

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	29/08/18
Planning Development Manager authorisation:	SCE	29.08.18
Admin checks / despatch completed	GR	30/08/18
	SJ	30/08/18

**Application:** 18/00668/FUL **Town / Parish:** Ramsey & Parkeston Parish Council

**Applicant:** Mr Richardson - Ramsey School Developments

**Address:** Land Site of Former Ramsey Primary School Wix Road Ramsey

**Development:** Provision of 1no. detached 3 bed house and with 3no. 3 bed terrace houses.  
(Replacement of dwellings under 15/01575/FUL).

### 1. Town / Parish Council

Ramsey Parish Council have not commented on this application.

### 2. Consultation Responses

ECC Highways Dept

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 by the ECC.

From a highway and transportation perspective the impact of the proposal is acceptable to Highway Authority subject to the following mitigation and conditions:

1 Prior to the occupation of any of the proposed development the vehicular access, footways and internal road layout shall be provided in accord with Drawing Numbered BN.235.P.003.  
Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2 Prior to the commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.  
Reason: To ensure that roads and footways are constructed to an acceptable standard, in the interests of highway safety and in accordance with Policy DM 1 and 6 of the Highway Authority's



## Development Management Policies February 2011.

3 No unbound materials shall be used in the surface treatment of the proposed vehicular access within 6m of the highway boundary. Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety and in accordance with Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

4 The development shall not be occupied until such time as the car parking and turning area, has been provided in accord with the details shown in Drawing Numbered BN.235.P.003. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development thereafter.

Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety and in accordance with Policy DM 1 and 8 of the Highway Authority's Development Management Policies February 2011.

5 Prior to the occupation of the proposed development, details of the provision for the storage of bicycles sufficient for all occupants of that dwelling, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.

Reason: To promote the use of sustainable means of transport in accordance with Policy DM 1 and 9 of the Highway Authority's Development Management Policies February 2011.

6 No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) 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
- iii. storage of plant and materials used in constructing the development
- iv. wheel and under body washing facilities

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

Informative1: The applicant / developer should be requested to submit additional swept path analysis drawings confirming the proposed car parking facilities can accommodate the turning manoeuvres of a full sized refuse / recycling freighter as no facilities exist beyond this application site.

Informative2: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall 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](mailto:development.management@essexhighways.org) or by post to:



SMO1 - Essex Highways  
Colchester Highways Depot,  
653 The Crescent,  
Colchester  
CO4 9YQ

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.

Tree & Landscape Officer

The site is affected by Tree Preservation Order (TPO) 06/05. Although none of the remaining trees covered by the TPO will be affected by the development proposal.

In relation to the extant planning permission for the land Ref 15/01575/FUL it was noted at the time of that application that the positions of new dwellings plan would necessitate the removal of trees that were protected by the above tree preservation.

Those trees were contained in G1 of the above TPO comprising 3 Prunus and 3 Silver Birch. The trees on the northern section of the application site are unaffected by the development proposal.

In 2015 it was noted that since the above TPO was made the Eucalyptus in G1 had been removed because of its condition and that 2 of the Prunus and 1 of the Silver Birch had deteriorated to such an extent that G1 no longer had a cohesive structure and the group no longer warranted protection by means of a TPO. Since then the trees have deteriorated further and are no longer in situ.

At the present time the proposed layout does not show any new tree or shrub planting. Should consent be likely to be granted then a soft landscaping condition should be attached to secure landscaping to soften and enhance the appearance of the development.

Natural England  
Essex Wildlife Trust  
Essex County Council  
Archaeology

See documents dated 14th May 2018.  
Have not commented on this application.  
See documents dated 11th May 2018.

### 3. Planning History

10/00840/FUL	Demolition of existing building and construction of a new care home for the care of elderly residents and those suffering dementia consisting of 45 en-suite bedrooms and communal shared facilities and garden and parking.	Refused	16.12.2010
11/00896/FUL	Demolition of existing building and construction of new care home, for the care of elderly residents and	Approved	05.10.2011



those suffering from dementia, consisting of 45 en-suite bedrooms and communal shared facilities, garden and parking.

14/00319/OUT	Change of use of former school buildings to 2 no. dwellings together with 5 no. new dwellings to remaining site area.	Approved	08.10.2014
15/01575/FUL	Redevelopment of site with eight dwellings.	Approved	02.06.2016
18/00588/FUL	Two storey side extension.	Approved	24.05.2018
18/00668/FUL	Provision of 1no. detached 3 bed house and with 3no. 3 bed terrace houses. (Replacement of dwellings under 15/01575/FUL).	Current	

#### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework July 2018

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

HG1 Housing Provision

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

EN1 Landscape Character

EN6 Biodiversity

EN6A Protected Species



TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

HG9 Private Amenity Space

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

LP1 Housing Supply

LP3 Housing Density and Standards

LP4 Housing Layout

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

CP1 Sustainable Transport and Accessibility

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

### **Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

In relation to housing supply:



The NPPF requires Councils to boost significantly the supply of housing to meet objectively assessed future housing needs in full. In any one year, Councils must be able to identify five years' worth of deliverable housing land against their projected housing requirements (plus an appropriate buffer to ensure choice and competition in the market for land, account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, paragraph 11 d) of the NPPF requires applications for housing development needing to be assessed on their merits, whether sites are allocated for development in the Local Plan or not. At the time of this decision, the Council is able to demonstrate a robust five year supply of deliverable housing sites (as confirmed in recent appeal decisions) and housing delivered over the previous three years has been comfortably above 75% of the requirement. There is consequently no need for the Council to consider an exceptional departure from the Local Plan on housing supply grounds and applications for housing development are to be determined in line with the plan-led approach.

## **5. Officer Appraisal (including Site Description and Proposal)**

### Site Location

The application site is situated on the north side of Wix Road in Ramsey. It comprises of the former Ramsey Primary School Caretaker's house. The site is situated on land which was the former County Primary School. It is approximately 0.58 ha in area, rectangular in shape with large areas of paving forming the school playgrounds to the rear and car parking to the front of the buildings. The topography of the site is relatively level along Wix Road rising from 4m AOD to the north 11m AOD. The western boundary of the site is marked by 1.8m shiplap fencing and various patches of vegetation. The eastern boundary of the site is marked by 1.8m post and rail mesh fencing and further to the rear mature lines of trees.

To the east of the site there is a row of residential dwellings in a linear form facing towards the road, these form a group of two-storey, semi-detached dwellings. To the north, north-east and west of the application site is open countryside and to the south is Stagecoach Stud farm.

The main part of the village lies to the east and the application site marks the western edge of built form. The village centre falls within Ramsey Conservation Area which also lies to the east of the application site. Beyond the A120 Road to the south-east is South Hall which forms the western edge of Harwich.

There is a river to the south-east of the village and the site lies partly within the flood risk zone. The application is located outside, but adjacent to, the defined settlement development boundary in the saved local plan, but within the SDB in the draft local plan.

### Proposal

This application seeks planning permission for the erection of one x three bed house with three x three terraced houses.

The layout plan indicates that there would be a terrace of three properties to the main frontage with a fourth detached dwelling to the east.

### Planning History

11/00896/FUL - demolition of existing building and construction of new care home, for the care of elderly residents and those suffering from dementia, consisting of 45 en-suite bedrooms and communal shared facilities, garden and parking- approved.

14/00319/OUT - outline planning permission for 5 dwellings (all matters reserved) - approved. The scheme also appears to indicate that the existing main school building would be converted into 2 further dwellings although such changes of use cannot specifically be the subject of an outline application. The scheme included retention of the Caretakers property.



15/01575/FUL - redevelopment of the site for 8 dwellings - approved. The scheme consisted of the demolition of the buildings at the application site with the exception of the caretakers house which would be retained. Three terraced dwellings to the front of the site with five detached houses to the rear set around two courtyard areas.

## Assessment

The main planning considerations are:

- Principle of Development
- Design and Appearance
- Residential Amenity
- Highway Safety
- Trees and Landscaping
- Biodiversity

### Principle of Development

The principle of residential development on this site has been established through the approval of planning application 15/01575/FUL.

### Design and Appearance

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed three terraced dwellings, plots 2-4, are located to the east of the application site. The dwellings are set back approximately 4 metres away from the highway, which is considered a sufficient distance to Wix Road. The proposed dwellings have been amended to reflect a catslide dormer to serve the second floor with a reduction of velux windows to the rear. The side elevation of plot 1 has been designed to incorporate design features of the original school house to compensate for the loss of the asset to allow the development to relate appropriately to the character of the area. To reduce the visual impact upon the street scene plot 4 has been reduced in depth by incorporating a single storey element to the ground floor with a mono pitched roof. It is considered that this amendment is acceptable in terms of design and that the proposal will be in keeping with the character of the area. The previously approved application sought planning permission for three terraced dwellings and due to the area being characterised by a mixture of dwellings, it is considered that that the proposals are in keeping with the area.

Plot 1 is a detached three bed dwelling located to the eastern side of the application site. The dwelling will be set back approximately 3.9 metre from the highway of Wix Road. The dwelling will be two storey and constructed from materials which will match the adjacent terraced dwellings. It is considered that the dwelling is acceptable in terms of design and appearance and it will be in keeping with the character of the area.

The materials proposed; facing brick, pain tiles, timber sash windows painted white and panelled timber painted door which are considered to be acceptable and will not be detrimental to the street scene.

Policy HG9 of the Saved Tendring Local Plan 2007 states that private amenity space for a dwelling of three bedrooms or more should be a minimum of 100 square metres. The submitted plans demonstrate that plots 2-4, do not achieve the policy requirements however the private amenity space proposed is usable and therefore considered acceptable in this location. Plot 1 accommodates over 100 square metres and therefore complies with Policy HG9.



## Residential Amenity

The proposal sees the addition of a fourth dwelling to the frontage of the application site as previously approved under planning application 15/01575/FUL. Plot 1 is located approximately 1 metre away from the neighbouring boundary to the east which complies with Policy HG14 of the Tendring District Local Plan. It is considered that due to the existing vegetation along the boundary, the proposal will not cause any significant impact upon the neighbouring dwelling number 1 Wix Road.

The terraced dwellings will be visible to the Caretakers house, however the proposal retains a distance of approximately 10 metres and due to its corner plot location, it is considered that the proposed terraced dwellings will not cause any significant impact upon the neighbouring amenities. Dormer windows are proposed to the front of the terraced dwellings and will have views towards Wix Road and will therefore not impact upon the neighbouring dwellings. The proposed roof lights to the rear elevation are high level meaning that they are for light purposes only and will not cause any overlooking onto neighbouring amenities.

## Highway Safety

Essex County Council Highways have been consulted on this application and have no objections subject to the following conditions:

- Vehicular access, footways and internal road layout provided prior to occupation;
- Details of estate roads and footways including SUDS submitted to LPA
- No unbound materials used in the first 6m of access
- Turning/parking provided prior to occupation
- Provision for storage of bicycles provided prior to occupation
- Construction Method Statement to be submitted prior to development

The plans submitted demonstrate that the proposed dwellings can accommodate two parking spaces measuring 5.5 metres by 2.9 metres in line with Essex Parking Standards.

## Trees and Landscaping

The tree and landscaping officer has been consulted on this application and has stated that the site is affected by a Tree Preservation Order 06/05 however none of the remaining trees covered by the TPO will be affected by the proposal. Therefore, subject to a decision relating to a soft landscaping scheme, there is not considered to be any identifiable harm in terms of tree and landscape impacts.

## Biodiversity

A phase 1 habitat survey was submitted with planning application 15/01575/FUL and since then the site has been cleared and therefore there is no requirement for the applicant to provide a phase one habitat survey. A bat survey was also undertaken under planning application 15/01575/FUL which identified the potential of bats, however as the building no longer exists, there is no longer a need to impose a condition to mitigate against the development. In terms of reptiles, a condition will be imposed to ensure that the development is carried out in accordance with the reptile survey as mentioned within planning application 15/01575/FUL.

## Other considerations

Ramsey Parish Council have not commented on this application.

No letters of representation have been received for this application

## Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.



## 6. Recommendation

Approval - Full

## 7. Conditions / Reasons for Refusal

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. P-001, P-002 Rev C and P-003

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

- 3 No development shall take place until details or samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out solely in accordance with the approved details.

Reason - Insufficient details have been submitted in this regard.

- 4 No development shall take place until there has been submitted to and approved, in writing, by the Local Planning Authority a scheme of hard and soft landscaping works for the site, which shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction.

Reason - To enhance the aesthetics of the developments.

- 5 No development shall take place until precise details of the provision, siting, design and materials of screen walls and fences have been submitted to and approved in writing by the Local Planning Authority. The approved screen walls and fences shall be erected prior to the dwellings to which they relate being first occupied and thereafter be retained in the approved form.

Reason - In the interests of visual amenity.

- 6 Notwithstanding the submitted Reptile Survey of The Former Ramsey School Site, Wix Road, Ramsey, Harwich, Essex produced by Arbtech, before any development is commenced, full details of measures to mitigate against the impact of the hereby permitted development on protected species within the site, including a method statement for site clearance (including precise details of timing), shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented as approved unless the Local Planning Authority first gives written approval to any variation.

Reason - To safeguard those protected species using the site.

- 7 Prior to the occupation of any of the proposed development the vehicular access, footways and internal road layout shall be provided in accord with Drawing Numbered BN.235.P.003. Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety



- 8 Prior to the commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.  
Reason: To ensure that roads and footways are constructed to an acceptable standard, in the interests of highway safety
- 9 No unbound materials shall be used in the surface treatment of the proposed vehicular access within 6m of the highway boundary.  
Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety
- 10 The development shall not be occupied until such time as the car parking and turning area, has been provided in accord with the details shown in Drawing Numbered BN.235.P.003. The car parking area shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles related to the use of the development thereafter.  
Reason: To ensure that on-street parking of vehicles in the adjoining streets does not occur, in the interests of highway safety
- 11 Prior to the occupation of the proposed development, details of the provision for the storage of bicycles sufficient for all occupants of that dwelling, of a design this shall be approved in writing with the Local Planning Authority. The approved facility shall be secure, convenient, covered and provided prior to the first occupation of the proposed development hereby permitted within the site which shall be maintained free from obstruction and retained thereafter.  
Reason: To promote the use of sustainable means of transport
- 12 No development shall take place, including any ground works or works of demolition, until a Construction Method Statement (CMS) 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
  - iii. storage of plant and materials used in constructing the development
  - iv. wheel and under body washing facilities
- Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, in the interests of highway safety
- 13 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.  
  
Reason - To ensure the effective implementation of the approved landscaping scheme.
- 14 The existing access or any part of an access rendered redundant or unnecessary by this development shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the re-instatement to full height of the footway/kerbing to the specifications of the Highway Authority, immediately the proposed new accesses are brought into use.  
  
Reason - To ensure the removal of and to preclude the creation of un-necessary points of traffic conflict in the highway and to prevent indiscriminate access and parking on the highway, in the interests of highway safety.



- 15 The gradient of the proposed vehicular accesses/garage drives/hardstandings shall be not steeper than 4% (1 in 25) for at least the first 6m from the highway boundary and not steeper than 8% (1 in 12.5) thereafter.

Reason - To ensure that vehicles using the access both enter and leave the highway in a controlled manner, in the interests of highway safety.

- 16 All new driveways and parking areas shall be made of porous materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of each dwelling.

Reason - In the interests of sustainable development and to ensure that run-off water is avoided to minimise the risk of surface water flooding.

- 17 No development shall take place until an ecological management scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme, which shall include a timetable for its implementation, shall include details of a bat sensitive lighting scheme and the measures to enhance the suitability of the site for bat foraging/commuting through the installation of habitats such as bat boxes, bird boxes, refugia and log and brush piles. The development shall be carried out and maintained at all times in accordance with the approved scheme.

Reason - To preserve and enhance the biodiversity of the site.

## 8. Informatives

### Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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 by the ECC.

The applicant / developer should be requested to submit additional swept path analysis drawings confirming the proposed car parking facilities can accommodate the turning manoeuvres of a full sized refuse / recycling freighter as no facilities exist beyond this application site.

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall 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](mailto:development.management@essexhighways.org) or by post to:

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Colchester Highways Depot,  
653 The Crescent,  
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<b>Are there any letters to be sent to applicant / agent with the decision?</b> <b>If so please specify:</b>	YES	NO
<b>Are there any third parties to be informed of the decision?</b> <b>If so, please specify:</b>	YES	NO