

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	18/06/19
Planning Development Manager authorisation:	SCE	21.06.19
Admin checks / despatch completed	<i>SR</i>	21/06/19

**Application:** 19/00123/FUL **Town / Parish:** St Osyth Parish Council

**Applicant:** MR R.A, T.R, D.R, A.I Sargeant

**Address:** 7 Mill Street St Osyth Clacton On Sea

**Development:** Proposed construction of a new build Gate Lodge.

### 1. Town / Parish Council

St Osyth Parish Council

The Parish Council has no objection to the demolition of 7 Mill Street, approved as part of planning application 16/00656/FUL. However, the Parish Council does object to the construction of a new build Gate Lodge. It is felt that it is an overdevelopment of the site and the area. Because of the constraints of space to accommodate two gate lodges, it appears that the design has been modified and does not enhance the entrance to the historic estate and parkland.

It is the view of the Parish Council that the design of a single Gate Lodge, approved as part of planning application 17/01175/FUL, forms a more attractive entrance to the historic estate, and that there should not be a second new build Gate Lodge.

### 2. Consultation Responses

Historic England

The application is for the proposed construction of a new build Gate Lodge.

I have no objection to this application. I recommend conditions are attached to any approval pertaining to materials to ensure they are commensurate with the adjacent approved (mirrored) building and are of a quality which does not detract from the character and appearance of the conservation area.

Essex County Council  
Archaeology

Archaeological investigations within the areas of the proposed development have demonstrated important historic buildings and archaeological deposits related to post medieval and earlier settlement and it is likely that further archaeological remains survive and will be disturbed or destroyed by the proposed development. An evaluation trench to the rear of the plot contained a high concentration of features dating to the late medieval period onwards, likely to be related to the settlement along Mill Lane. The potential for further settlement evidence along Mill Lane is high.

The following recommendation is made in line with NPPF:

Recommendation: Full condition

'No development or preliminary ground works of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written



scheme of investigation which has been submitted by the applicant and approved by the planning authority'

Further Recommendations:

A professional team of archaeologists should undertake the archaeological work. A brief outlining the level of archaeological investigation will be issued from this office on request. The District Council should inform the applicant of the recommendation and its financial implications.

ECC Highways Dept

A site visit has been undertaken and the information that was submitted in association with the application has been considered by the Highway Authority.

The proposal is off Mill Street which is subject to a 30-mph speed limit and has other existing vehicle accesses on the north side of Mill Street. The proposal provides adequate room and provision for off street parking and turning, for the proposed dwelling therefore:

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

1. Prior to completion of the access 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 access. 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 access.

Reason: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety in accordance with policy DM1

2. No unbound materials shall be used in the surface treatment of the proposed vehicular access within 6 metres 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.

3. The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3.6 metres, shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.

Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1.

Note: minimum width of 3m will accommodate a single car.

4. There shall be no discharge of surface water onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1

5. Prior to the completion of the new access a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority shall be provided and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety in accordance with



policy DM1

6. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8.

7. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety and in accordance with Policy DM1

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative 1:

The area(s) directly adjacent to the carriageway(s) in which the trees are to be planted should not be less than 3 metres wide, exclusive of the footway and the trunks of the trees should be no nearer than 2 metres to the channel line of the road. The same dimensions should be used in situations where the footway is located adjacent to the carriageway.

Informative 2: No permanent part of a development shall overhang the highway.

Informative 3: Steps should be taken to ensure that the Developer provides sufficient turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

Informative 4: Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.

Informative 5: On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

Informative 6:

Any 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](mailto:development.management@essexhighways.org) or by post to:



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

### 3. Planning History

10/00318/FUL	Erection of new two storey house and single storey garage in side garden of 7 Mill Street including works to trees within the Conservation Area.	Refused	18.05.2010
11/00336/CON	Demolition of detached dwelling at 7 Mill Street.		13.06.2014

### 4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

COM6 Provision of Recreational Open Space for New Residential Development

EN3 Coastal Protection Belt

EN6A Protected Species

EN11A Protection of International Sites European Sites and RAMSAR Sites

EN17 Conservation Areas

EN23 Development Within the Proximity of a Listed Building

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

QL1 Spatial Strategy

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR1A Development Affecting Highways



TR7 Vehicle Parking at New Development

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

CP1 Sustainable Transport and Accessibility

HP5 Open Space, Sports & Recreation Facilities

LP1 Housing Supply

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

SPL1 Managing Growth

SPL3 Sustainable Design

PPL2 Coastal Protection Belt

PPL4 Biodiversity and Geodiversity

PPL8 Conservation Areas

PPL9 Listed Buildings

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**

### Site Description

The application site is 7 Mill Street, which is located to the northern section of Mill Street within the parish of St Osyth. The surrounding area is semi-rural, with residential development adjacent to the east and west, however further out is currently undeveloped grassed and agricultural land. The site falls within the St Osyth Settlement Development Boundary within the Saved Tendring Local Plan 2007, but falls outside within the Emerging 2013-2033 Tendring Local Plan Publication Draft. The site lies within the St Osyth Conservation Area, while to the south-west is 21-23 Mill Street, a Grade II Listed Building. The St Osyth Priory, a Grade I Listed Building is located further out to the north-east. The site also lies within a Coastal Protection Belt.

### Description of Proposal

This application seeks planning permission for the erection of one detached dwelling, following previous planning approval to demolish 7 Mill Street. The dwelling, which will be of a gate lodge design that mimics one previously approved adjacent to the west within planning permissions 16/00656/FUL and 17/01175/FUL, will be two storeys and serve two bedrooms.

### History

There are a number of planning applications relating to this site and the surrounding area; however planning references 16/00656/FUL and 17/01175/FUL are particularly pertinent. Within these applications, planning permission has been granted for the demolition of 7 Mill Street and the creation of 72 dwellings to the north of the site.

### Assessment

#### 1. Principle of Development

The site is situated within the defined settlement limits of St Osyth as defined by the adopted Tendring District Local Plan (2007), and therefore the principle of residential development in this location is acceptable subject to the detailed considerations as set out below.

#### 2. Design, Layout 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 Emerging Plan.



The proposed dwelling is to be two storeys, detached and located to the north of Mill Street and adjacent to the gate lodge previously approved to the west. The dwelling will mirror the design of this gate lodge, which sees a simple Georgian styling with little features beyond window detailing and a chimney. ECC-Place Services have been consulted on this and have stated they support this design subject to a condition being attached to ensure the materials are commensurate with the adjacent approved dwelling and are of a good quality that does not detract from the character and appearance of the St Osyth Conservation Area.

In terms of the proposed layout, it is considered that the proposed dwelling and the dwelling approved adjacent to the west will provide an interesting entrance into the larger scheme approved to the north of the site, while the front garden and proposed tree will help to soften the impact, and is therefore supported.

Policy HG9 of the Saved Tendring Local Plan 2007 states that private amenity space for a dwelling of two bedrooms should be a minimum of 75sqm. The submitted plans demonstrate that there is approximately 65sqm. However, while this falls just short of the above standards, the plot is considered to be a comfortable size, and incorporates front and side gardens as well. Given this, there is not considered to be any harm as a result of the slight shortage of private amenity space, and the proposal is therefore acceptable against this criterion.

### 3. Heritage Impact

Paragraph 193 of the National Planning Policy Framework (2018) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 196 of the National Planning Policy Framework (2018) states less than substantial harm to a designated heritage asset should be weighed against the public benefits of the proposal.

Policy EN17 of the Adopted Local Plan states that development should look to either preserve or enhance the character and appearance of a conservation Area. The sentiments of this are carried forward within Policy PPL8 in the Emerging Local Plan.

Policy EN23 of the Adopted Plan states that development within the proximity of a Listed Building that would adversely affect the setting of a Listed Building, including group value and long distance views, will not be permitted. The sentiments of this policy are carried forward within policy PPL9 of the Emerging Plan.

Within the St Osyth Conservation Area appraisal, the site is attached little significance to the overall character and appearance of the area, where it is stated "*most of the modern houses are neutral features, including numbers 3-17*" and goes on to highlight that "*number 9, by virtue of its greater height, has a negative impact.*" This section of the St Osyth Conservation Area is therefore not considered to make an overwhelming impact to the areas overall historic character. The addition of one dwelling of a design in-keeping with that previously approved is thereby considered to result in a neutral impact to the character and appearance of the Conservation Area.

Further, while it is noted the dwelling is located in proximity to Grade I and II Listed Buildings, there are significant separation distances to both. Moreover, there is existing development adjacent to the east and west, with the addition of the larger development approved and being constructed to the north. Against this backdrop, the proposed dwelling will not significantly alter the setting of these listed buildings.

Therefore, while there are only small public benefits of one additional dwelling, the development would result in less than substantial harm to the St Osyth Conservation Area and to the setting of the adjacent Grade 1 and II Listed Buildings, and in line with Paragraph 196 of the National Planning Policy Framework (2018) is therefore acceptable.

### 4. Coastal Protection Belt

Policy EN3 of the Adopted Local Plan states new development which does not have a compelling functional need to be located in the Coastal Protection Belt will not be permitted, and even where a



compelling functional need is demonstrated, the development should not significantly harm the landscape character and quality of the undeveloped coastline.

While it is acknowledged the site falls within a Coastal Protection Belt, the surrounding area is already well built up with established residential development. Further, the land to the north has received approval for 72 dwellings. Therefore, against this backdrop the one additional dwelling will result in a neutral impact to the Coastal Protection Belt.

#### 5. Impact to Neighbouring Amenities

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The application site is in a prominent location, adjacent to both the approved gate lodge to the west and Number 5 Mill Street to the east. In terms of the impact to the future neighbouring property to the west, there is good separation distance to ensure no loss of light or the dwelling appearing imposing, while there will be no potential overlooking concerns.

The dwelling would be more closely related to Number 5 Mill Street, however due to that property having a garage extension, the overall distance to the host dwelling is sufficient to ensure no significant loss of light. Further, the dwelling has been designed to ensure there are no first floor windows to the eastern elevation, minimising any risk of potential overlooking. It is therefore considered that, while there is a degree of harm of a new dwelling in relative close proximity, due to the reasons stated above the impacts would not be significant enough to warrant a reason for refusal.

#### 6. Highway Impacts

Essex Highways Authority have been consulted and state they have no objections subject to conditions relating to boundary planting, visibility splays, the use of no unbound materials, the width of the access, no discharge of surface water and a vehicular turning facility.

Furthermore, Adopted Parking Standards state a dwelling with two or more bedrooms should have provision for two parking spaces with minimum measurements of 5.5m x 2.9m or a garage, if being relied upon as one of the parking spaces, minimum internal dimensions of 7m x 3m. The submitted plans demonstrate this is achieved.

#### 7. Legal Obligations

Policy COM6 of the adopted Tendring District Local Plan 2007 states "For residential development below 1.5 hectares in size, developers shall contribute financially to meet the open space requirements of the development in proportion to the number and size of dwellings built".

The Council's Public Open Space and Play Team have stated there is currently a deficit of 6.44 hectares of equipped play and formal open space in St Osyth. However, while there is limited provision it is not considered the proposal will have an impact on these facilities and therefore no contribution is being sought on this occasion.

#### 8. Habitats Regulation Assessment

Following Natural England's recent advice and the introduction of Zones of Influences around all European Designated Sites (i.e. Ramsar, Special Protection Areas and Special Area of Conservation). Within Zones of Influences (which the site falls within) Natural England are requesting financial contributions to mitigate against any recreational impact from new dwellings.

Legal advice has been sought in relation to the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) which supports the view that Tendring District Council can seek financial contributions in accordance with the Essex Coast Recreational disturbance Avoidance



and Mitigation Strategy (RAMS). A Habitat Regulations Assessment has therefore been undertaken to confirm that the mitigation will be the RAMS level contribution as recommended by Natural England. It is therefore considered that this contribution is sufficient to mitigate against any adverse impact the proposal may have on European Designated Sites. The contribution is secured by unilateral undertaking. There is therefore certainty that the development would not adversely affect the integrity of European Designated Sites in accordance with policies EN6 and EN11a of the Saved Tendring District Local Plan 2007, Policy PPL4 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft and Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

### Other Considerations

St Osyth Parish Council object to the proposed new dwelling as it would result in overdevelopment of the site and would not be visually appealing as an entrance to the historic estate and parkland.

In answer to this, the visual impacts of the proposal have been addressed within the main body of the report above.

There have been no other letters of representation received.

## **6. Recommendation**

Approval.

## **7. Conditions**

- 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 numbers CC-0175-MLE-1250, CC-0175-MLE-01, CC-0175-MLE-02, CC-0175-53 and the document titled 'Planning, Design and Access Statement and Heritage Statement'.

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

- 3 No development shall be commenced until precise details of the manufacturer and types and colours of the external facing and roofing materials to be used in construction have been submitted to and agreed, in writing, by the Local Planning Authority. Such materials as may be agreed shall be those used in the development.

Reason - The site is within a sensitive location and it is important that the materials used are of a high quality, in the interests of visual amenity and protecting the character and appearance of the conservation area.

- 4 Prior to the commencement of any above ground works, a scheme of hard and soft landscaping works for the site shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme 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 visual impact of the proposed works.

- 5 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 enhance the visual impact of the proposed works.

- 6 Prior to completion of the access 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 access. 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 access.

Reason: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety.

- 7 No unbound materials shall be used in the surface treatment of the proposed vehicular access within 6 metres of the highway boundary.

Reason: To ensure that loose materials are not brought out onto the highway, in the interests of highway safety.

- 8 The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3.6 metres, shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.

Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.

- 9 There shall be no discharge of surface water onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

- 10 Prior to the completion of the new access a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority shall be provided and maintained free from obstruction within the site at all times for that sole purpose.

Reason: To ensure that vehicles can enter and leave the highway in a forward gear in the interest of highway safety.

- 11 Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

Reason: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety.

- 12 No development or preliminary ground works of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority.

Reason - Archaeological investigations within the area of proposed development have demonstrated important historic buildings and archaeological deposits related to post medieval and earlier settlement and it is likely that further archaeological remains survive and will be disturbed or destroyed by the proposed development.



## 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.

### Highways Informatives:

The area(s) directly adjacent to the carriageway(s) in which the trees are to be planted should not be less than 3 metres wide, exclusive of the footway and the trunks of the trees should be no nearer than 2 metres to the channel line of the road. The same dimensions should be used in situations where the footway is located adjacent to the carriageway.

No permanent part of a development shall overhang the highway.

Steps should be taken to ensure that the Developer provides sufficient turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.

On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority.

Any 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.

### Legal Agreement Informative - Recreational Impact Mitigation

This application is the subject of a legal agreement and this decision should only be read in conjunction with this agreement. The agreement addresses the following issues: mitigation against any recreational impact from residential developments in accordance with Regulation 63 of the Conservation of Habitat and Species Regulations 2017.