S106 legal agreement and as such this cannot be amended to reflect the current affordable mix and provision in accordance with Policy H1 of the approved LDP.

Policy H2 of the LDP on housing mix requires all development ‘to provide a suitable mix and range of housing in terms of size, type and tenure to reflect local housing need and demand in both the market and affordable section, particularly for the ageing population’. The SHMA provides the evidence base to the policy. Paragraph 50 of the NPPF requires local authorities to “plan for a mix of housing based on

current and future demographic trends, market trends and the needs of different groups in the community” and “identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand”.

- 5.1.9 With regard to the Housing Mix, the Applicant submitted a Housing Mix Assessment prepared by Barton Willmore dated 9 March 2017 and a Summary Review of the Housing Mix prepared by Strutt and Parker dated October 2017. The main justification for the proposed housing mix is that there is market demand for large detached houses in North Fambridge in favour of small units (one / two beds). The report goes on to state that it is not appropriate for the Council to apply a blanket SHMA mix requirement across the whole District as this limits the ability of the Council to plan positively and respond to local character and demand.
- 5.1.10 To address the impact of demographic and household formation change and to create a better housing offer the SHMA recommends a 60% small and 40% large unit split. The proposal shows a higher proportion of larger residential properties. The Local Planning Authority has reviewed the submitted details and it has been concluded that the justification is considered insufficient to allow a development of the mix as proposed for this site. As it stands, the housing mix is considered disproportionate and inconsistent with Policy H2 of the LDP. Further, the proposed housing mix would also be contrary to the findings of the 2014 SHMA.
- 5.1.11 However, the Council has sought legal advice regarding the housing mix. As no planning conditions or any informative were imposed on the outline planning application OUT/MAL/14/01016, or included within the S106 legal agreement, it effectively means that Council has no control on the housing mix and therefore the Applicant can determine the housing mix without the need for any approval from the Council. It is clear in planning law that the Council cannot refuse a Reserved Matters approval due to unacceptable housing mix unless a condition has been imposed to require such a matter to be agreed at the Reserved Matters stage. Based on this legal advice, it is considered the Council has to accept the housing mix provided in this submission.

5.2 Layout

- 5.2.1 The submitted plans demonstrate that 75 dwellings (open market and affordable) with associated private amenity parking area, public open can be accommodated within the site in an appropriate manner. While no details of the 1000sqm commercial / community area have been submitted with this current Reserved Matters application, irrespective of this, the Master Plan Drawing No: 745.201.06 dated 04.12.2017 also shows that should details be submitted for this commercial / community area, it can also be accommodated on site.
- 5.2.2 The access to the site would be via Fambridge and at a position as shown on the illustrative plans on the outline planning application OUT/MAL/14/01016. While concerns have been raised by local residents regarding the layout of the development and that the position of the dwellings does not reflect the prevailing pattern of development, it is important to note that the development is set back some considerable distance from the highway and the impact on the landscape was not raised in the OUT/MAL/14/00186 or in OUT/MAL/14/01016. There are no significant long distance views into the site. There are no views from the River

Crouch and there are only glimpses of the site from elevated land. The main views into the site are from Fambridge Road, albeit this is well screened in the summer, and from the rear of the existing dwellings that bound this land on Fambridge Road and The Avenue. Therefore, it would be unreasonable for the Council to refuse the application in relation to the layout of the development.

- 5.2.3 Access informs Layout. The proposed layout orientates principle elevations to the highway / private drives or facing outwards to the public open space or countryside edges. The residential parcels / perimeter blocks are laid out in a back to back arrangement including the same arrangement with existing dwelling houses on the southern boundary of the site fronting onto The Avenue.
- 5.2.4 The development is in the form of detached, semi-detached and a block of terraced housing (Plots 54, 55 and 56). Each dwelling is set in reasonable plot sizes that meet off-street parking standards and private amenity spaces. The front elevation of the properties fronts onto streets and open spaces providing active frontages and natural surveillance. The back to back arrangements would provide security and privacy to the future occupiers of the site.
- 5.2.5 Having considered the position of the dwellings, it is not considered that the development would unduly overshadow or dominate the existing adjacent housing. While concerns have been raised in relation to the height of Plot 50 and its close proximity to Bracken House, The Avenue, it is measured that Bracken House is located some 40 metres away from the shared boundary with the application site. Plot 50 is positioned approximately 16 metres when measured at its closest point from the shared boundary with Bracken House, The Avenue and while this is close, the development proposal would meet the back-to-back distances in accordance with the Essex Design Guide (EDG). Further, no first floor windows are proposed on the gable end of Plot 50, only to the rear wall of the main dwelling where the rear F/F windows serves a bathroom and Bedroom 5 and three roof lights serving an en-suite and Bedroom 2. The rear wall sits further back from the shared boundary by about 20 metres which exceeds the requirement contained in the EDG.
- 5.2.6 In terms of density of development, the site equates to 24 units per hectare. This is considered to be appropriate on the edge of an existing settlement surrounded by open countryside. Further, this density would be comparable to a recent scheme which was approved by the Council RES/MAL/17/00712 for the residential development of up to 100 dwellings, with associated public open space and infrastructure on land at Holloway Road, Heybridge where the density of development also equates to 24 units per hectare.
- 5.2.7 Parking spaces throughout the scheme are located in areas that are less prominent i.e. in tandem arrangement next to dwellings and in the form of garages. The internal road layout, including footpaths, have been carefully thought out and provides connectivity across the site and to its wider surroundings.
- 5.2.8 In conclusion, there are no concerns in relation to the layout of the proposed development.

5.3 Appearance and Scale

- 5.3.1 Adjacent to the application site are a variety of buildings with a variety of styles, periods and materials. The residential properties proposed within the site are predominantly two-storeys in height. Nine dwellings would be two and a half storeys in height as already mentioned in the report above. The height of the dwellings ranges between 7.8 metres and 9.4 metres. The dwellings would be built using red facing bricks, red plain tiles, yellow bricks with grey roof tiles, red bricks with grey roof tiles and yellow brick with red plain tiles, a mix and match approach which would create visual interest to the street scene when viewed in the public domain as shown on Drawing No: 745. 203.04 dated 04.12.2017 - Storey Heights Plan and 745. 204.06 dated 04.12.2017 - Materials Plan. In terms of scale and appearance, there is no differentiation between the affordable and open market dwellings in terms of external material and layout.
- 5.3.2 The houses proposed are arranged in perimeter blocks and fronts onto all road frontages within the site. Where the proposed street scene turns a corner, double frontage buildings are proposed to complement and provide overlooking of the street scene. Brick walls of approximately 1.8 metres in height faces onto the street scene on Plots 1, 3, 7, 23, 26, 27, 29, 30, 37, 38, 41, 46, 49, 61, 63 as shown on Drawing No: 745. 231.04 dated 04.12.2017 - External Works Plan. .
- 5.3.3 The proposal, in terms of appearance and scale is considered appropriate, its site and surroundings are in accordance with Policies S1, D1 and H4 of the LDP.

5.4 Access

- 5.4.1 The proposed main access point is from Fambridge Road. All modes of transport can enter and exit the site from this single access point i.e. pedestrian, cycle and vehicle. There are also proposed pedestrian/cycle routes to Crouch Road and connections from within the site to and from existing footpaths on the western and northern boundary. There is an existing track to Elmtrees Farm from Fambridge Road through the public open space. The site is bounded by existing dwellings and private gardens on the southern boundary. The western and northern boundaries face agricultural fields or open land and Fambridge Road bounds the eastern boundary.
- 5.4.2 All houses will have dedicated parking for the future occupiers and visitors, in accordance with the Council's currently adopted standards in accordance with Policy T2 of the LDP
- 5.4.3 The Highway Authority has assessed the principal access point to the site and has raised no objection to the proposal. However, the Highway Authority has raised concerns that construction access is proposed to the south of the site along Crouch Road which is a private road; it has been advised that the Applicant should demonstrate to the satisfaction of the LPA that they have a legal right of way over it for the purposes of construction. This is a civil matter, but can be listed as an Informative should the application be approved. With regard to the on-site Construction Management Plan, this is currently being considered by the Discharge of Condition application DET/MAL/17/05154.

5.5 Landscaping

- 5.5.1 Dwellings are well positioned on the layout enabling the provision of front gardens in many cases and tree planting within the verges, the central main road through the site, the northern, southern and western of the site as well as trees within the public open space to the east of the site where the land meets Fambridge Road. The detailed landscaping plan has been designed to use native planting to create an attractive place for people to live, with the concept of providing a visually attractive development which will also enhance biodiversity and the ecological value of the site. Strategic planting will provide visual enhancement and form the public spaces of the development. The Tree Officer has assessed the proposal and has raised no objection subject to the submitted details contained within the Arboricultural Method Statement dated 30 November 2017 (reference: JBA 17/005 AR02 Rev A) and the Tree Surveys work (reference: JBA 17/005 dated 06.04.2017) and the Tree Protection Plan (reference: JBA 17/005 TP01 Revision A dated 30.11.2017) are strictly adhered to.

5.6 Anglian Water Services (AWS)

- 5.6.1 Letters of representation have been received concerning the foul water drainage for the site and its impact on existing residential properties in North Fambridge. As part of the application, Anglian Water Services (AWS) has been consulted on several occasions in relation to the proposed development at this site and the development at Manor Farm The Avenue (RES/MAL/17/00766). The most recent response from AWS was dated 5 December 2017 Is set out in paragraph below from (Preface to the Summary of Recommendation Foul Water Drainage Strategy) which states that:-

Preface

This assessment has been undertaken to provide an up to date and site specific foul water drainage strategy for the development proposed by David Wilson Homes on Land West of Fambridge Road, North Fambridge.

- 5.6.2 This assessment supersedes the earlier assessment undertaken at pre-planning stage in December 2015. The purpose of assessment at the pre-planning stage is to specify the solution that can be determined with most certainty ahead of detailed design. Subsequent to outline planning approval more detailed analysis was underwritten by the developer. This has provided more reliable definition of the potential deficit, employing additional analytical techniques that are not available to the pre-planning assessment.
- 5.6.3 Whereas the pre-planning assessment will generally emphasise a single connection scenario and one feasible mitigation solution, the more detailed analysis will allow for a range of scenarios and consider alternative solutions.

Development details

- 5.6.4 This is a residential development comprising two parcels of land to a total of 105 residential properties (30 and 75 respectively) in land off The Avenue, North Fambridge. The development site is approximately 5km from Latchingdon Water Recycling Centre (WRC). The sewerage network to which the development will connect is shown in **APPENDIX 1**.

Latchingdon water recycling centre

- 5.6.5 Foul water from the development site will drain to the catchment served by the Latchingdon Water Recycling Centre (WRC). The WRC operates under a dry weather flow permit with reference to a hydraulic flow rate and a sanitary consent standard that specifies limits for specific contaminants in the treated effluent discharged.
- 5.6.6 AWS's current calculation indicates that there is insufficient hydraulic capacity, within the dry weather flow permit to receive the development flows.
- 5.6.7 Although the WRC process may still have hydraulic capacity, the assumptions around the implications for water quality in the receiving watercourse would no longer be certain. Therefore a prevailing exceedance of the dry weather flow permit will trigger a review of the sanitary consent standard, which may ultimately necessitate some increase in the process capacity at the WRC.
- 5.6.8 In contrast to network detriment, where the outcome of exceeding hydraulic capacity in sewerage can be accurately defined, the impact on water quality of exceeding the dry weather flow permit is dependent upon a much wider range of factors. The permit will reflect a number of assumptions relating to the strength or characteristics of the sewage and the prevailing condition of the receiving watercourse.
- 5.6.9 Investment to increase process capacity would follow a position agreed with the Environment Agency and involve analysis over a much longer period than usually required for sewerage network detriment. Discussion toward this agreed position would begin when reliably predicted growth or outline approved development is calculated to exceed the dry weather flow permit.
- 5.6.10 Such investment as is deemed necessary will be prioritised, in consultation with the Environment Agency, with reference to the level of risk posed and the allowable funding constraints. The investment will also form part of a wider treatment strategy for the WRC that will also address changing environmental conditions and asset deterioration.
- 5.6.11 This composition of investment needs is reflected in the WRC Asset Plan and it is the purpose of pre-development assessments to ensure that the proposed growth is accounted for in the Asset Plan for Latchingdon WRC.
- 5.6.12 It is Anglian Water's responsibility to ensure that the Asset Plan and consequent investment planning is sufficiently robust to sustain an effective treatment strategy at Latchingdon WRC.

Calculated flow rates

- 5.6.13 From the development composition detail provided, the calculated flow rates for each scenario are as follows:

DWF Calculations				
	Attribute	Value	Totals	Unit / Calculation
A	Residential dwellings	105		No.
B	Residential occupancy	2.35		No.
C	Residential population (P)	247		No. (A x B)
D	Residential PCC (G)	125		l/h/d
$E_{(avg)}$	<i>Residential demand - Average</i>		0.36	l/s (C x D)/86400
$E_{(peak)}$	<i>Residential demand - Peak</i>		0.76	l/s ($E_{(avg)}$ x 2.12)
F	Infiltration		0.09	l/s (0.25 x $E_{(avg)}$)
$O_{(avg)}$	Total Discharge - Average		0.45	l/s ($O_{(avg)}$ + F)
$O_{(peak)}$	Total Discharge - Peak		0.85	l/s ($O_{(peak)}$ + F)

Table 1: Calculated flow rates for each Scenario

- 5.6.14 The occupancy and consumption rates used in the flow calculations reflect research undertaken across the UK water industry. These rates along with the factors applied for infiltration and peak flow are incorporated into the design standard that Anglian Water applies across our region.
- 5.6.15 There is no evidence to justify deviation from these standards in this case.

Connection Point

- 5.6.16 The proposed connection point for the Manor Farm parcel is manhole TQ8597 4201 (NGR TQ8543897250) just outside the site entrance located in The Avenue (**APPENDIX 2**).
- 5.6.17 The diameter of the sewer to which the proposed development will connect is 150mm. A gravity connection is feasible for this parcel.
- 5.6.18 The proposed connection point for the northern parcel is manhole TQ8597 5301 (NGR TQ8554597318) the manhole immediately upstream of The Avenue PS (**APPENDIX 2**).
- 5.6.19 The diameter of the sewer to which the proposed development will connect is 150mm. A review of the site topography indicates that a gravity connection is not viable for the whole development area and a pumped conveyance would be required.

Sewerage Network

- 5.6.20 The network to which this development will connect is nominally a foul water system; however, operational experience has shown it to be susceptible to surcharging during storm conditions.
- 5.6.21 The immediate network drains to The Avenue pumping station (NFAASP), located close to the connection manholes. The pass forward flow rate at NFAASP is 4.8 l/s. The rising man from NFAASP discharges approx. 595m to the north at m/h TQ8597

5901 (NGR TQ8556697912), located in the junction of Fambridge Road and Franklin Road.

- 5.6.22 There is no directly linked combined sewer overflow at NFAASP, so storm conditions will surcharge the upstream sewerage and cause the pump events to increase in duration as the additional flow is passed forward to the sewer in Franklin Road. The sewer in Franklin Road is formed of 150mm nominal bore pipework and discharges at the Franklin Road pumping station (NFAFSP), located at the eastern end of the road. The pass forward flow rate at NFAFSP is 12.9 l/s. The rising man from NFAFSP discharges to the sewerage on Cold Norton Road approx. 3km to the north.
- 5.6.23 In storm conditions, flows in excess of this pass forward rate at NFAFSP will spill to a watercourse via the emergency overflow. (**APPENDIX 3**)

Analysis results

- 5.6.24 As the network is operating as a combined system, in order to evaluate the impact of this development; the analysis has examined its hydraulic performance when the development flows connect during a storm event.
- 5.6.25 For flood risk analysis the model runs used a 20 year critical length storms for the standard range of durations up to 1440min to establish the baseline condition, against which the future scenarios were tested. Overflow operation analysis is based on an average of 10 year time series rainfall (TSR) data.
- 5.6.26 Solutions for detriment mitigation are based on 30 year storm events.

Baseline Hydraulic Performance

- 5.6.27 The baseline condition before the development flows connect indicates that the existing network discharging to NFAASP is susceptible to high surcharge conditions during the critical storm. The model predicted flooding during 20 year design storm event at two points close by The Avenue PS.
- 5.6.28 This flooding prediction is not corroborated by reported incidents and given its extent, this is considered to be an over-prediction and further historical verification would be required to establish a more reliable quantity.

Predicted Detriment - Flooding

- 5.6.29 The detriment analysis assumes that the development is generating flow at the peak dry weather rate during the critical storm condition.
- 5.6.30 With the development flows added, the model predicted flooding detriment at 3 locations. The largest increase in flooding is at NFAASP; the predicted volume of 75.8m³ represents a 5.25% increase on the baseline prediction (**APPENDIX 4**).
- 5.6.31 The flooding detriment results mainly due to the pass forward flow capacity of NFAASP. The predicted increase in flooding at the three locations is considered to be of high risk and mitigation would be needed to resolve this.

Predicted Detriment - Overflow and Water Quality

- 5.6.32 There is only one overflow within the network that is impacted by the development flow. This is located at NFAFSP at the eastern end of Franklin Road. The model has been assessed using 10 year TSR event. The assessment is detailed below.

CSO/EO (Spill link)	Average of 10 years (per year)					
	Baseline		Future		Increase	
	Spill frequency	Spill volume (m ³)	Spill frequency	Spill volume (m ³)	Spill frequency	Spill volume (m ³)
North Fambridge-Franklin Road SP (NFAFSP) EO (TQ86971902.2)	0.300	3.702	0.200	3.89	-0.100	+0.188 (+5.078%)

Table 2: Effect of the growth site S-2977 on overflows compared to base model.

- 5.6.33 This increase reflects the marginal increase in pump running at NFAASP to convey the additional flows generated by the development during the storm event. An increase in excess of 1% would generally be considered sufficient to justify mitigation; however, this increase in spill volume is negligible and would be considered to be of low risk.

Residual Capacity

- 5.6.34 Sensitivity analysis indicates that with the 30 units connected by gravity, the level of predicted additional detriment is negligible and below the threshold requiring attention. Therefore the analysis supports the original assessment conclusion that the Manor Farm parcel can be connected before mitigation is required.

Mitigation Solutions

- 5.6.35 Mitigation solutions are designed to prevent detriment to the existing sewerage network performance during a 1 in 30 year critical duration storm event.
- 5.6.36 The analysis indicates that the foul water connection strategy identified in the original drainage impact assessment (DIA) is viable. This allows for the 30 houses comprising the Manor Farm parcel to connect by gravity at manhole TQ8597 4201 and the 75 houses comprising the northern parcel to connect via pump to manhole TQ8597 5301.
- 5.6.37 The DIA recommended solution comprised a combination of upstream attenuation with active control on the discharge and network reinforcement at NFAASP as follows:
- 5.6.38 Provision of 68m³ of off-line on-site storage with gravity return to the conveyance pumping station with active control linked to the existing The Avenue PS.
- Provision of 33m³ of storage The Avenue PS.

Recommended Solution

- 5.6.39 In view of the uncertainty on the extent of surface water connecting to the existing network during storm conditions, it is recommended that a mitigation solution should

seek to control the development discharge to suit hydraulic conditions rather than attempt to mitigate a less definable network surcharge.

- 5.6.40 Therefore, an active discharge control (also referred to as real-time control or RTC) solution is proposed. The solution involves using signals from level monitors located downstream of the connection, to inhibit the development conveyance pump operation. This allows the development flows to be stored within the development drainage until the storm condition has abated and the level in the receiving sewer reduced sufficiently to accommodate the discharge from the development.
- 5.6.41 In this situation the critical receiving sewerage asset is NFAASP, which already has constant level monitoring as part of its existing pump control system. The recommended solution envisages a signals link between NFAASP and the conveyance pumping station on the northern parcel development, so that high wet well levels at NFAASP are used to inhibit the conveyance pump operation.
- 5.6.42 The analysis indicates that in the critical 30 year event the worst case inhibit duration is almost 23 hours. During this period the development drainage would need to be able to store its flow while the conveyance pump is inhibited. This would require up to 30m³ of additional storage within the development drainage, which could be utilised without surcharging connecting laterals or compromising a free outfall from connected property. (**APPENDIX 5**)
- 5.6.43 The diagram in **APPENDIX 5** shows the flow and level profile at the conveyance pumping station during this critical storm event. The rainfall profile at the top of the graph represents the storm profile that provides this worst case scenario.
- 5.6.44 A further refinement on the DIA solution considered a reduced conveyance pump rate. This previous assessment assumed a conveyance pump rate of 5l/s, based on prevailing Anglian Water minimum asset standards favouring rising mains of not less than 100mm nominal bore. Since the DIA was issued, we have undertaken a review of adoptable standards for small developments. We would now take a view that the risk of rising main blockage for smaller bore pipes is not significant at relatively short distances.
- 5.6.45 Using a smaller rising main bore of 80mm allows for a reduced rate broadly averaging 3.8l/s. With this reduced rate the network reinforcement element of the original DIA solution is no longer required.

Summary of Recommended Foul Water Drainage Strategy

- 5.6.46 The analysis concludes that the Manor Farm (southern) development parcel, comprising 30 houses, should connect by gravity to manhole TQ8597 4201 (NGR TQ8543897250) located in The Avenue. No mitigation solution is required for this parcel.
- 5.6.47 The northern development parcel in land off The Avenue, comprising 75 houses, should connect via pumped conveyance at 3.8l/s to manhole TQ8597 5301 (NGR TQ8554597318) the manhole immediately upstream of The Avenue PS. This parcel should not be occupied until the following mitigation is installed:

1. Provision of a signal link between NFAASP and the conveyance pumping station control.
2. Configuration of conveyance pumping control to enable an inhibiting of the pump operation based on levels measured at NFAASP.
3. Provision of 30m³ of additional storage within the development drainage. This may be installed within the wet well or in over-sized upstream sewers.

5.6.48 It is assumed that the developer will install the conveyance pumping station and rising main, along with the storage capacity in item 3. Therefore, a requisition scheme under Section 98 Water Industry Act would involve only items 1 and 2 of the recommended solution.

5.6.49 An email correspondence dated 3 January 2018 was received by a drainage consultant appointed by the North Farnham Parish Council concerning the foul water flows and overflows from the this development proposal and Land to the West of Farnham Road site (OUT/MAL/14/01016 and RES/MAL/17/00776). This correspondence was forwarded to AWS for further comment. AWS has confirmed in an email correspondence dated 17 January 2018 with the following response:-

Drainage

'Detailed analysis has demonstrated that the prevailing network risks are not significantly impacted by the proposed development. The outcome of the analysis shows that with the proposed active control on the development discharge there is no impact on the existing network performance'

Treatment

'As stated in our briefing note Anglian Water realised that with additional growth Latchingdon WRC consent may need to be reviewed due to potential exceedence of the Dry Weather Flow permit. Anglian Water are currently preparing a Water Recycling long term plan, this document once prepared will be used to inform future business plans including future investment at our WRCs. In putting together this Plan Anglian Water take into account future development and will consult the Environment Agency to determine any revisions to existing permits and potential temporary measures if required. It is Anglian Water's responsibility, not the developers, to ensure a viable treatment strategy'

5.6.50 As mentioned above, the consultation response is from the statutory consultee Anglian Water Services based on the assessment and details submitted by the Applicant and therefore no objection is raised to the proposal.

Environment Agency

5.6.51 The Environment Agency (EA) were consulted and has assessed the Applicant's submission and documentations (Drainage Statement Site B) prepared by RSK, covering both surface water and foul water drainage. A consultation response has been received from EA dated 12 January 2018 concerning the Foul Water / Wastewater from the site. It was expressed that further clarification would be required particularly in regard to how the proposed solution and mitigation in the Development Impact Assessment (DIA) have a bearing on the permitted capacity at

Latchingdon Water Recycling Centre. In any event, no development can commence on site and no development can be occupied until the foul water strategy has been carried out and planning condition 13 on outline planning application OUT/MAL/14/01016 and DET/MAL/17/5154 has been fully discharged.

5.7 Other Issues

- 5.7.1 Matters relating to a Sustainable Urban Drainage Scheme, a Construction Method Statement, Ecology, Street lighting and Archaeological works are controlled by condition on the outline planning application OUT/MAL/14/01016 which are currently being considered by the Council under DET/MAL/17/05154.
- 5.7.2 Concerns have been raised with regard to little details being submitted with the application in relation to the 1000sqm of commercial / community area. Although this does not form a part of this Reserved Matters application, as mentioned in report above, the Council is actively working with the Applicant / Agent to promote this site for mixed use purposes that would benefit the existing and future occupiers of the site.
- 5.7.3 Letters of representation have been received concerning the lighting strategy for the site. A planning condition imposed on the outline planning application OUT/MAL/14/01016 for details to be submitted and approved by the Council.

6. ANY RELEVANT SITE HISTORY

- **OUT/MAL/14/00186** - Outline planning application for up to 75 market and affordable dwellings, a village centre of up to 1,000 sq m of flexible commercial and community floor space and a 1.8ha village green and public open space.
Refused: 11 August 2014
- **OUT/MAL/14/01016**- Outline planning application for up to 75 market and affordable dwellings, a village centre of up to 1,000 sq m of flexible commercial and community floor space, a 1.8ha village green and public open space.
Approved: 18 March 2016

7. CONSULTATIONS AND REPRESENTATIONS RECEIVED

7.1 Representations received from Parish / Town Councils

Name of Parish / Town Council	Comment	Officer Response
North Farnbridge Parish Council	<p>Object to the planning application for the following reasons:</p> <ul style="list-style-type: none"> • Inadequate sewerage provision • Concerns regarding to flood risk • Concern regarding little interest for the proposed commercial development • There should be no 	<p>Noted in the report. Some of these points have already been addressed in the outline planning application OUT/MAL/14/01016</p>

Name of Parish / Town Council	Comment	Officer Response
	<p>high level lighting – there are no industrial units in the surrounding area</p> <ul style="list-style-type: none"> • Impact to the road in relation to delivery vehicles and obstruction to existing residents • Noise and disturbance from the development • The layout is inconsistent with the existing properties in the village • The gardens proposed appear to be small and not meet the Essex Design Guide • The dwellings are 2.5 storeys in height and would impact on existing properties • The proposed footpaths within the site do not connect to any footpaths outside the site • Concerns regarding the safety of the LPG storage tank • The use of tankers to • The bus services submitted in support of the application is incorrect • Crouch Road is outside the application site and therefore should not be seen as a means of access from the estate • The use of tankers to pump out the holding tanks is not acceptable • The Joint Position Statement 2014 should be relevant • High level lighting is not acceptable given its 	

Name of Parish / Town Council	Comment	Officer Response
	location to open field, impact on village setting and wildlife	

7.2 Statutory Consultees and Other Organisations

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
Essex County Fire and Rescue	The proposal is satisfactory with the exception of the road serving Plots 14 and 23 where the turning head do not comply with Building Regulations	Noted. If the proposal would require the repositioning of the residential dwellings to accommodate a turning head in accordance with Building Regulations then a new application would be required
Highways Authority	No objection subject to conditions	Noted
Natural England and Essex Wildlife Trust	No Habitat Regulation Assessment (HRA) was submitted in support of the application and therefore unable to assess if the development would have a significant effect on the nearby nature reserve sites	As part of the outline planning application: OUT/MAL/14/01016, a S106 legal agreement was signed and dated to provide off-site ecological mitigation strategy. This issue has therefore been addressed.
Essex County Council (SUDS)	No objection subject to conditions to be imposed should this application be approved	Noted. This is currently being dealt with by a discharge of condition application DET/MAL/17/05154
Environment Agency	EA are no longer supporting Condition 13 on OUT/MAL/14/01016 and DET/MAL/17/05154 until further clarification has been submitted for approval	Noted. This is currently being dealt with by a discharge of condition application DET/MAL/17/05154
Anglian Water Services (AWS)	Based on the the Applicant's submitted foul drainage information, it is considered that the impacts on the public foul sewerage network have	The Council has also consulted AWS in relation Condition 13 of the outline planning application (OUT/MAL/14/01016) to which this Reserved

Name of Statutory Consultee / Other Organisation	Comment	Officer Response
	been adequately addressed at this stage.	Matters application relates, which requires the submission and approval of detailed foul drainage information under DET/MAL/17/05154
Archaeology	Conditions regarding to archaeology to be imposed	Noted. This is currently being dealt with by a discharge of condition application DET/MAL/17/05154
Emergency Planner	A condition to be imposed for there to be a suitable flood warning and evacuation plan in place as the development sits within flood zone 3 in part.	Noted. As the residential properties are located outside Flood Zone 3, it is considered that a flood warning and evacuation plan would not be necessary
Essex and Suffolk Waters (ESW)	ESW do not have any apparatus located in the proposed development.	Noted

7.3 Internal Consultees

Name of Internal Consultee	Comment	Officer Response
Environmental Health Services	Conditions needs to be discharged by ECC SUDs Team	Noted. This is currently being dealt with by discharge of condition application DET/MAL/17/05154
Economic Development Team	The team supports the 1,000sqm space as the commercial use would create jobs and additional income for the Maldon District.	Noted.

Name of Internal Consultee	Comment	Officer Response
Leisure and Livability	<p>The following comments have been made:-</p> <ul style="list-style-type: none"> • Lack of green space / link within and across the site • Unable to determine where the play space is within the site • Standard trees are being introduced. A variety of species with multiple numbers would be more appropriate • Hedgerow and trees should be planted on the western boundary where it meets the open countryside • Inadequate amount of trees proposed within the site 	Noted. The amended plans as shown on Drawing No: JBA 17/005-SK01 dated December 2017 - Landscape Masterplan for Plots and POS has addressed the officer's concerns.
Planning Policy	The housing mix is not consistent with Policy H2 and is contrary to the findings of the 2014 SHMA	Noted in the report
Housing Team	The current submission which provides affordable housing that assists in meeting the need of the District	Noted in the report

7.4 Representations received from Interested Parties

- 7.4.1 Letters were received **objecting** to the application from the following people. Some of the residents have submitted additional letters objecting to the proposal following the display of amended site notices dated 19 October 2017 and 6 December 2017. The reasons for objection are summarised as set out in the table below:

- Richard Grout Dengie House The Avenue North Fambridge
- Gail Grout Dengie House The Avenue North Fambridge
- Mr & Mrs Newman Northlands The Avenue North Fambridge
- Mrs Pauline Carter Fairacre House Ferry Road North Fambridge
- Mr Terry Carter Fairacre House Ferry Road North Fambridge
- Kevin Blackmore Kitts View The Avenue North Fambridge
- Edward Cogger Hawbridge Franklin Road North Fambridge

- Mr T Cogger Hawbridge Franklin Road North Fambridge
- Mrs Lena Cogger Hawbridge Franklin Road North Fambridge
- Mrs TA Cogger Hawbridge Franklin Road North Fambridge
- Mr EJ Cogger Hawbridge Franklin Road North Fambridge
- Mr & Mrs Baker Stondon The Avenue North Fambridge
- Angie Boden Langmeil The Avenue North Fambridge
- Mr K P Cooper River View Cottage Brabant Road North Fambridge
- Mrs J L Cooper River View Cottage Brabant Road North Fambridge
- Ms S A Cooper River View Cottage Brabant Road North Fambridge
- Mr M Anderson Braemar Fambridge Road North Fambridge
- Debbie Anderson Braemar Fambridge Road North Fambridge
- Mr & Mrs Humphrey Green Finches Franklin Road North Fambridge
- Miss Amber Cogger Kimberley Franklin Road North Fambridge
- Clare Morris 6 Station Cottages Station Approach North Fambridge
- Richard Morris 6 Station Cottages Station Approach North Fambridge
- Mrs E.D. Newman Tay House Fambridge Road North Fambridge
- Mr B.J Newman Tay House Fambridge Road North Fambridge
- Dorothy Quick Cherry Trees Fambridge Road North Fambridge
- Simon Quick Cherry Trees Fambridge Road North Fambridge
- Mr Kush Sharma Mulberry House 17 Rectory Road North Fambridge
- Mr Mark Eyre Bracken House The Avenue North Fambridge
- Richard Edwards Gate Marsh House Church Road North Fambridge
- Mr & Mrs Boden Langmeil The Avenue North Fambridge
- Ken & Jennifer Jackson Birch House The Avenue North Fambridge
- Mrs Tracy Byford East View The Avenue North Fambridge
- Miss A P Thomas Easter Cottage Station Approach North Fambridge
- Derek & Hilary Gardner Mallard Roberts Road North Fambridge
- Kenneth Nunn Fourways Stephenson Road North Fambridge
- Dr & Mrs Raffray Lynton House Franklin Road North Fambridge
- Ms Elizabeth Clack Poundfield Cottage Roberts Road North Fambridge
- The Humphries Family Mulberry House Fambridge Road North Fambridge
- Molly Blackmore Kitts View The Avenue North Fambridge
- Leanne Eyre Bracken House The Avenue North Fambridge
- Bridget Eyre Bracken House The Avenue North Fambridge
- Edward Eyre Bracken House The Avenue North Fambridge
- Peter Wynn 27 Wordsworth Avenue Maldon Essex

Objection Comment	Officer Response
Principle	
<ul style="list-style-type: none"> • The site is located outside the development boundary • The application fails to take into consideration that the Council can now demonstrate a Five Year Housing Land Supply and that the Rural Allocations for North Fambridge was deleted in Policy S2 of the LDP approved by the 	This is discussed in Section 5.1 of the report

Secretary of State	
Design of Development	
<ul style="list-style-type: none"> • Density is too high for a village • Lack of public space • The dwellings are too close to the existing boundary of existing properties resulting in loss of privacy and overlooking (Plot 50) • The private amenities are too small for the properties • Noise from the pumping station / sub-station will affect the amenity of existing residential properties 	<p>This is discussed in the report. Details of the station / sub-station can be dealt with by condition should the application be approved.</p>
Highway	
<ul style="list-style-type: none"> • Increase in traffic • The development would have an impact on the wider highway network (Lower Burnham Road (B1012)) • Heavy vehicles damaging the roads • Impact on the wider highway network • Crouch Road is a Private Road 	<p>This issue has been considered in the outline planning application OUT/MAL/14/01016. Further, the Highway Authority has raised no objection to the current application subject to conditions and informative. The Highway Authority has noted that construction access is proposed to the south of the site along Crouch Road which is a private road; the applicant should demonstrate to the satisfaction of the LPA that they have a legal right of way over it for the purposes of construction. This is addressed in the informative should the application be approved</p>
Surface Water and Anglian Water	
<ul style="list-style-type: none"> • Surface Water and Foul Water Drainage still not resolved • Localised flooding in the area • Holding tanks on site? When will they be emptied? 	<p>This is addressed in the report and is currently being dealt with by DET/MAL/17/05154.</p>
Other Considerations	

<ul style="list-style-type: none"> • Poor Public Transport • Close to Blue House Farm (SSSI) and impact on Brent Geese • No employment opportunities in the village • Conditions have not been discharged for this site on the outline application • The external lighting is inappropriate • Hours of operation on site • Questioning the housing demand for large houses 	<p>The principle of development has been established on site by virtue of planning application OUT/MAL/14/01016. The impact on the nearby Nature Reserve (SSSI) was considered in the previous application and is being dealt with by DET/MAL/17/05154</p> <p>Transport and employment opportunities were not considered as an issue in the previous outline application and therefore would be unreasonable to warrant refusal on that basis.</p> <p>The external lighting is a planning condition which has not been considered under DET/MAL/17/05154 but by a subsequent DET application</p> <p>An informative can be added to control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbouring properties should the application be approved.</p> <p>The housing demand and mix is addressed in the report</p>
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8 **PROPOSED CONDITIONS**

- 1 The development hereby permitted shall be carried out in complete accordance with the approved drawings specifically referenced on this decision notice.
REASON: To ensure that the development is carried out in accordance with the details as approved.
- 2 The development shall be constructed shall be constructed of the external materials specified on Drawing No: 745. 204.06 dated 04.12.2017 Materials Plan and 745. 231 .04 dated 04.12.2017.
REASON: To ensure that the external materials used for the construction of the development is appropriate to its site and surroundings in accordance with Policy D1 of the Maldon District Local Development Plan and Government advice contained in the National Planning Policy Framework.
- 3 The hard landscaping for the site shall be constructed in complete accordance with materials specified on Drawing No: 745. 231.04 dated 04.12.2017 and retained as such thereafter.
REASON: To ensure that the external materials used for the construction of the development is appropriate to its site and surroundings in accordance with Policy D1 of the Maldon District Local Development Plan and Government advice contained in the National Planning Policy Framework.
- 4 The tree protection and soft landscaping for the site shall be carried out in complete accordance with the following details and Drawing No:-

- JBA 17/005/1 Rev I dated June 2017
- JBA 17/005/2 Rev I dated June 2017
- JBA 17/005/3 Rev I dated June 2017
- JBA 17/005/4 Rev I dated June 2017
- JBA 17.005.5 Rev I dated June 2017
- JBA 17/005-06 Rev H dated July 2017
- JBA 17/005-07 Rev G dated July 2017
- JBA 17/005-08 Rev H dated July 2017
- JBA 17/005-09 Rev H dated July 2017
- JBA 17/005-SK01 Rev E dated December 2017
- JBA 17/005 TP01 Rev A dated 04.07.2017
- Arboricultural Method Statement prepared by James Blake Associates Ltd (reference: JBA 17/005 AR02 Rev A dated 30 November 2017)
- Tree Protection Warning Signs
- Tree Survey Schedule dated 5 December 2017
- Tree Works Schedule dated 5 December 2017

REASON: To ensure the landscaping is appropriate and to protect the visual amenity of the area in accordance with Policy D1 of the Maldon District Local Development Plan and Government advice contained in the National Planning Policy Framework.

- 5 Prior to the first occupation of the development the vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The parking and turning areas shall be retained in perpetuity for their intended purpose.

REASON: To ensure that appropriate parking and turning is provided in accordance with Policy T2 of the Maldon District Local Development Plan and Government advice contained in the National Planning Policy Framework

- 6 Prior to the first occupation of the dwelling annotated Plot 50 on Drawing No: 745.201.06 dated 04.12.2017, the first floor window serving the bathroom and the roof light serving the en-suite shall be glazed with opaque glass and be retained as such thereafter.

REASON: To protect the amenity of the existing occupiers on The Avenue and the future occupiers of the site in accordance with Policy D1 of the Maldon District Local Development Plan and Government advice contained in the National Planning Policy Framework.

- 7 Prior to the first occupation of the dwelling annotated Plot 51 on Drawing No: 745.201.06 dated 04.12.2017, the First floor window serving the dressing room shall be glazed with opaque glass and be retained as such thereafter.

REASON: To protect the amenity of the existing occupiers on The Avenue and the future occupiers of the site in accordance with Policy D1 of the Maldon District Local Development Plan and Government advice contained in the National Planning Policy Framework.

- 8 Prior to the first occupation of the dwelling annotated Plot 52 on Drawing No: 745.201.06 dated 04.12.2017, the first floor windows serving the bathroom and the en-suite shall be glazed with opaque glass and be retained as such thereafter.

REASON: To protect the amenity of the existing occupiers on The Avenue and the future occupiers of the site in accordance with Policy D1 of the Maldon District Local Development Plan and Government advice contained in the National Planning Policy Framework.

- 9 Details of the sub-station and pumping station, including the design, height, noise emission shall be submitted to and approved by the Local Planning Authority. The details as approved shall be constructed prior to the first occupation of the respective dwellings to which it relates and be retained as such thereafter.
- REASON: To protect the amenity of the existing occupiers on The Avenue and the future occupiers of the site in accordance with Policy D1 of the Maldon District Local Development Plan and Government advice contained in the National Planning Policy Framework.

INFORMATIVE

It should be noted that if the shared surfaces are offered for adoption they should be a minimum of 6m in width. Confirmation of any proposed adoption extents should also be provided.

Any trees and non-standard materials proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for a period of 15 years following construction.

If the development is to be lit, it would usually be by freestanding lighting columns which have to be sited clear of the carriageway but within areas adopted as part of the highway. The columns would normally be located in the footway or within a 1 metre x 1.5 metre concrete base which may have to be attached to the back of an overhang strip so that the base often has the appearance of being within private property. To avoid later difficulties, it will be essential to ensure that any lighting columns and the associated concrete areas are made known in advance and not subsequently sold to house purchasers.

All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to: SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.

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

The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours:

- a) No waste materials should be burnt on the site, instead being removed by licensed waste contractors;
- b) No dust emissions should leave the boundary of the site;
- c) Consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site;

- d) Hours of works: works should only be undertaken between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.