

BASILDON BOROUGH COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

Town and Country Planning (Development Management Procedure) Order 2015

This Permission does **not** constitute approval under the Building Regulations

Please see notes at end of this letter

To: Mr Christopher Moore	For: Ms Sabina Leverton
Pace Jefford Moore	Basildon Council
Architects llp	The Basildon Centre
16 Hampden Gurney Street	St. Martin's Square
London	Basildon
London	Essex
W1H 5AL	SS14 1DL
United Kingdom	United Kingdom

In pursuance of the powers exercised by them as local planning authority this Council, having considered your application to carry out the following development:-

Construction of 15 no. houses comprising 9 no. two-bedroom, 2 no. three-bedroom and 4 no. four-bedroom homes, with associated parking, boundary walls and fences, landscaping, removal of highway rights and creation of a one-way access road together with parking for two coaches for use by the adjacent school

On land at

**1 Roman Way
Billericay
CM12 9LJ**

In accordance with the plan(s) accompanying the said application, the Council do hereby give notice of their decision to **GRANT PERMISSION** for the said development subject to the compliance with the conditions set out overleaf:-

Planning Services, Basildon Centre, St. Martin's Square, Basildon, Essex SS14 1DL

Dated: 15.02.2017



**Phil Easteal
Group Manager (Regulation)**

Planning Services, Basildon Centre, St. Martin's Square, Basildon, Essex SS14 1DL

Dated: 15.02.2017

A handwritten signature in black ink, appearing to read 'Phil Easteal', written in a cursive style.

**Phil Easteal
Group Manager (Regulation)**

1. The development to which this permission relates must be commenced not later than the expiration of three years beginning with the date on which this permission is granted.
2. The development hereby permitted shall be undertaken in accordance with the approved plans comprising drawings;

1305 175 Site Location Plan,
1348 260C Site Plan - General Arrangements East,
1348 261F Site Plan General Arrangements West,
1348 262B Site Plan - Homes 1-6,
1348 263D Site Plan Homes 7-11,
1348 264E Site Plan Homes 12-15,
1348 265 Elevations 2B4P Homes,
1348 266 Elevations 3B5P Homes,
1348 267 Elevations 4B6P Homes,
1348 281E Highways and Stopping Up,
151119-F-02-01 Tree Constraints Plan,
151119-F-02-02 Tree Constraints Plan,

and, the floor plans included within the submitted Design and Access Statement.

3. No development shall commence until details of the colour and types of materials to be used on the roofs and external walls of the proposed buildings, together with all non-adopted hard surfaced areas within the site shall have been submitted to and approved by the Local Planning Authority. The development shall only be undertaken in accordance with the approved details.
4. Prior to the first occupation of any of the dwellings hereby permitted, a scheme of landscaping has been submitted to and approved by the Local Planning Authority. All planting, seeding and turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following completion of the development. Any trees or shrubs or other elements of landscaping dying within five years of planting, shall be replaced by the developers or their successors in title.
5. The development hereby permitted shall not commence until there has been submitted to and approved by the local planning authority details of measures for the protection of all retained trees, as identified on approved plans numbered 151119-F-02-01 and 151119-F-02-02, during development works. The approved protection measures shall be implemented prior to the commencement of building works and retained for their duration on site.

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6. The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved by the Local Planning Authority (LPA) and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures, unless the LPA dispenses with any such requirement in writing:-
- b) If identified as being required following the completion of the desk-top, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed, taking into account the sites existing status and proposed new use. Two copies of the site investigation and findings shall be forwarded to the LPA without delay, upon completion.
- c) Thereafter, a written method statement detailing the remediation requirements for land contamination and/or pollution of controlled waters affecting the site, shall be submitted and approved by the LPA, and all requirements shall be implemented and completed to the satisfaction of the LPA. No deviation shall be made from this scheme without the express written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing with the LPA.
- d) Two full copies of a full closure report shall be submitted to and approved by the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met. The closure report shall include a completed certificate, signed by the developer, confirming that the required works regarding contamination have been carried out in accordance with the approved written method statement. A sample of the certificate to be completed is available in Appendix 2 of Land Affected by Contamination : Technical Guidance for Applicants and Developers.
7. Prior to occupation of the development, the vehicular access on Roman Way at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 35 metres to the north and 2.4 by 19 metres to the south as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

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8. Prior to occupation of the development the vehicular access on Roman Way shall be constructed as shown in principle on planning application drawing number 261F. Works shall include provision of appropriate kerbed radii to the north of the access with a dropped kerb pedestrian crossing point.
9. Prior to occupation of the development, the existing footway on the western side of Roman Way shall be widened to 2 metres as shown in principle on planning application drawing number 261F.
10. Prior to occupation of the development, the existing vehicular access at the eastern end of the site shall be realigned and shall be provided with 2 no. appropriate kerbed radii and dropped kerb pedestrian crossing point as shown in principle on planning application drawing number 260C.
11. The developer shall pay for the necessary amendment to the existing Traffic Regulation Order to provide double yellow parking restrictions on both sides of Roman Way from the school vehicular access, extending in a northerly direction and shall terminate at a suitable point adjacent dwelling number 12.
12. Prior to occupation of the first occupation of any dwelling, appropriate directional signage shall be provided. Details of which shall be submitted to and approved by the Local Planning Authority.
13. Within the proposal site, there shall be clear demarcation on the ground between the carriageway and footway. This demarcation shall extend around the proposed coach parking area and tie in with the existing pedestrian entrance to the school, as shown in principle on planning application drawing number 261F.
14. Prior to the first occupation of the new dwellings, the vehicular accesses to numbers 12-15 shall be constructed at right angles to the existing carriageway. The width of the accesses at their junction with the highway shall not be less than 3 metres and shall be provided with appropriate dropped kerb vehicular crossings of the footway, as shown in principle on planning application drawing number 261F.
15. Prior to the first occupation of the new dwellings, a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular accesses to dwelling numbers 12-15. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the accesses.
16. There shall be no discharge of surface water onto the Highway.
17. No unbound material shall be used in the surface treatment of the vehicular accesses within 6 metres of the highway boundary.
18. No development shall take place, including any ground works, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials

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- iii. storage of plant and materials used in constructing the development
 - iv. wheel and underbody washing facilities
19. The new dwellings shall not be occupied until such time as the vehicle parking areas indicated on approved plans, drawing numbered 260C, 263C and 261F, have been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.
20. Prior to occupation of the new dwellings, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. One Residential Travel Information Pack shall be provided for each dwelling.
21. Prior to completion of the development, details of all proposed external lighting shall be submitted to and approved by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.
22. No development of any kind shall be undertaken until the applicant has secured the implementation of a programme of archaeological investigation in accordance with a written scheme of investigation which shall be submitted to and approved by the local planning authority.
23. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved by the local planning authority. The scheme should include but not be limited to:

Discharge to ground where possible. Further investigation should take place looking at the feasibility of infiltration suds. This should include infiltration testing to BRE 365 standard.

Should infiltration not be suitable, discharge rates should be limited to a maximum of 9l/s up to the 1 in 1 year event, 10.5l/s up to a 1 in 30 year event and 11l/s up to and including the 1 in 100 year event plus 40% allowance for climate change.

Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.

Final modelling and calculations for all areas of the drainage system.

Provide sufficient treatment for all elements of the development. Treatment should be demonstrated to be in line with the guidance within the CIRIA SuDS Manual C753.

Detailed engineering drawings of each component of the drainage scheme.

A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage feature.

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A written report summarising the final strategy and highlighting and minor change to the approved strategy.

The scheme shall subsequently be implemented prior to occupation of the new dwellings.

24. The development hereby permitted shall not be commenced until such time as a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.
25. The development hereby permitted shall not be occupied until submission of a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Management Company or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
26. The demolition and construction works on the site shall be limited to the following:-
 - (a) On Mondays to Fridays between 7 am and 7 pm inclusive, for general works;
 - (b) On Monday to Fridays between 8 am and 7 pm inclusive, for more extremely noisy works, such as concrete breaking, pile driving and angle grinding;
 - (c) On Saturdays between 8 am and 1 pm for all works audible at the site boundary.
 - (d) The whole of Sundays, Bank and Public Holidays - No works that are audible at the site boundary
27. Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking and re-enacting that Order, no development within Part One, Classes B and C of Schedule 2 to the Order shall be carried out to any of the new dwellings within the site of this application, except with express permission granted under Part III of the Town and Country Planning Act 1990 or any re-enactment thereof.
28. No building works shall commence on site, until details of the finished floor levels of the buildings hereby permitted in relation to existing ground levels have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with any details agreed by the Local Planning Authority.

The reasons for the above conditions are:

- 1 Pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Part 4 of the Planning & Compulsory Purchase Act 2004.
- 2 To ensure a satisfactory form of development and for the avoidance of doubt.
- 3 In the interests of visual amenity.
- 4 In the interests of visual amenity.

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- 5 To ensure the retention of existing trees during development works in the interests of visual and residential amenity.
- 6 To ensure the safe development of the site.
- 7 In the interests of highway safety.
- 8 In the interests of highway safety.
- 9 In the interests of highway safety.
- 10 In the interests of highway safety.
- 11 In the interests of highway safety.
- 12 In the interests of highway safety.
- 13 In the interests of highway safety.
- 14 In the interests of highway safety.
- 15 In the interests of highway safety.
- 16 In the interests of highway safety.
- 17 In the interests of highway safety.
- 18 In the interests of highway safety and amenity.
- 19 To ensure adequate suitable parking is provided on site to avoid potential congestion on adjacent roads to the detriment of highway safety.
- 20 In the interests of reducing the need to travel by car and promoting sustainable development and transport.
- 21 In the interests of residential amenity.
- 22 There is a possibility for the survival of deeply buried archaeological features relating to the Roman settlement that may be disturbed by the development.
- 23 To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to ensure the effective operation of SuDS feature over the lifetime of the development; and to provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.
- 24 The National Planning Policy Framework paragraph 103 and paragraph 109 states that local planning authorities should ensure flood risk is not increased elsewhere by development.

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- 25 To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.
- 26 To minimise disturbance to occupiers of neighbouring dwellings.
- 27 To allow the local planning authority to maintain control over extensions and alterations to the roofs of the dwellings in the interests of visual and residential amenity.
- 28 In the interests of visual and residential amenity.

Informative(s)

1. Prior to the commencement of works on site the applicant shall seek the approval of the Secretary of State under S247 of the Town and Country Planning Act for the extinguishment of the highways hatched as shown in principle pn the approved plan drawing no. 281E.
2. 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: SMO3 - Essex Highways, Childerditch Highways Depot, Hall Drive, Brentwood. CM13 3HD.
3. It is recommended that any external lighting to be installed within the scheme hereby permitted shall be fitted with LED fitting/bulbs.
4. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Where appropriate, it will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions of the area.

Planning applications that accord with the policies of the Basildon District Local Plan Saved Policies document will be approved in a timely fashion, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:

Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or

Specific policies in that Framework indicate that development should be restricted.

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NOTES

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990 within **six months of the date of this notice**. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Room 308A Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the order. He does not in practice refuse to entertain appeals solely because the decision of the local planning authority was based on a direction given by him.
- (2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted he may serve on the Council of the district in which the land is situated, as the case may be, a Purchase Notice requiring that Council to purchase his interest in the land in accordance with the provision of Part V1 of the Town and Country Planning Act 1990.
- (3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
- (4) If consent under provisions of the Building Regulations is required, this should be obtained prior to commencement of work. You can contact our Building Services on telephone no 01268 208026, if in any doubt.
- (5) The provisions of Section 13 of the Essex Act 1987 (access for fire brigade) may apply to this development and will be determined at the Building Regulation stage.