

Application No: 13/00804/FULL

Received: 09.08.2013

**BASILDON BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990**

Town and Country Planning (Development Management Procedure) Order 2010

To: Mr Lyndon Gill
Iceni Projects
Flitcroft House
114-116 Charing Cross
Road
London
WC2H 0JR
United Kingdom

For: Swan Housing
Association
C/O AGENT

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

Application for material amendment to Condition 2 of planning consent 11/00719/FULL, as amended by 13/00465/NMABAS & 13/00462/FULL, seeking amendments to the general layout of units within Blocks 8, 9, 10 and 11; minor alterations to internal layout within Blocks 1, 2, 4 and 12; and alterations to the proposed highway network.

On land at

**Craylands Estates & Former Fryerns School Site
Craylands
Basildon
Essex
SS14 3RN**

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: 08.10.2013



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Manager of Planning Services

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 carried out in accordance with the following drawings numbered:-

S1.0; L1.0 (Revision E); L1.1 (Revision E); L1.3 (Revision E); L1.4 (Revision E); L1.5 (Revision E); L2.0 (Revision E); L2.1 (Revision C); L2.2 (Revision A); L2.3 (Revision B); L2.4 (Revision B); L2.5 (Revision A); L2.6 (Revision A); L3.0 (Revision E); L3.1 (Revision C); L3.2 (Revision A); L3.3 (Revision B); L3.4 (Revision B); L3.5 (Revision A); L3.6 (Revision A); L6.0 (Revision B); L6.1 (Revision B); L6.2 (Revision A); L6.3 (Revision A); L6.4 (Revision A) received at the Council offices on 9 August 2013 and

House Type Drawings BIL-AL-100 (Revision B); BIL-AL-101 (Revision B); BIL-AL-102 (Revision B); BIL-AL-103 (Revision A); BIL-AL-104 (Revision B); BIL-AL-105 (Revision B); BIL-AL-110 (Revision B); BIL-AL-111 (Revision A); BIL-AL-112 (Revision A); BIL-AL-113 (Revision A); BIL-AL-114 (Revision A); BIL-AL-115 (Revision A); BIL-AL-120 (Revision B); BIL-AL-121 (Revision B); BIL-AL-122 (Revision A); BIL-AL-123 (Revision A); BIL-AL-124 (Revision A); BIL-AL-125 (Revision A); BIL-AL-130; BIL-AL-131; BIL-AL-132; BIL-AL-133; BIL-AL-140; BIL-AL-141; BIL-AL-142; BIL-AL-143; BIL-AL-150; BIL-AL-151; BIL-AL-152 (Revision A); BIL-AL-153 (Revision A); BIL-AL-155; BIL-AL-156; BIL-AL-157 (Revision A); BIL-AL-158 (Revision A); BIL-AL-160; BIL-AL-161; BIL-AL-162 (Revision A); BIL-AL-163 (Revision A); BIL-AL-165; BIL-AL-166; BIL-AL-167 (Revision A); BIL-AL-168 (Revision A); BIL-AL-170; BIL-AL-171; BIL-AL-172 (Revision A); BIL-AL-173 (Revision A); BIL-AL-177; BIL-AL-178; BIL-AL-180; and BIL-AL-181 received at the Council offices on 9 August 2013.

3. No development on any Phase C, D, E or F, as set out on the summary chart Accommodation Schedule L1.2 Revision B (July 2013) and shown on the phasing plan shown on Page 6 of the June 2011 UDA Design & Access Statement, shall commence until details of the colour and types of materials to be used on the roofs and external walls of the proposed dwellings/buildings shall have been approved for that Phase by the local planning authority.
4. Before construction commences on any Phase C, D, E or F, as set out on the summary chart Accommodation Schedule L1.2 Revision B (July 2013) and shown on the phasing plan shown on Page 6 of the June 2011 UDA Design & Access Statement, details of existing site levels, and finished floor levels of the proposed dwellings for that Phase shall be submitted to and approved in writing of the local planning authority. The development shall be carried out in accordance with the approved details.
5. Notwithstanding the provisions of Article 3 of the Town and Country Planning General Permitted Development Order 1995, or any Order revoking or re-enacting that Order, no development within Part One, Classes A, B, C and E of Schedule 2 to that Order shall be carried out to all the dwellings within the development hereby granted, except with express permission granted under Part III of the Town and Country Planning Act 1990 or any re-enactment thereof.

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6. All windows at the first floor level in the flank elevations of the dwellings hereby granted, shall be as set on approved drawing L1.1 Revision E..
7. No window opening(s) shall be created at first floor level, or above, other than those shown on the approved plans, in all the dwellings hereby permitted, without the prior approval of the local planning authority.
8. The development on any Phase C, D, E or F, as set out on the summary chart Accommodation Schedule L1.2 Revision B (July 2013) and shown on the phasing plan shown on Page 6 of the June 2011 UDA Design & Access Statement, hereby permitted shall not commence until there has been submitted to and approved by the local planning authority a scheme of landscaping for that Phase, which shall include details of a) Existing trees and hedgerows to be retained; b) measures to protect tree and hedgerows that will be retained; c) all proposed planting seeding and turfing. All planting, seeding and turfing comprised in the approved details of landscaping for that Phase shall be carried out in the first planting and seeding season following occupation of the buildings, or completion of the development, which is sooner. Any trees or shrubs or elements of landscaping dying within five years of plating, shall be replaced by the developers or their successors in title.
9. None of the trees on the site shown as being retained on the drawings numbered L6.0 Revision B and L6.4 Revision A shall be removed without the written consent of the local planning authority.
10. Prior to commencement on any Phase C, D, E or F, as set out on the summary chart Accommodation Schedule L1.2 Revision B (July 2013) and shown on the phasing plan shown on Page 6 of the June 2011 UDA Design & Access Statement, of the development hereby permitted, the existing trees to be retained shall be protected with fencing in accordance with the details set out in BS 5837:2005 (Trees in relation to construction). The fencing shall remain in place until after completion of the development to the satisfaction of the local planning authority. Nothing shall be stored or placed in the protected areas and the ground levels within the area shall not be altered nor any excavation made without the written consent of the local planning authority.
11. Each dwelling within each of the Phases C, D, E or F, as set out on the summary chart Accommodation Schedule L1.2 Revision B (July 2013) and shown on the phasing plan shown on Page 6 of the June 2011 UDA Design & Access Statement, the subject of this permission, shall not be occupied or brought into use until the parking spaces as shown on the approved drawings number L2.0 (Revision E), L2.1 (Revision C), L2.2 (Revision A), L2.3 (Revision B), L2.4 (Revision B), L2.5 (Revision A - August 2013) and L2.6 (Revision A), shall have been provided to the satisfaction of the local planning authority. Such provision shall be permanently retained for car parking purposes, and used for no other purposes, without the prior approval in writing of the local planning authority.
12. The parking spaces shall be constructed in block pavements, the colour and type to be submitted to and approved in writing by the local planning authority before work commences on site. The development shall be carried out in accordance with the approved details.
13. Details of the construction, drainage and finish of the proposed roads, footpaths and other non-adopted hard surfaced areas on any Phase C, D, E or F, as set out on the summary chart Accommodation Schedule L1.2 Revision B (July 2013) and shown on the phasing plan shown on Page 6 of the June 2011 UDA Design & Access Statement, shall be submitted to and approved in writing by the local planning authority, prior to the

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commencement of that Phase of the development. The development shall be carried out in accordance with the approved details.

14. No dwelling(s) within each of the Development Phases, C, D, E or F, as set out on the summary chart Accommodation Schedule L1.2 Revision B (July 2013) and shown on the phasing plan shown on Page 6 of the June 2011 UDA Design & Access Statement, shall be occupied until refuse and recycling facilities for each of the dwellings have been provided on site. Details of the facilities for each Phase shall have been submitted to and approved in writing by the local planning authority before work commences on site. The development shall be constructed in accordance with the approved plans.
15. Details of all screen walls and fences to be erected on any Phase C, D, E or F as set out on the summary chart Accommodation Schedule L1.2 Revision B (July 2013) and shown on the phasing plan shown on Page 6 of the June 2011 UDA Design & Access Statement, shall be submitted to and approved in writing by the local planning authority prior to the commencement of that Phase of the development. The development shall not be brought into use until the screen wall and fences in the approved scheme have been erected.
16. A detailed drainage scheme shall be submitted for all Phases, C, D, E and F, as set out on the summary chart Accommodation Schedule L1.2 Revision B (July 2013) and shown on the phasing plan shown on Page 6 of the June 2011 UDA Design & Access Statement, incorporating sustainable drainage principles as identified in drawings in appendix F of Flood Risk Assessment 20070328SRB FINAL dated 3rd September 2007 from Campbell Reith shall be submitted to and agreed, in writing, with the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved plans and prior to the occupancy of that Phase of the proposed development.
17. The development shall not commence on any Phase, C, D, E or F as set out on the summary chart Accommodation Schedule L1.2 Revision B (July 2013) and shown on Page 6 of the June 2011 UDA Design & Access Statement, until a scheme to deal with any contamination of land or pollution of controlled waters for that, or all phase has been submitted to and approved by the local planning authority (LPA) and until the measures approved have been implemented. The scheme for each phase shall include all the following measures unless the LPA dispenses with any such requirement in writing:
 - a) A desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation work/Quantitative Risk Assessment (or state if none required). Two copies of the desk-top study and a non-technical summary shall be submitted to the LPA without delay upon completion.
 - b) If identified as being required following completion of a desk-top study, 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 full copies of the site investigation and findings shall be forwarded to the LPA without delay upon completion.

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- 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.
18. No construction work shall be carried out on the site during the following periods:-
- (a) On Mondays to Fridays inclusive before 7 am and after 7 pm,
 - (b) On Saturdays before 7 am and 4 pm,
 - (c) The whole of Sundays, Bank and Public Holidays.
19. All construction vehicles, materials, plant and machinery used in connection with the development hereby permitted shall be stored/parked on the site during the construction period, except with the prior approval in writing of the local planning authority.
20. Provision shall be made within the site for the washing of wheels of construction vehicles prior to leaving the site.
21. Details of the design and construction of the estate roads will be submitted to and approved by the LPA prior to construction of any Phase C, D, E or F, as set out on the summary chart Accommodation Schedule L1.2 Revision B (July 2013) and shown on the phasing plan shown on Page 6 of the June 2011 UDA Design & Access Statement commencing on site.

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 development.
- 3 In the interest of visual amenity.
- 4 In the interest of residential and visual amenities.
- 5 In the interest of residential and visual amenities.
- 6 In the interest of residential amenity.

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- 7 In the interest of residential amenity.
- 8 In the interest of visual amenity.
- 9 To retain, as far as reasonably possible, the existing trees on site.
- 10 In order to protect the trees on the site, in the interest of visual amenity
- 11 To ensure sufficient parking is provided for the proposed development and ensure that vehicles are parked so that they do not impede the free flow of traffic.
- 12 To ensure a development of satisfactory appearance.
- 13 To ensure a development of satisfactory appearance.
- 14 In the interest of visual amenity and to ensure the proper provision of recycling facilities.
- 15 In the interest of visual amenity.
- 16 To ensure a satisfactory method of surface water drainage.
- 17 In the interests of the residential amenities of the future occupiers of the units hereby granted.
- 18 To minimise disturbance to occupiers of neighbouring dwellings.
- 19 To enable vehicles/machinery to be kept clear of the highway so that they do not impede the free flow of traffic.
- 20 To minimise the deposit of mud on adjacent highways.
- 21 In the interest of highway safety

Informative(s)

1. 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:

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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.

2. Any culverting or works affecting the flow of a watercourse requires the prior written Consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Environment Agency seeks to avoid culverting, and its Consent for such works will not normally be granted except as a means of access.
3. All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made to the Essex County Council on 0845 603 7631 or addressed for the attention of the Development Management Team at SMO3, Essex Highways, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood CM13 3HD.
4. Prior to any works taking place in the public highway or areas to become public highway then the developer shall enter into an appropriate legal agreement under the Highway Act 1980 to regulate the construction of the works.
5. Steps should be taken to ensure that the Developer provides sufficient turning and off loading facilities for delivery vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.
6. All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.
7. Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority.
8. The proposed development shall conform to the requirements set out in the EPOA Parking Standards Sept.2009. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres. All single garages should have a minimum internal measurement of 7m x 3m and all double garages should have a minimum internal measurement of 7m x 5.5m.

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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 the Environment 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 294182, 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.