

**ENFORCEMENT COMPLAINT**  
**DELEGATED OFFICER REPORT**

| AUTHORISATION                    | INITIALS | DATE       |
|----------------------------------|----------|------------|
| Officer Recommendation           | CBS      | 10..2.2020 |
| Admin Checks/Recording Completed | SH       |            |

**Date Rec'd:** .....29.10.2019.....

**Address/Location:**

**Sunnyside, The Street, Kirby Le Soken-19/00226/BRCHC3**

**Details of Complaint; Possible breach of condition-inability to provide visibility splay?**

**Planning Application No. :** 18/00828/DETAIL

**Date of Site Visits:** .....1.11.2019

**Officer Appraisal:**

This matter relates to planning permission 18/00828/DETAIL relating to the construction of 4 bungalows. A condition requires construction of new highway visibility splays on the Street, Kirby Le Soken. Construction of the bungalows has commenced. An adjoining landowner has contacted us via their agent and has asked the Council to halt work or take enforcement action as the visibility splays can't be provided on land controlled by the developer.

Further investigation reveals that although owned by the adjoining owner the land is also adopted highway and thus Essex County Council will be willing as highway authority to grant the necessary licence for the work to lay out visibility splays to take place using existing highway. In these circumstances the status of the land would be a civil matter between the neighbouring owner and Essex County Council as highway authority. Meanwhile the work is likely to have been completed. Matter reported to senior officers who have agreed that the case be closed with no further formal action.

**Officer Recommendation: Close case -take no further action.**

**No further action needed. Case closed.**

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| Has the decision been published? | YES X | NO |
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