

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	NH	21/01/2022
Planning Development Manager authorisation:	SCE	21.01.2022
Admin checks / despatch completed	DB	21.01.2022
Technician Final Checks/ Scanned / LC Notified / UU Emails:	ER	21/01/2022

Application: 21/01497/DETAIL **Town / Parish:** Ardleigh Parish Council

Applicant: M J Bathla

Address: Land adjacent to 39 Harwich Road Lawford Manningtree

Development: Reserved Matters Application (approval sought for all matters) following permission 20/01335/OUT, for proposed erection of 2 semi detached dwellings.

1. Town / Parish Council

Ardleigh Parish Council
19.10.2021

Our Parish Council discussed the information provided with the application and felt that there was insufficient detail in some areas of the application. The design of the proposed properties and street scene does not appear to be in keeping with the surrounding (rural) area, and nor with the Village Design Statement. The parking appears to be inadequate for the size of the dwellings and the likely reliance on cars for residents given the location away from centre of population and amenities. The gardens appear to be very small.

We would wish to ensure that the reserved matters detail is only approved if there is appropriate high quality design and sustainable features. We are not convinced that the proposals meet current policies and expectations in this regard.

2. Consultation Responses

ECC Highways Dept
19.01.2022

The information submitted with the application has been considered by the Highway Authority. The conclusions have been drawn from a desktop study with the observations below based on submitted material, google earth image dated March 2019. It is noted that the is similar to previous application of 20/01335/OUT. The proposal is located within the existing 40-mph speed limit and the plot currently forms part of the host dwelling utilising an existing vehicle access that currently serves two properties and retains good visibility in both directions. The proposal will provide 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. As indicated on drawing no. 2132 /201 Rev. R-G and prior to occupation of the proposed dwellings, the road junction / access at its centre line shall be provided with a visibility splay with dimensions of 2.4 metres by 120 metres in both directions, as measured from and

along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction / access is first used by the development and the south-west side shall be retained free of obstruction above 600mm and below 2 metres at all times.

Reason: To provide adequate inter-visibility between vehicles using the road junction / access and those in the existing public highway in the interest of highway safety in accordance with policy DM1.

2. Prior to the occupation of any of the proposed development the internal layout shall be provided in principle and accord with Drawing number:

- 2132 /100 Rev. R-H Proposed Block plan

Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety and in accordance with Policy DM1.

4. Prior to the occupation, the private drive for the host and proposed dwellings shall be retained at a width no less than 6 metres for at least the first 6 metres from the existing private drive.

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.

5. 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.

6. 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.

7. The proposed dwellings shall not be occupied until such time as a domestic car parking for a minimum of two vehicles per dwelling has been provided in accordance with the Parking Standards, details to be agreed with the Local Planning Authority. The agreed car parking shall be retained at all times for such purpose.

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

8. The Cycle / Powered Two-wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

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

9. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided 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 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: 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

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

4: 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

14/00137/FUL	Replacement dwelling (following demolition of existing dwelling).	Application Returned Prior to Validation	
14/00681/FUL	Replacement dwelling (following demolition of existing house and greenhouse).	Approved	06.11.2014
20/01335/OUT	Proposed erection of 2 semi detached dwellings.	Approved	20.11.2020
20/01729/OUT	Erection of 1no. dwelling.	Refused	05.02.2021
21/00793/DETAIL	Reserved Matters (Access,	Refused	12.08.2021

Appearance, Landscaping, Layout
and Scale) relating to approved
planning permission ref:
20/01335/OUT for proposed
erection of two dwellings

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework July 2021

National Planning Practice Guidance

Adopted Tendring District Local Plan 2007 (part superseded)

HG7 Residential Densities

HG9 Private Amenity Space

HG14 Side Isolation

EN1 Landscape Character

EN6 Biodiversity

EN6A Protected Species

EN11A Protection of International Sites European Sites and RAMSAR Sites

EN17 Conservation Areas

COM6 Provision of Recreational Open Space for New Residential Development

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

*Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) (Section 1
adopted on 26th January 2021)*

SP2 Recreational disturbance Avoidance and Mitigation Strategy (RAMS)

SP7 Place Shaping Principles

LP2 Housing Choice

LP3 Housing Density and Standards

LP4 Housing Layout

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

PPL8 Conservation Areas

SPL3 Sustainable Design

HP5 Open Space, Sports & Recreation Facilities

Status of the Local Plan

Planning law requires that decisions on planning applications must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 70(2) of the 1990 Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004). This is set out in Paragraph 2 of the National Planning Policy Framework 2021 (the Framework).

The 'development plan' for Tendring comprises, in part, the 'saved' policies of the 2007 Local Plan. Paragraph 219 of the Framework allows local planning authorities to give due weight to policies adopted prior to its publication according to their degree of consistency with the policies in the Framework. On the 26th January 2021 Section 1 of the 2013-2033 Local Plan was adopted and now also forms part of the 'development plan' for Tendring, superseding some of the more strategic policies in the 2007 Local Plan. Notably, the housing and employment targets were found sound and have been fixed, including the housing requirement of 550 dwellings per annum.

Paragraph 48 of the Framework 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 the policies of the Framework. On 24th November 2021, the Council received the Planning Inspectors' final report on the legal compliance and soundness of Section 2 of the emerging Local Plan. The report has confirmed, that with the inclusion of a number of 'Main Modifications' (which have already been the subject of formal public consultation), the Plan is legally compliant and sound and can now proceed to adoption. The report is due to be considered by the Planning Policy and Local Plan Committee on 11th January 2022 which is likely to recommend adoption of the Section 2 Local Plan to Full Council on 25th January 2022. On adoption, the new Section 2 Local Plan will join the new Section 1 Local Plan to form the 'development plan' for Tendring and the old 2007 Local Plan will be superseded in full.

Now that the Inspectors' final report is received, the Section 2 Local Plan has virtually reached the final stage of preparation, all objections have been resolved and the Inspector has confirmed that the Plan is sound and therefore in conformity with the Framework. For these reasons, Officers now advise that the emerging Plan should now carry 'almost full weight' in decision making.

Until the new Local Plan is adopted in January 2022, the 2007 adopted Local Plan, legally, will still form part of the 'development plan' and there will still be a requirement to refer to the 2007 Local Plan in decision making. However, the level of weight to be afforded to the policies in the 2007 Plan is reduced to very limited weight given that a more up to date Plan has progressed to such an advanced stage of the plan making process.

In relation to housing supply:

The Framework requires Councils 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, to account for any fluctuations in the market or to improve the prospect of achieving the planned supply). If this is not possible, or if housing delivery over the previous three years has been substantially below (less than 75%) the housing requirement, the 'tilted balance' at paragraph 11 d) ii) of the Framework is engaged. This requires applications for housing development be granted permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Following the adoption of Section 1 of the 2013-33 Local Plan and the Council's 'Objectively Assessed housing Need' of 550 dwellings per annum there is no housing shortfall. The Council is able to report a comfortable surplus of housing land supply over the 5 year requirement. The 'tilted balance' at paragraph 11 d) ii) of the Framework does not therefore apply to applications for housing.

5. Officer Appraisal (including Site Description and Proposal)

Site Description

The application site is land adjacent to the 39 Harwich Road, Lawford. The site is outside of a recognised Settlement Development Boundary.

Planning History

Outline planning permission was granted under planning reference 20/01335/OUT for the erection of two dwellings.

Proposal

This application seeks permission for the reserved matters (The application seeks permission for the reserved matters (Appearance, Access, Landscaping, Layout and Scale) pursuant to application 20/01335/OUT for the proposed erection of two dwellings.

Assessment

1. Principle of Development

The principle of development has been established through the previously approved outline application reference 20/01335/OUT and therefore development is acceptable on the application site subject to the details below.

2. Scale, Layout and Appearance

Adopted Policy SP7 of the 2013-33 Local Plan seeks high standards of urban and architectural design which responds positively to local character and context. Emerging Policies SPL3 and LP4 of Section 2 of the 2013-33 Local Plan also require, amongst other things, that developments deliver new dwellings that are designed to high standards and which, together with a well-considered site layout, create a unique sense of place - avoiding the use of ubiquitous standard house types. Paragraph 130 of the Framework requires that developments are visually attractive as a result of good architecture, are sympathetic to local character, and establish or maintain a strong sense of place.

The proposed dwellings are one and a half storey, detached and sited to the north west of Harwich Road. Plot 1 and Plot 2 will be accessed via an existing access with a turning area and sufficient parking provided to the front of both plots.

There have been several design amendments to ensure that both plots are in keeping with the character of the area. Both plots are set back from the highway and in terms of design are considered to contain features which are in keeping with other dwellings located along Harwich Road.

Plot 1 will be constructed from Sandtoft standard plain in rustic plain roof tile, white upvc fascia barge board, black rainwater goods, Weinerberger Desimpel heritage brick, painted render, white UPVC windows and painted wood front door. Plot 2 will be constructed from Redland duo plan colour red plain tile, white upvc fascia barge board, black rainwater goods, Weinerberger Desimpel heritage brick, white UPVC windows and painted wood front door. It is considered that the materials proposed in this location are acceptable.

Both Plot 1 and 2 retain sufficient private amenity space in line with Policy HG9.

3. Impact upon Neighbouring Amenities

The NPPF, at paragraph 130 states that planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. Adopted Policy SP7 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017) requires that all

new development protects the amenity of existing and future residents and users with regard to noise, vibration, smell, loss of light, overbearing and overlooking.

To the north east is number 39 Harwich Road. A window is proposed to the first floor however this will be conditioned to be obscure glazed. It is therefore considered that the proposed dwellings will not cause any significant impact upon neighbouring amenities.

There are no neighbouring dwellings to the north west of the application site.

4. Tree 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.

A landscaping plan and details have been provided and are considered acceptable.

5. Highway Safety and Parking Provision

Paragraph 110 of the Framework seeks to ensure that safe and suitable access to a development site can be achieved for all users. Policy SP7 seeks new development to include parking facilities that are well integrated as part of the overall design. The sentiments of these policies are carried forward within emerging Policies SPL3 and CP1. Furthermore, the Essex County Council Parking Standards 2009 set out the parking requirements for new development.

The information submitted with the application has been considered by the Highway Authority. The conclusions have been drawn from a desktop study with the observations below based on submitted material, google earth image dated March 2019. It is noted that this is similar to previous application of 20/01335/OUT. The proposal is located within the existing 40-mph speed limit and the plot currently forms part of the host dwelling utilising an existing vehicle access that currently serves two properties and retains good visibility in both directions. The proposal will provide adequate room and provision for off-street parking and turning, for the proposed dwelling. The highway authority have no objections subject to conditions relating to visibility splays, internal layout, private drive, no discharge of surface water, boundary planting, parking, cycle parking and storage of building materials. The cycle parking condition will not be imposed as there is sufficient space to the rear of the dwellings to accommodate cycle parking and the storage of materials will be imposed as an informative only. A condition will also be imposed for electric charging facilities (in accordance with requirements of the Councils emerging policies on sustainable transport and the NPPF).

Further, Essex Parking Standards state that there should be minimum parking provision for a dwelling with two or more bedrooms for parking spaces measuring 5.5m x 2.9m and garages should measure 7 metres by 3 metres. The plans provided demonstrates two parking spaces for both plot 1 and plot 2 which are in line with Essex Parking Standards.

7. Legal Obligations

Policy COM6 of the adopted Tendring District Local Plan 2007 states "For residential development below 1.5 hectares in size, developers shall contribute financially to meet the open space requirements of the development in proportion to the number and size of dwellings built". These sentiments are carried forward within emerging Policy HP5.

There is currently a deficit of -3.44 hectares of equipped play/open space in Lawford. The contribution is secured by the unilateral undertaking, included in the outline permission 20/01335/OUT.

8. 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 is approximately 2.3 km away from the Stour Orwell Estauries RAMSAR, SAC and SPA.

New housing development within the Zol would be likely to increase the number of recreational visitors to the Stour Orwell 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.

The contribution is secured by the unilateral undertaking, included in the outline permission 20/01335/OUT. Therefore there is certainty that the development would not adversely affect the integrity of European Designated Sites in accordance with policies EN6 and EN11a of the Saved Tendring District Local Plan 2007, Policy PPL4 of the emerging Tendring District Local Plan 2013-2033 and Beyond Publication Draft and Regulation 63 of the Conservation of Habitat and Species Regulations 2017.

9. Renewable Energy

Emerging Policy PPL10 addresses the renewable energy generation and energy efficiency measures for residential development involving the creation of one or more dwellings. Measures including electric car charging points should be considered. Paragraph 112 e) of the Framework states that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations. This can reasonably be dealt with by the use of a planning condition (see Highways section above).

10. Requirements of Outline Conditions

The application was approved subject to a number of conditions:

- 1-3 Reserved Matters Condition
- 4 Parking areas and hardstanding shall be made of porous materials.

Conditions 4 from the outline application still need to be complied with.

11. Other Considerations

Ardleigh Parish Council objects to this application and have stated that, the information provided with the application and felt that there was insufficient detail in some areas of the application. The design of the proposed properties and street scene does not appear to be in keeping with the surrounding (rural) area and nor within the Village Design Statement. The parking appears to be inadequate for the size of the dwellings and the likely reliance on cars for residents given the location away from the centre of the population and amenities. The gardens appear to be very small. The parish could wish to ensure that the reserved matters detail is only approved if there is appropriate high quality design and sustainable features. The parish are not convinced that the proposals meet current policies and expectations in this regard.

In response to the Parish's concerns this has been addressed within the report.

No letters of representation have been received.

6. Recommendation

Approval - Reserved Matters/Detailed

7. Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Drawing No. 2132 203 RE - Amended Landscape Plan
- Drawing No. 2132 204 R - Landscaping Details
- Drawing No. 2132 001 RA - Site Location Plan
- Drawing No. 2132 201 RH - Proposed Block Plan
- Drawing No. 2132 201 RG - Block Plan - Visibility Splay
- Drawing No. 2132 202 RF - Plot 1 Floor Plans
- Drawing No. 2132 204 RG - Proposed Street Elevation
- Drawing No. 2132 205 RF - Proposed Elevations
- Drawing No. 2132 206 RF - Proposed Elevations
- Drawing No. 2132 207 RB - Plot 2 Floor Plans

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

- 2 As indicated on drawing no. 2132 /201 Rev. R-G and prior to occupation of the proposed dwellings, the road access at its centre line shall be provided with a visibility splay with dimensions of 2.4 metres by 120 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road access is first used by the development and the south-west side shall be retained free of obstruction above 600mm and below 2 metres at all times.

Reason: To provide adequate inter-visibility between vehicles using the road access and those in the existing public highway in the interest of highway safety

- 3 Prior to the occupation of any of the proposed development the internal layout shall be provided in principle and accord with Drawing number:
- 2132 /100 Rev. R-H Proposed Block plan

Reason: To ensure that vehicles using the site access do so in a controlled manner, in the interests of highway safety and in accordance with Policy DM1.

- 4 Prior to the occupation, the private drive for the host and proposed dwellings shall be retained at a width no less than 6 metres for at least the first 6 metres from the existing private drive.

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

- 5 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

- 6 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

- 7 The proposed dwellings shall not be occupied until such time as a domestic car parking for a minimum of two vehicles per dwelling has been provided in accordance with the Parking Standards. The agreed car parking shall be retained at all times for such purpose.

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

- 8 No vehicle connected with the works to arrive on site before 07:30 or leave after 19:00 (except in the case of emergency). Working hours to be restricted between 08:00 and 18:00 Mondays to Saturdays (finishing at 13:00 on Saturdays) with no working of any kind permitted on Sundays or any Public/Bank Holiday whilst construction works and alterations are being carried out.

Reason - In the interests of residential amenity

- 9 Prior to above ground works, a scheme for the provision of electric vehicle charging facilities for the new dwelling hereby approved shall have first been submitted to and approved in writing by the local planning authority. Thereafter the charging facilities shall be installed in a working order prior to first occupation of the dwelling.

Reason - In the interests of sustainability and to accord with the requirements of Paragraph 112 e) of the Framework (2021) which states that applications for development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

- 10 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 dwelling or its roof, 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.

- 11 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 elevation of both dwellings 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.

- 12 Notwithstanding the provisions of Article 3, Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification), the window shown on Drawing No. 2132 206 R-F to the first floor, north western side elevation serving the en-suite shall be non opening and glazed in obscure glass prior to first occupation and shall thereafter be permanently retained in this approved form.

Reason - To protect the privacy and amenities of the occupiers of adjoining property.

- 13 Any lighting of the site under development shall be located, designed and directed [or screened] so that it does not cause avoidable intrusion to adjacent residential properties/ constitute a traffic hazard/cause unnecessary light pollution outside the site boundary.

REASON: to protect the amenity of nearby residential premises

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: 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

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

4: 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.

Legal Agreement Informative - Recreational Impact Mitigation

This application is the subject of a legal agreement under planning application 20/01335/OUT 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.

Outline Conditions

The applicant is reminded that this detailed planning consent is subject to conditions attached to the outline permission for this development reference 20/01335/OUT T. Please refer to the outline planning permission to ensure full compliance with all conditions.

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