

## DELEGATED DECISION OFFICER REPORT

| AUTHORISATION   | INITIALS | DATE       |
|---|----------|------------|
| File completed and officer recommendation:                  | NH       | 16/04/2021 |
| Planning Development Manager authorisation:                 | SCE      | 16.04.2021 |
| Admin checks / despatch completed                           | CC       | 16.04.2021 |
| Technician Final Checks/ Scanned / LC Notified / UU Emails: | ER       | 16/04/2021 |

**Application:** 21/00124/FUL **Town / Parish:** St Osyth Parish Council

**Applicant:** Jarrad Beddow

**Address:** Methodist Church Chapel Lane St Osyth

**Development:** Proposed change of use from D1 (place of worship) to C3 (Residential) following approval 19/00843/FUL for change of use to Offices.

### **1. Town / Parish Council**

St Osyth Parish Council  
19.02.2021

Whilst the Parish Council has no objections to the application itself, it should be noted that Councillors were split as to the inclusion of the of the garage, which some considered to be out of character with the rest of the building.

### **2. Consultation Responses**

ECC Highways Dept  
02.03.2021

The information that was submitted in association with the application has been fully considered by the Highway Authority. It is noted that planning permission already exists for change of use to offices under planning application 19/00843/FUL.

Although the Highway Authority retain some concerns that the access onto the Spring Road is narrow, with an adverse effect on visibility and therefore the safety of both pedestrians and drivers, however, under this revised application it is consider that the vehicle movements associated with this one additional property could be considered to be within an acceptable tolerance and is likely to generate less vehicle movements than the approved application 19/00843/FUL; it is also noted that there are no recorded personal injury collisions at the connection of Chapel Lane to Spring Road.

The revised proposal is at the end of a private road and retains room and provision for some off-street parking including proposed garage parking and turning, for the proposed change of use therefore:

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

1. The proposed dwelling shall not be occupied until such time as the vehicle parking area indicated on the proposed ground floor plan, has been hard surfaced, sealed and if required marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local

Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8.

2. Each vehicular parking space which is bounded by walls or other construction shall have minimum dimensions of 3.4 metres x 5.5 metres; otherwise each vehicular parking space shall have a minimum dimension of 2.9 metres x 5.5 metres.

Reason: To encourage the use of off-street parking and to ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8.

3. 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.

4. Areas within the curtilage of the site for the purpose of the reception and storage of building materials shall be identified clear of the carriageway.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the carriageway is not obstructed during the construction period in the interest of highway safety in accordance with policy DM1.

5. 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.

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 enough 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.

2: 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 - Development Management Team

Ardleigh Depot,  
Harwich Road,  
Ardleigh,  
Colchester,  
CO7 7LT

3: 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.

Essex County Council  
Heritage  
23.02.2021

Built Heritage Advice pertaining to an application for: Proposed change of use from D1 (place of worship) to C3 (Residential) following approval 19/00843/FUL for change of use to Offices.

The development site is located within St Osyth Conservation Area. The former Methodist Church, dating from 1855 makes a positive contribution to the character and appearance of the Conservation Area and is identified as a non-designated heritage asset.

I am unopposed to the proposal in principal, however I have concern about harm resulting from the following items, many of which were outlined in my responses at pre-application stage:

Limited information has been provided within this application as to the existing internal architectural detailing of the former church. However photos provided at pre-application for residential development at the site show that tiered pews present at the first floor balcony, the meeting rail and pulpit, and cast iron support columns all contribute to the architectural interest and significance of the non-designated heritage asset and are important in understanding the building's historic use as a chapel. The applicant has not provided details of these items on their existing drawings, or in the proposals and there is therefore potential for harm while the proposals for this area remains unspecified. The complete loss of these details as is proposed is not supported. A large suspended ceiling is also visible to the main congregation hall, the specification of any new ceiling should specify if this is to be replaced, and detail what it will be replaced with as there may be historic features remain behind this.

Externally, the proposed garage, large dormer, window and entrance doorway are not supported as they would detract from the architectural detailing, symmetrical entrance elevation, decorative lancet windows, through over-domesticating the building, which would fail to preserve or enhance the character and appearance of this part of the Conservation Area. I do not believe there is potential for a garage at this site. Landscaping and boundary treatments have also not been proposed which are likely to be required to enclose the yard space. While this landscaping and boundary treatment remains unknown, the proposals have further potential to result in less than substantial harm to the character and appearance of the Conservation Area. Regarding these external alterations to the ancillary wing of the church, paragraph 196 of the NPPF is relevant here. As such, the current iteration of the proposals would result in harm to the significance of the non-designated heritage asset making paragraph 197 of the NPPF relevant here, given the level of information that has been provided to date.

Paragraph 200 of the NPPF requires Local planning authorities to look for opportunities for new development within Conservation to enhance or better reveal their significance, in my opinion this has not been achieved through the current iteration of the proposals.

I do believe that there is potential for the sympathetic conversion of the property to residential through a high quality, carefully considered scheme subject to appropriate detailing and specification of materials. Were the applicant to address the above outlined harmful items, I would be happy to provide updated comments and would request that I be reconsulted on the amended proposals.

### **3. Planning History**

|              |  |          |            |
|--------------|--|----------|------------|
| 93/00351/FUL | Alterations and extension  | Approved | 05.05.1993 |
| 09/00406/FUL | Proposed double entrance doors and canopy to front elevation and demolition of existing store building to create car parking area. | Refused  | 11.06.2009 |
| 19/00843/FUL | Change of use to offices.  | Approved | 10.10.2019 |

### **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

HG6 Dwelling Size and Type

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

EN6 Biodiversity

EN17 Conservation Areas

EN11A Protection of International Sites European Sites and RAMSAR Sites

COM3 Protection of Existing Local Services and Facilities

COM6 Provision of Recreational Open Space for New Residential Development

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

SP1 Presumption in Favour of Sustainable Development

SPL1 Managing Growth

SPL3 Sustainable Design

LP1 Housing Supply

LP3 Housing Density and Standards

CP2 Improving the Transport Network

PPL4 Biodiversity and Geodiversity

PPL8 Conservation Areas

HP5 Open Space, Sports & Recreation Facilities

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. In this latter regard, as of 26<sup>th</sup> January 2021, 'Section 1' of the emerging Local Plan for Tendring (Tendring District Local Plan 2013-2033 and Beyond Publication Draft) has been adopted and forms part of the 'development plan' for Tendring.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) has been examined by an Independent Planning Inspector who issued his final report and recommended 'main modifications' on 10<sup>th</sup> December 2020. The Inspector's report confirms that, subject to making his recommended main modifications (including the removal from the plan of two of the three 'Garden Communities' proposed along the A120 i.e. those to the West of Braintree and on the Colchester/Braintree Border), the plan is legally compliant and sound and can proceed to adoption. Notably, the housing and employment targets in the plan have been confirmed as sound, including the housing requirement of 550 dwellings per annum in Tendring.

The Council has now formally adopt Section 1 of the Local Plan, in its modified state, at the meeting of Full Council on 26<sup>th</sup> January 2021, at which point it became part of the development plan and carries full weight in the determination of planning applications – superseding, in part, some of the more strategic policies in the 2007 adopted plan.

The examination of Section 2 of the Local Plan (which contains more specific policies and proposals for Tendring) will proceed in early 2021 and two Inspectors have been appointed by the Secretary of State to undertake the examination, with the Council preparing and updating its documents ready for the examination. In time, the Section 2 Local Plan (once examined and adopted in its own right) will join the Section 1 Plan as part of the development plan, superseding in full the 2007 adopted plan.

Where emerging policies are particularly relevant to a planning application and can be given 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 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.

With the adoption of the modified Section 1 of the emerging Local Plan, the Councils 'objectively assessed housing need' of 550 dwellings per annum has been found 'sound' and there is no housing shortfall. The Council is able to report a significant surplus of housing land supply over the 5 year requirement, in the order of 6.5 years.

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

### Site Description

The application site relates to St Osyth Methodist Church which is located within the settlement development boundary of St Osyth and within the St Osyth Conservation Area.

### Proposal

This application seeks planning permission for the change of use from F.1 (D1 place of worship) to C3 (Residential) following approval 19/00843/FUL for change of use to Offices.

### Assessment

The main considerations for this application are:

- Principle of Development;
- Layout, Scale and Appearance;
- Residential Amenities;
- Access and Parking;
- Trees and Landscaping;
- Heritage Impact
- Legal Obligations - Open Space/Play Space Contribution;
- Legal Obligations - Recreational Impact Mitigation;
- Other Considerations

#### 1. Principle of Development;

The site falls within the Settlement Development Boundary for St Osyth as agreed in both the Adopted Tendring Local Plan 2007 and the Emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Policy COM3 of the Tendring District Local Plan 2007 and Policy HP2 of the Emerging Tendring District Local Plan 2013 - 2033 seek to protect existing local services and facilities and to ensure that they are retained, redevelopment that would result in their loss will not be permitted unless:

- a. it provides replacement facilities within reasonable walking distance of an equal benefit, which are readily accessible to local people and served by viable public transport; or
- b. there is adequate provision of similar facilities within reasonable walking distance (800m); or

- c. it has been demonstrated that there is no longer a local need for the facility or it is no longer viable, and that where appropriate reasonable attempts have been made to sell or let the premises for continued operation in its existing or last use without success.
- ii. The partial redevelopment or change-of-use of a facility will only be permitted providing that it will not prejudice the viability or future operation of that facility.

A plan has been provided by the applicant to demonstrate the distance to local open spaces which are considered to be within a reasonable walking distance. The application site is within the centre of St Osyth and St Peter and St Paul Church is within 800m of the application site. It is therefore considered that the principle of development is acceptable subject to the detailed consideration below.

## 2. Layout, Scale and Appearance

Saved Policies QL9, QL10 and QL11 of the adopted Tendring District Local Plan (2007) 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. Saved Policy HG14 requires a minimum of 1 metre side isolation between dwellings.

The proposed conversion includes an extension to create a garage and secure parking. The proposal will incorporate a mono pitched roof will be single storey and will match the materials used in the host building. There are a few fenestration changes to the building however these are considered to have a neutral impact. The design and appearance is therefore considered acceptable.

There is no private amenity space provided with this dwelling, however the agent has stated that the shortfall in amenity space would be compensated by the local amenity provision as shown on the plan provided. In addition, the area includes a convenience store, Public House and a local bus service in close proximity to the site. Given the context of the area, it is not considered that the with-holding of planning permission on the basis of the shortfall amenity space in-itself would be justifiable given the Government's commitment outlined in the NPPF to significantly boost the supply of housing and the length of time that the premises has been vacant.

## 3. Residential Amenities;

Paragraph 127 of the NPPF states that planning should always seek to secure a good standard of amenity for all existing and future occupants. In addition, Policy QL11 of the Tendring District Local Plan (2007) 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. Emerging Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (2017) supports these objectives. Furthermore, Policy HG14 states that a minimum of 1 metre should be retained to boundaries in order to safeguard the amenities of neighbouring residents. In addition, Saved Policy HG9 sets out the minimum standards for private amenity space provision.

It is considered that the conversion to a dwelling will not cause any significant impact upon the neighbouring amenities. Although the extension to create the garage will be visible to the neighbouring dwelling to the west, due to the single storey nature and the mono pitched roof, the proposal will not cause any loss of light or impact upon the neighbouring dwelling.

## 4. Access and Parking

Essex Highway Authority have been consulted on this application and have stated that the information that was submitted in association with the application has been fully considered by the Highway Authority. It is noted that planning permission already exists for change of use to offices under planning application 19/00843/FUL. Although the Highway Authority retain some concerns that the access onto the Spring Road is narrow, with an adverse effect on visibility and therefore the safety of both pedestrians and drivers, however, under this revised application it is consider

that the vehicle movements associated with this one additional property could be considered to be within an acceptable tolerance and is likely to generate less vehicle movements than the approved application 19/00843/FUL; it is also noted that there are no recorded personal injury collisions at the connection of Chapel Lane to Spring Road. The revised proposal is at the end of a private road and retains room and provision for some off-street parking including proposed garage parking and turning, for the proposed change of use. The highway authority therefore have no objections subject to conditions relating to parking area, parking measurements, cycle parking, storage of building materials and residential travel pack. The cycle parking will not be imposed as bicycles can be stored within the garage and this application is for a minor development therefore a residential travel pack is not required.

The plans provided demonstrate that there are two parking spaces to serve the proposed dwelling in line with Essex Parking Standards.

#### 5. Trees and Landscaping;

Saved Policy EN1 of the adopted Local Plan (2007) relates to landscape character and states that development management will seek to conserve features which contribute to local distinctiveness, which includes important hedgerows and trees.

No trees or other significant vegetation will be adversely affected by the proposed change of use of the Methodist Church.

There is little scope or community benefit to be gained by soft landscaping therefore any future planning application will not require a supporting soft landscaping scheme.

#### 6. Heritage Impact

Policy EN17 of the Tendring District Local Plan 2007 and Policy PPL8 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) state that development within a Conservation Area must preserve or enhance the special character or appearance of the Conservation Area.

Place Services Historic Team have been consulted on this application and have stated the following;

The development site is located within St Osyth Conservation Area. The former Methodist Church, dating from 1855 makes a positive contribution to the character and appearance of the Conservation Area and is identified as a non-designated heritage asset. The officer is unopposed to the proposal in principal however there are some concerns about harm resulting from the following items,

Limited information has been provided within this application as to the existing internal architectural detailing of the former church. However photos provided at pre-application for residential development at the site show that tiered pews present at the first floor balcony, the meeting rail and pulpit, and cast iron support columns all contribute to the architectural interest and significance of the non-designated heritage asset and are important in understanding the building's historic use as a chapel. The applicant has not provided details of these items on their existing drawings, or in the proposals and there is therefore potential for harm while the proposals for this area remains unspecified. The complete loss of these details as is proposed is not supported. A large suspended ceiling is also visible to the main congregation hall, the specification of any new ceiling should specify if this is to be replaced, and detail what it will be replaced with as there may be historic features remain behind this.

Externally, the proposed garage, large dormer, window and entrance doorway are not supported as they would detract from the architectural detailing, symmetrical entrance elevation, decorative lancet windows, through over-domesticating the building, which would fail to preserve or enhance the character and appearance of this part of the Conservation Area. I do not believe there is potential for a garage at this site. Landscaping and boundary treatments have also not been proposed which are likely to be required to enclose the yard space. While this landscaping and



boundary treatment remains unknown, the proposals have further potential to result in less than substantial harm to the character and appearance of the Conservation Area. Regarding these external alterations to the ancillary wing of the church, paragraph 196 of the NPPF is relevant here. As such, the current iteration of the proposals would result in harm to the significance of the non-designated heritage asset making paragraph 197 of the NPPF relevant here, given the level of information that has been provided to date.

Paragraph 200 of the NPPF requires Local planning authorities to look for opportunities for new development within Conservation to enhance or better reveal their significance, in my opinion this has not been achieved through the current iteration of the proposals.

Amended plans have been provided by the agent to demonstrate the removal of the dormer window and changes to the entrance doorway to comply with the heritage officers comments. In regards to the officer's comments referring to the internal changes, these cannot be conditions and therefore have not been taken into consideration.

It is therefore considered that the proposed works will not cause any harm to the Conservation Area and the proposal is therefore acceptable against this criteria.

#### 7. Legal Obligations - Open Space/Play Space Contribution;

Policy COM6 of the adopted Tendring District Local Plan 2007 states that 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. These sentiments are carried forward within emerging Policy HP5.

There is currently a deficit of 6.44 hectares of equipped play and formal open space in St Osyth and Point Clear. 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. Any contribution received as a result of this development would be spend to provide additional play facilities at Priory Meadows, Park Road

A completed unilateral undertaking has been received to secure this financial contribution.

#### 8. Legal Obligations - Recreational Impact Mitigation;

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 residential on a site that lies within the Zone of Influence (Zol) being approximately 0.9km away from Colne Estuary Ramsar and SPA and Essex Estuaries SAC. New housing development within the Zol would be likely to increase the number of recreational visitors to 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 this financial contribution. This will 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.

## 9. Other Considerations

Whilst the Parish Council has no objections to the application itself, it should be noted that Councillors were split as to the inclusion of the garage, which some considered to be out of character with the rest of the building.

No letters of representation have 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:

- Drawing No. P01b
- Drawing No. P03

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

- 3 The proposed dwelling shall not be occupied until such time as the vehicle parking area indicated on the proposed ground floor plan, has been hard surfaced, sealed and if required marked out in parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided

- 4 Each vehicular parking space which is bounded by walls or other construction shall have minimum dimensions of 3.4 metres x 5.5 metres; otherwise each vehicular parking space shall have a minimum dimension of 2.9 metres x 5.5 metres.

Reason: To encourage the use of off-street parking and to ensure adequate space for parking off the highway is provided in the interest of highway safety

- 5 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 2016 (as amended) (or any Order revoking and re-enacting that Order with or without modification), there shall be no additions to the dwelling, nor shall any buildings, enclosures, swimming or other pool be erected except in accordance with drawings showing the design and siting of such additions or building(s) which shall previously have been submitted to and approved, in writing, by the Local Planning Authority.

Reason - It is necessary for the Local Planning Authority to be able to consider and control further development in order to ensure that the character and appearance of the proposed dwelling and its surroundings is retained

- 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 or other enclosures shall be erected along the eastern, rear boundary of the site except in complete accordance with details which shall previously have been approved, in writing, by the Local Planning Authority following the submission of a planning application for such development.

Reason - In the interests of visual amenity.

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

Reason - In the interests of sustainable 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

1: Steps should be taken to ensure that the Developer provides enough 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.

2: 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 - Development Management Team  
Ardleigh Depot,  
Harwich Road,  
Ardleigh,  
Colchester,  
CO7 7LT

3: 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.

### 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.

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