

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	03/12/2019
Planning Development Manager authorisation:	AN	3/12/19
Admin checks / despatch completed	CC	4/12/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	4/12/19

**Application:** 19/00654/FUL **Town / Parish:** Elmstead Market Parish Council

**Applicant:** Mr Webb

**Address:** The Willows Clacton Road Elmstead

**Development:** New dwelling with associated parking, detached garage and landscaping.

### 1. Town / Parish Council

Elmstead Parish Council have not commented on this application.

### 2. Consultation Responses

ECC Highways Dept

The information that was submitted in association with the application has been fully considered by the Highway Authority. The proposal is utilising the existing vehicle access which according to the Planning Statement will remain untouched. The proposal retains 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 mitigation and conditions:

1. Prior to occupation of the dwelling a vehicular turning facility, of a design to be approved in writing by the Local Planning Authority shall be constructed, surfaced 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.

2. 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.

3. 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

4. The proposed double garage should have a minimum internal measurement of 7m x 5.5m.

Reason: To encourage the use of garages for their intended purpose and to discourage on-street parking, in the interests of highway safety and in accordance with Policy DM8

5. The Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to first occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.

6. Prior to occupation of the proposed dwelling, 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 free of charge.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10.

7. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the highway/carriageway (delete as appropriate).

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period in the interest of highway safety 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: 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 2: 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 3: 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.

### 3. Planning History

02/00027/OUT	Outline application for a retirement bungalow	Refused	07.03.2002
93/00570/FUL	(Land at Clacton Road, Elmstead Market) Highway verge use to be changed to agriculture	Current	01.11.1993
09/00053/FUL	Change of use to caravan site for three caravans and associated development (alteration to access, additional hard standing, utility block, fencing, foul drainage arrangements) for occupation by gypsy-travellers. As amended by proposed Block Plan Site Layout Drawing Rev A 31 July 2009 and proposed Utility Block Drawing Rev A 31.7.09.	Refused	08.10.2009
09/01208/FUL	Change of use to caravan site for two caravans and associated development (alteration to access, additional hard standing, utility block, fencing, foul drainage arrangements) for occupation by gypsy-travellers. As amplified by revised Design and Access Statement and Planning Statement received 31st January 2010.	Approved	05.03.2010
13/00098/FUL	Retaining existing mobile home; touring caravan and utilities unit as a permanent planning permission.	Refused	17.06.2013
14/00643/DISCON	Discharge of condition 5 (site layout) of planning permission 13/00098/FUL (allowed at appeal APP/P1560/A/13/2209015).	Approved	10.07.2014
17/00586/FUL	Variation of condition 2 of APP/P1560/A/13/2209015 to replace the touring caravan with a static caravan.	Approved	12.10.2017

#### 4. Relevant Policies / Government Guidance

- NPPF National Planning Policy Framework February 2019
- National Planning Practice Guidance
- Tendring District Local Plan 2007
- 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
- HG22 Gypsy Caravan Sites
- COM6 Provision of Recreational Open Space for New Residential Development
- EN1 Landscape Character
- EN6 Biodiversity
- EN11A Protection of International Sites European Sites and RAMSAR Sites
- TR1A Development Affecting Highways
- TR7 Vehicle Parking at New Development
- Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)
- SPL1 Managing Growth
- SPL3 Sustainable Design
- HP5 Open Space, Sports & Recreation Facilities
- LP1 Housing Supply
- LP2 Housing Choice
- LP3 Housing Density and Standards
- LP4 Housing Layout
- LP9 Traveller Sites
- PPL3 The Rural Landscape
- PPL4 Biodiversity and Geodiversity

## CP1 Sustainable Transport and Accessibility

### Local Planning Guidance

### Gypsy and Traveller Accommodation Needs Assessments

### Planning Policy for Traveller Sites

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

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2019) 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 supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination In Public of the Local plan. Therefore, the justification for reducing the weight attributed to Local Plan policies is reduced as is the weight to be given to the delivery of new housing to help with the deficit.

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

### Site Description

The application site relates to 'The Willows', Clacton Road, Elmstead Market. The application site abuts the settlement development boundary; however the site is located within an established row of housing along Clacton Road.

### Proposal

This application seeks planning permission for the erection of a new dwelling with associated parking, detached garage and landscaping.

### Assessment

The main considerations in this instance are;

- Principle of Development;
- Principle of Development - Loss of Traveller Pitch;
- Scale, Layout and Appearance
- Trees and Landscaping;
- Residential Amenities;
- Access, Parking and Highway Safety;
- Financial Contributions - Open Space/Play Space;
- Financial Contributions - RAMS
- Other Representations

### Principle of Development

The site is currently in use as a single traveller's pitch which allows for a static caravan and associated development. This proposal relates to the construction of 1 detached residential property which is governed by a different set of national and local planning policies.

The site lies outside of any Settlement Development Boundary as defined within both the adopted Tendring District Local Plan (2007) and the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017). Saved Tendring District Local Plan (2007) Policy QL1 sets out that development should be focussed towards the larger urban areas and to within development boundaries as defined within the Local Plan. These sentiments are carried forward in emerging Policy SPL1 of the Publication Draft.

The National Planning Policy Framework 2019 (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 report, the supply of deliverable housing sites that the Council can demonstrate falls below 5 years and so the NPPF says that planning permission should be granted for development unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. Determining planning applications therefore entails weighing up the various material considerations. The housing land supply shortfall is relatively modest when calculated using the standard method prescribed by the NPPF. In addition, the actual need for housing was found to be much less than the figure produced by the standard method when tested at the recent Examination in Public of the Local plan. Therefore, the justification for reducing the weight attributed to Local Plan policies is reduced as is the weight to be given to the delivery of new housing to help with the deficit.

Whilst it is recognised that there would be conflict with Saved Policy QL1 and Emerging Policy SPL1 in terms of the site being sited outside the settlement development boundary, as stated above, in the context of the 5 year housing land supply paragraph 11 d) of the NPPF requires applications for housing development to be assessed on their merits, whether sites are allocated for development in the Local Plan or not and it is important to consider whether any circumstances outweigh this conflict.

#### - Assessment of Sustainable Development

While the NPPF advocates a plan-led approach, it is important to consider whether any circumstances outweigh the conflict. Development should be plan led unless material considerations indicate otherwise. In this instance, nearby planning permissions and appeal decisions constitute material planning considerations relevant to the assessment of this development which are referred to below, where relevant.

The sustainability of the application site is therefore of particular importance. In assessing sustainability, it is not necessary for the applicant to show why the proposed development could not be located within the development boundary.

In line with Paragraph 8 of the National Planning Policy Framework (2019), achieving sustainable development means meeting an economic objective, a social objective and an environmental objective. These are assessed below.

#### - Economic

It is considered that the proposal would contribute economically to the area, for example by providing employment during the construction of the property and from future occupants utilising local services, and so meets the economic arm of sustainable development.

#### - Social

Socially, it is necessary to consider the proximity of the site to destinations such as convenience shopping, education, healthcare, community halls and jobs and if there is safe and practical access so that occupants of the dwellings would not be dependent on their car. Paragraph 108 of the National Planning Policy Framework 2019 seeks to ensure that safe and suitable access to a development site can be achieved for all users.

Appeal reference APP/P1560/W/15/3028070 is relevant to this application. The appeal relates to Blue Barn Farm, a site to the south east of the application site which is further from the centre of Elmstead Market. The inspector stated within paragraph 10 that the location of the development would encourage journeys by private car however, this is off set by the availability of access to public transport in terms of a regular bus service and bus stop as well as there being a continuous footpath on the north side of the main road which would encourage walking to reach services available in Elmstead Market. The site is also within approximately 7 metres away from a bus stop that provides a regular bus service to Wivenhoe, Clacton and Colchester. It is therefore reasonable to assume that the occupiers of the dwelling need not be wholly reliant on the private car to access services and facilities to meet their day to day needs as alternative transport options are available. The inspectors view on the site is material planning consideration and ensures that the site subject of this application meets the social strand of sustainability.

#### - Environment

The environmental role is about contributing to protecting and enhancing the natural and historic environment. This is addressed below under Scale, Layout and Appearance.

## Principle of Development - Loss of Traveller Pitch

Paragraph 9 of the Planning Policy for Traveller Sites (PPTS) states: "Local planning authorities should set pitch targets for gypsies and travellers as defined in Annex 1 and plot targets for travelling show people as defined in Annex 1 which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities". At the time of writing this report, there are 11 established pitches including the application site which exceeds the identified need for the area.

The loss of the site cannot be considered harmful to the Council's traveller pitch provision and there are no policies to safeguard these sites. On this basis, a refusal based on the loss of a traveller pitch is not relevant.

## Scale, Layout and Appearance

Paragraphs 127 and 170 of the National Planning Policy Framework (2019) states that developments should function well and add to the overall quality of the area, be visually attractive as a result of good architecture, layout and appropriate and effective landscaping, be sympathetic to local character and history, including the surrounding built environment and landscape setting and planning policies and decisions should contribute to and enhance the natural and local environment by, inter alia, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.

Saved Policies QL9, QL10 and QL11 of the adopted Tendring District Local Plan 2007 aim to ensure that all new development makes a positive contribution to the quality of the local environment, relates well to its site and surroundings particularly in relation to its form and design. Policy SPL3 of the emerging Tendring District Local Plan Publication Draft 2017 carries forward these sentiments stating that all new development must make a positive contribution to the quality of the local environment and protect or enhance local character.

The plans submitted show a 4 bedroom dwelling which will be detached, two storey and accessed via Clacton Road. The materials proposed are brick and tiles which will be in keeping with the character of the area.

The residential character of the locality consists of dwellings. There is no pattern to the style or scale of the surrounding properties along Clacton Road and it is therefore considered that the proposed design is in keeping with the character of the area.

It is considered that the proposed dwelling would not create a cramped form of development as it would provide important gaps to both sides in excess of the minimum standards set out within Policy HG14.

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 100sqm. The submitted plans demonstrate that both the existing and proposed dwelling can accommodate more than 100sqm.

The proposed garage will be to the east of the host dwelling and although it will be visible from the street scene of Clacton Road, the roof form has been amended so that it has a hipped roof to reduce its prominence in its forward siting location. Due to the single storey nature of the proposal with a hipped roof and the use of materials, it is therefore considered that the proposal will be in keeping with the host dwelling, the proposal is acceptable in terms of design and appearance.

## Residential 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 proposed dwelling is situated approximately 3.5 metres to the south and 17 metres to the east from the neighbouring dwelling to the east, and is located approximately 1 metre away from the pump house to the west.

The proposed dwelling will be visible to the neighbouring dwellings to the south and north, however there is at least a 1 metre distance to both boundaries which is in line with Policy HG14 of the Tendring District Local Plan 2007.

There are no windows proposed on the gable projection to the eastern elevation however there is a first floor window proposed to the main part of the dwelling which will serve a bedroom. However due to the distance of approximately 8.5 metres, it is considered that there will be limited impact of overlooking onto neighbouring amenities.

The windows proposed to the northern side elevation will serve the first floor landing and a room within bedroom 1. The window serving the bedroom will be obscure glazed to minimise any impact of overlooking onto neighbouring amenities. A condition will be imposed to secure this. The window proposed to the first floor south elevation will serve the landing and therefore will not cause overlooking onto neighbouring amenities.

The proposed garage will only be visible to the neighbouring dwelling to the east. However, due to the garage being single storey in nature with a hipped roof, as well as there being no windows to the rear or side elevation which is directly adjacent to the neighbouring dwelling to the east, it is considered that the proposal will not cause any impact upon neighbouring amenities.

#### Trees and Landscaping

There are no trees or other significant vegetation on the application site affecting the appearance of the public realm.

There is a small Hawthorn situated on what appears to be highway verge land adjacent to the application site. The tree is not affected by the development proposal.

The site layout plan shows that six new trees will be planted as part of the development of the land. These trees will help to soften and enhance the appearance of the development.

#### Highway Considerations and Parking Provision

Essex Highway Authority have been consulted on this application and have stated that the proposal is utilising the existing vehicle access which according to the planning statement will remain untouched. The proposal retains adequate room and provision for off street parking and turning and therefore Essex Highway Authority have no objections subject to conditions. The conditions relate to the following; vehicular turning facility, no discharge surface water, vehicular parking space measurement, double garage measurement, cycle parking, developer residential travel pack and storage of building materials. The parking and garage measurements will not be imposed as the plans provided demonstrate that the dwelling can accommodate both the parking and garage in line with Essex Parking Standards. There is an outbuilding shown on the plan which can accommodate the cycle parking, developer residential packs are only imposed on major applications and the storage of building materials will be imposed as an informative only.

Further, Essex Parking Standards state that there should be a minimum parking provision for a dwelling with two or more bedrooms for parking spaces measuring 5.5 metres by 2.9 metres and garages should measure 7 metres by 3 metres. The plans submitted demonstrate a double garage that will measure 6.2 metres by 6.2 metres which falls short of the Essex Parking Standards requirement. However there is sufficient parking available to the front of the dwelling to be able to accommodate two parking spaces that will measure 5.5 metres by 2.9 metres. Therefore the proposal is acceptable in terms of Highway Safety.

## Legal Obligations - Open Space

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".

There is currently a deficit of 4.51 hectares of equipped play/formal open space in Elmstead Market. Although there is a deficit of play space in Elmstead Market, it is not felt that this development would significantly impact the current deficit. A contribution has therefore not been requested.

## Habitat Regulations 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.

Under the Habitats Regulations, a development which is likely to have a significant effect or an adverse effect (alone or in combination) on a European designated site must provide mitigation or otherwise must satisfy the tests of demonstrating 'no alternatives' and 'reasons of overriding public interest'. There is no precedent for a residential development meeting those tests, which means that all residential development must provide mitigation.

The application scheme proposes a new dwelling on a site that lies within the Zone of Influence (Zol) being approximately 3.4km away from Colne Estuary SPA, SAC and RAMSAR.

New housing development within the Zol would be likely to increase the number of recreational visitors to the Colne Estuary and in combination with other developments it is likely that the proposal would have significant effects on the designated site. Mitigation measures must therefore be secured prior to occupation.

A completed unilateral undertaking has been received to secure the financial contribution required to mitigate against any recreational impact from the new dwelling and to ensure 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

Elmstead Market Parish Council have not commented on this application.

No letters of representation have not been received.

## 6. Recommendation

Approval - Full

## 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 plan: Dwg No. P01b and P02A.

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

- 3 No above ground works 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 - In the interests of visual amenity as insufficient details have been provided with the application.

- 4 Notwithstanding the provisions of Article 3, Schedule 2 Part 1 Classes A, B, C and E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), there shall be no additions or alterations to the dwellings or their roofs, nor shall any buildings, enclosures, swimming or other pool be erected except in accordance with drawings showing the design and siting of such additions and/or building(s) which shall previously have been submitted to and approved, in writing, by the local planning authority.

Reason - In the interests of visual amenity and residential amenities.

- 5 No above ground level works 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 details shall be erected prior to the occupation of the development and thereafter be retained in the approved form unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure that the development is appropriate within its setting in the interests of visual amenity.

- 6 Notwithstanding the provisions of Article 3, Schedule 2 Part 2 Class A of the Town and Country Planning (General Permitted Development) England Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no provision of fences, walls, gates or other means of enclosures, shall be erected forward of the front elevations of the dwelling or garage hereby approved except in accordance with details that shall previously be approved in writing by the Local Planning Authority.

Reason - In the interests of visual amenity.

## 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.

### 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.

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.

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.

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,  
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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.

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