

## DELEGATED DECISION OFFICER REPORT

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**Application:** 19/00929/FUL **Town / Parish:** St Osyth Parish Council

**Applicant:** NEEB Holdings Ltd.

**Address:** Land West of The Coach House 110 Colchester Road St Osyth

**Development:** Proposed residential development comprising of 2 detached 1.5 storey dwellings.

### 1. Town / Parish Council

St Osyth Parish Council

The Parish Council has strong objections to this application, which it considers as being a gross overdevelopment of an existing plot within the Conservation Area.

It should also be noted that the proposed access to and egress from the two dwellings is approximately 40 metres from the junction of Colchester Road and the B1027, where in less than a year, there have been five collisions, all of which have resulted damage to street lighting or road signs.

### 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 located off a private drive and is situated within the 30-mph speed limit. There will be a requirement to clear some of the existing vegetation for visibility purposes subject to this the site retains adequate room and provision for off street parking and turning, for the existing and proposed dwellings 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 development 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. There should be no obstruction above ground level in relation to the existing vegetation within a 2.4 metre wide parallel band visibility splay as measured from and along the nearside edge of the

carriageway across the entire site frontage. Such vehicular visibility splays shall be provided before the private access is first used by vehicular traffic and retained free of any obstruction at all times.

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

3. Prior to occupation of the development 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 for each dwelling.

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.

4. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.

5. Prior to the occupation of any of the proposed dwellings, the proposed private drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of Footway and provided with an appropriate dropped kerb crossing of the footway/verge.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety in accordance with policy DM1.

6. 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.

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.

8. 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.

9. All single garages should have a minimum internal measurement of 7m x 3m.

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.

10. 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.

11. 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.

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: 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 2: 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 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.

Essex County Council  
Archaeology

The following application has been identified on the weekly list as having archaeological implications if given approval.

The Historic Environment Record shows that the proposed development lies directly to the south of an extensive sequence of cropmarks probably of multi-period date (EHER 2974). These features covers the majority of the field and extend down to the road edge. It is likely that this related to multi period occupation and would have extended both into the present housing estate and into St Osyth Park. A number of World War II defensive features are also recorded in the immediate vicinity of the site, although destroyed there may be elements surviving below ground (EHER 21346 and 21348).

The following recommendation is in line with the new National Planning Policy Framework:

**RECOMMENDATION:** An Archaeological Programme of Trial Trenching followed by Open Area Excavation

No development or preliminary groundworks can commence until a programme of archaeological trial trenching and excavation has been secured and undertaken 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.

Essex County Council  
Heritage

The application is for two new detached 1.5 storey dwellings.

The Site is located in the St Osyth Conservation Area.

I have no objection to the principle of development within this site. Considering the character of the conservation area, the prominent location and the form of surrounding development, I recommend only a single dwelling is considered in this plot as to not detract from the character and appearance of the conservation area.

### **3. Planning History**

N/A

### **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

EN6 Biodiversity

EN11A Protection of International Sites European Sites and RAMSAR Sites

EN17 Conservation Areas

HG1 Housing Provision

HG3 Residential Development Within Defined Settlements

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

PPL4 Biodiversity and Geodiversity

PPL8 Conservation Areas

SPL1 Managing Growth

SPL2 Settlement Development Boundaries

SPL3 Sustainable Design

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 (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**

### Site Description

The application site is land located to the north-western corner of Colchester Road, within the parish of St Osyth. The site forms part of the garden area for 'The Coach House', and falls to the north-eastern edge of the St Osyth Conservation Area. The character of the surrounding area is semi-rural; to the east of the site is the larger St Osyth settlement, consisting of significant built form, however to the west is a large grassed area associated with the St Osyth Priory.

The site falls within the recognised Settlement Development Boundary for St Osyth within both the Adopted Local Plan and Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

### Description of Proposal

This application seeks full planning permission for the erection of two detached residential dwellings, one of which will be served by three bedrooms and the other two bedrooms.

Initially the plans involved two larger dwellings, with Plot 1 being more closely related to the north-western corner of the site. Given that the site is in a prominent corner plot location in a conservation area, it was considered that this would not be visually acceptable and would result in a cramped development. As such amended plans were provided to reduce the size of the dwelling and to site it away from the north and western boundaries.

### Assessment

#### 1. Principle of Development

The site lies within the St Osyth Settlement Development Boundary as defined by both the adopted Tendring District Local Plan 2007 and the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft 2017.

Saved Policy HG3 of the adopted Tendring District Local Plan 2007 states that within defined development boundaries of towns and villages, residential development will be permitted provided it satisfies amenity, design, highway and sustainability criteria, as appropriate, and can take place without material harm to the character of the local area. These sentiments are carried forward within emerging Policy SPL2 of the emerging Tendring District Local Plan 2013-2033 and Beyond 2017.

As the site is within the defined settlement limits and has not been safeguarded for an alternative use, it is acceptable in principle for residential development subject to the detailed considerations below.

## 2. Design, Layout and Appearance

Paragraph 196 of the National Planning Policy Framework (2019) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 197 of the National Planning Policy Framework (2019) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Policy EN17 of the Adopted Local Plan states that development within a Conservation Area must preserve or enhance the character or appearance of the Conservation Area. The sentiments of this policy are carried forward within Policy PPL8 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

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 application site is located within the St Osyth Conservation Area. Initially concerns were raised that two dwellings in this location would appear in an overdeveloped manner in a prominent corner plot location, and could therefore not be supported. However following this, amended plans have been provided that have reduced the size of Plot 1 and located it away from the northern and western boundaries, replacing it with soft landscaping. This has drastically reduced the previous harmful visual impacts, and ensured the existing soft 'entrance' into St Osyth is maintained. The Councils Historic Environment consultant has confirmed they offer no objections to the scheme. It has therefore been demonstrated that two detached dwellings can be accommodated on this site in principle.

With respect to the proposed design, both dwellings are to be 1.5 storey, and each of a differing design. Features are included to soften the bulk of the overall development, including dormers, a canopy area and window detailing. The design is therefore considered to be acceptable in this location.

Policy HG9 of the Saved Tendring Local Plan 2007 states that private amenity space for a dwelling with two bedrooms should be a minimum of 75 square metres, and for a dwelling with three bedrooms or more should be a minimum of 100 square metres. The submitted plans show Plot 1 to have two bedrooms and Plot 2 to have three bedrooms. The plans also show there is sufficient amenity space to comfortably meet the above standards for both new dwellings and for the existing dwelling known as 'The Coach House'.

## 3. 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 nearest residential properties to the proposed development are 'The Coach House' to the east and 100 Colchester Road to the south. While the amenities of these properties have the potential to be harmed, it is acknowledged there is a significant separation distance of approximately 14 metres. Such a distance ensures the dwellings will not appear imposing, nor result in significant loss of light. In respect of potential overlooking, Plot 2 (which is adjacent to 100 Colchester Road) includes one first floor side elevation to its southern elevation, however this is served by a

bathroom and will therefore be obscure glazed. Plot 1 includes one first floor rear elevation window which serves a bedroom. This would result in a degree of overlooking, however there is existing vegetation to reduce this impact, while the significant separation distance again reduces the overall impact.

Therefore, despite a small degree of harm to existing amenities being identified, on balance this harm is not significant enough to warrant a reason for refusal.

#### 4. Tree and Landscape Impacts

The application site is well populated with established vegetation comprising large trees, shrubs, and both specimen and hedgerow conifers. At the present time the application site has a pleasant softening effect on the character and appearance of the area.

In terms of trees and other vegetation on the application site it is important to note that the application site is situated in the St Osyth Conservation Area. Therefore any tree on the land with a stem diameter greater than 75mm when measured at a point 1.5m from ground level is afforded formal legal protection because of its position within the conservation area.

Collectively all vegetation on the application site has a positive impact on the character and appearance of the conservation area however over and above that there are several trees on the land that make a significant positive contribution to the amenities of the locality and would merit formal legal protection by means of a tree preservation order if they were threatened by a planning application.

The most important trees on the land are the 2no Beech on the northern boundary and 3no Sycamore on the southern boundary. There are a few other trees of secondary value including a young Yew on the boundary with Colchester Road and a large centrally situated Holly that may be a constraint on the development potential of the land.

In order to show the extent to which the trees on the application site are a constraint on the development potential of the land the applicant has provided an Arboricultural Impact Assessment (AIA). The AIA shows those trees that would need to be removed to facilitate the development proposal and provides details of how retained trees will be physically protected for the construction phase of any development for which planning permission may be granted. The information is in accordance with BS5837: 2012 Trees in relation to design, demolition and construction.

The AIA shows that the large trees with the greatest amenity value will not be affected by the development proposal. However the development proposal would necessitate the removal of most of the trees situated on the part of the land between the existing dwelling and Colchester Road. Whilst collectively the trees have some amenity value, as described above, none make such a contribution to the character of the conservation area that they merit protection by means of a tree preservation order.

#### 5. Highways Impacts

Essex Highways Authority have stated they have no objections to the scheme subject to conditions relating to visibility splays, a vehicular turning area, the use of no unbound materials, the width of the private drive, no discharge of surface water, and any new boundary planting being sited 1m back from the highway. A further condition relating to cycle storage provision was requested, however there is sufficient space within the site to accommodate this, so it would not be reasonable to include this condition on this occasion.

The Adopted Parking Standards further require that for dwellings with 2 or more bedrooms that a minimum of 2 parking spaces are required. Parking spaces should measure 5.5 metres by 2.9 metres and garages, if being relied on to provide a parking space, should measure 7 metres by 3 metres internally. The submitted plans show two garages that adhere to the above requirements, while there is sufficient space to the front and side of the dwellings to account for the one other parking space.



## 6. 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".

There is currently a deficit of 6.44 hectares of equipped play and formal open space in St Osyth and Point Clear. There are two plays areas close to the development, one at Cowley Park, and one at Priory Meadows.

Due to the limited provision in the village it is felt a contribution towards play and formal open space is justified and relevant to this planning application, with any contribution received to be spend to provide additional play facilities at Priory Meadows, Park Road.

A unilateral undertaking has been completed to secure this legal obligation and to ensure compliance with saved policy COM6.

## 7. 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 the Colne Estuary Ramsar and SPA. The contribution is secured by unilateral undertaking. There is therefore certainty that the development would not adversely affect the integrity of the Colne Estuary Ramsar and SPA 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 scheme as it represents gross overdevelopment of the site within a conservation area, and potential highway concerns.

In answer to this, both of these points have been addressed within the main body of the report.

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 LP\_01, PA\_07, PA\_02, PA\_06, PA\_04, PA\_03 and LOC 1804/07 A.

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

- 3 Prior to occupation of the development 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.

- 4 There should be no obstruction above ground level in relation to the existing vegetation within a 2.4 metre wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splays shall be provided before the private access is first used by vehicular traffic and retained free of any obstruction at all times.

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

- 5 Prior to occupation of the development a vehicular turning facility, of a design to be previously 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 for each dwelling.

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

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

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

- 7 Prior to the occupation of any of the proposed dwellings, the proposed private drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of footway and provided with an appropriate dropped kerb crossing of the footway.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety.

- 8 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.

- 9 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.

- 10 No development or preliminary ground-works can commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a

Written Scheme of Investigation, which has been submitted by the applicant, and approved in writing by the local planning authority.

Reason - The Historic Environment Record shows that the proposed development lies directly to the south of an extensive sequence of cropmarks probably of multi-period date.

## **8. Informatives**

### Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

### Legal Agreement Informative - Open Space/Play Space Contribution

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: Public Open Space financial contribution in accordance with Policy COM6 of the adopted Tendring District Local Plan (2007) and Policy HP5 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

### 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.

### Highways Informatives:

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.

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.

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.