



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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to  
**SOUTH EASTERN AREA PLANNING COMMITTEE  
20 JULY 2022**

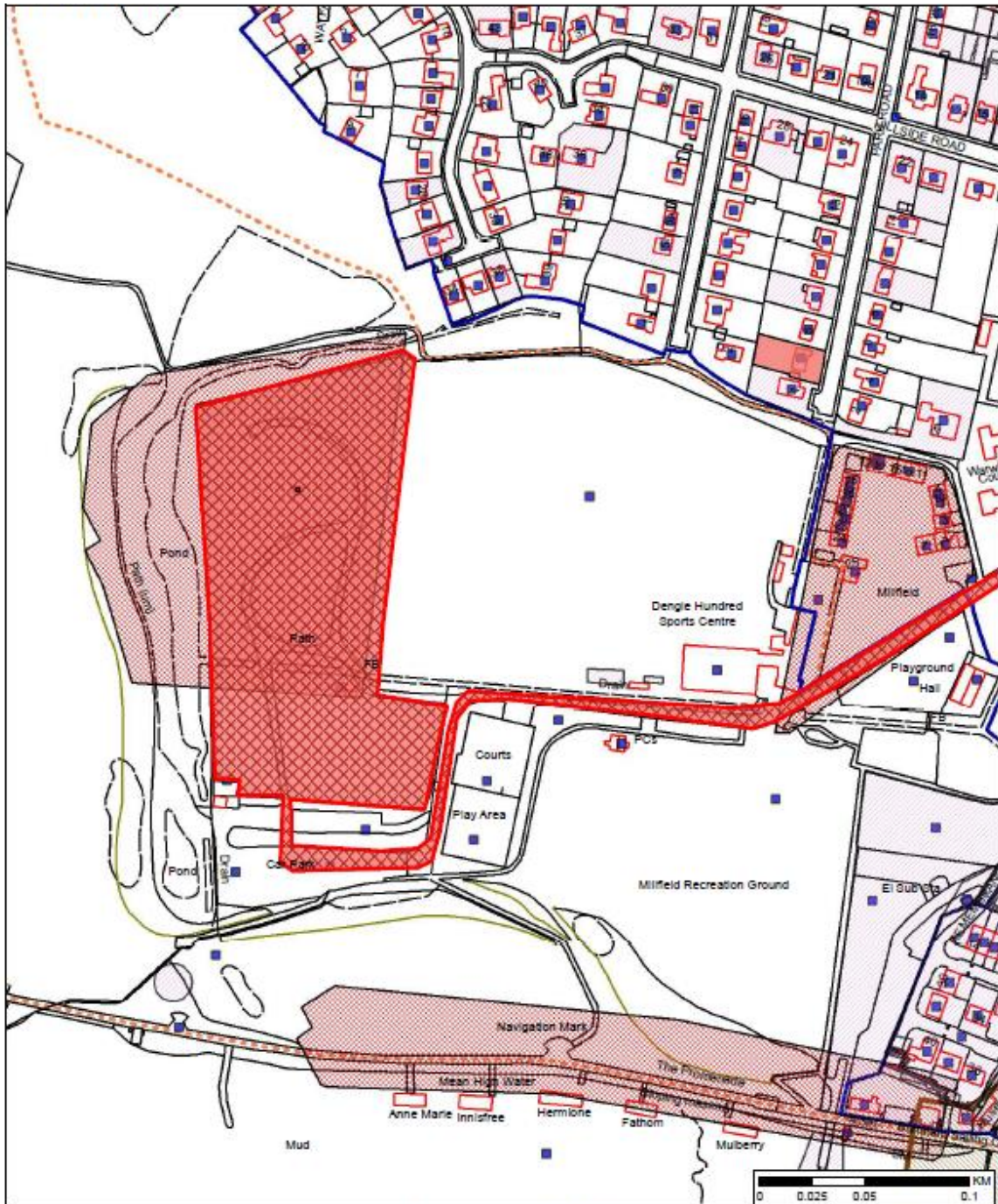
<b>Application Number</b>	<b>22/00075/VAR</b>
<b>Location</b>	Millfields Caravan Park, Millfields, Burnham-On-Crouch, Essex
<b>Proposal</b>	Variation of conditions 2 & 3 on approved planning permission 18/00381/FUL (Erection of building to be used as offices, shop, shower/toilet facilities, spa, pool facilities and gym, formation of hardstanding to be used as road and parking and enhanced landscaping, in association with an existing caravan site)
<b>Applicant</b>	Birch's Leisure Parks Ltd - C/o Agent
<b>Agent</b>	Mr David Hancock - Laister Planning Limited
<b>Target Decision Date</b>	22.07.2022
<b>Case Officer</b>	Anna Tastsoglou
<b>Parish</b>	<b>BURNHAM SOUTH</b>
<b>Reason for Referral to the Committee / Council</b>	Council Owned Land


1. **RECOMMENDATION**

**APPROVE** subject to the conditions (as detailed in Section 8 of this report).

2. **SITE MAP**

Please see below.



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	Organisation:	Maldon District Council
	Department:	Department
	Comments:	Not Set
	Date:	30/08/2019
	MSA Number:	100018588

### **3. SUMMARY**

#### **3.1 Proposal / brief overview, including any relevant background information**

- 3.1.1 The application site, according to the Local Development Plan (LDP), forms part of the Riverside Park, which is approximately 23.15 hectares in size, to the southeast of Burnham-on-Crouch. The site is located east of Station Road and the Dengie Hundred Sports Centre, north of the River Crouch marshes, outside the settlement boundary of Burnham-on-Crouch.
- 3.1.2 The site is accessed via a west turning head onto Station Road. It is approximately 2 hectares in size and it is mainly grassed over with sporadic trees and hedges along the boundaries. A ditch traverses the site. The site has a lawful use as a caravan park and although at present there appears to be only a small utilities' structure on site, the site was occupied by caravans since 2006.
- 3.1.3 The Burnham-on-Crouch Rugby Union Football Club and the Dengie Hundred Sports Centre lie to the east of the site, a car park is located to the south of the site, residential properties are sited to the north, while to the west is public open space and the Burnham-on-Crouch marina.
- 3.1.4 Whilst the application site is flat, topographically the land rises steeply to the south and west of the site. The site is located within flood zone 3.

#### **Description of Proposal**

- 3.1.5 Planning permission for the erection of a single storey multi-purpose building, formation of hardstanding to be used as an access road and provide off-street parking and the stationing of a total of 52 caravans was approved on 13 September 2019 under the terms of application 18/00381/FUL. The current proposal seeks permission to vary condition 2 of the approved application (18/00381/FUL) to intensify the existing use of the site by increasing the number of caravans on the site from 52 to 55 as well as the associated car parking for those caravans (three additional car parking spaces). No other changes to the approved layout, multi-purpose building, hardstanding or landscaping are proposed.
- 3.1.6 Condition 2 attached to permission 18/00381/FUL requires the following:

*The development hereby permitted shall be carried out in complete accordance with approved drawings: ATS/537/03; 10955-0020-002; 10955-0001-007; RCEF64080-SK002 REV B and RCEF64080-SK003 REV A.*

*REASON: To ensure the development is carried out in accordance with the details as approved.*

- 3.1.7 Condition 3 attached to permission 18/00381/FUL requires the following:

*The development hereby permitted shall only be used ancillary to the caravan park proposed as shown on approved drawing 10955-0001-007 and for no other purpose, including any type of residential accommodation, at any time.*

*REASON: To ensure that the development would only provide facilities ancillary to the existing lawful use of the site in the interests of the character and appearance of the area, the adjoining designated nature conservation site and minimising flood risk in accord with policies S1, S8, E5, D1, D2, D5 and N2 of the approved Local Development Plan, policies EC.6, EN.1 and EN.3 of the Burnham-on-Crouch Neighbourhood Plan and the guidance contained within the National Planning Policy Framework.*

### **3.2 Conclusion**

3.2.1 Having taken all material planning considerations into account, it is considered that the proposed amendment to the development described above, through the variation of conditions 2 and 3 would be acceptable in principle and in accordance with policies S8 and E5 of the approved LDP. The impact of the amended development on the character of the area and the amenities of the neighbouring occupiers has been assessed and found to be acceptable. The amended proposal would not result in an unacceptable impact on highway safety or the free flow of traffic and it would provide sufficient off-street parking to meet the needs of the proposed amended development. The amended scheme would not result in a material increase in flood risk on site or elsewhere and surface water will be managed by condition. The amended development, by reason of its scale and nature, would not pose an additional threat to nature conservation sites or protected species from that already assessed and found acceptable under the terms of the previously approved application. For those reasons the development is considered acceptable and in accordance with the aims of the Development Plan Policies.

## **4. MAIN RELEVANT POLICIES**

Members' attention is drawn to the list of background papers attached to the agenda.

### **4.1 National Planning Policy Framework 2021 including paragraphs:**

- 7 Sustainable development
- 8 Three objectives of sustainable development
- 10-12 Presumption in favour of sustainable development
- 38 Decision-making
- 47-50 Determining applications
- 81-85 Building a strong, competitive economy
- 92-103 Promoting healthy and safe communities
- 104-109 Promoting sustainable transport
- 119-125 Making effective use of land
- 126-136 Achieving well-designed places
- 152-169 Meeting the challenge of climate change, flooding and coastal change
- 174-182 Conserving and enhancing the natural environment

### **4.2 Maldon District Local Development Plan (2014 – 2029) approved by the Secretary of State:**

- S1 Sustainable Development
- S7 Prosperous Rural Communities
- S8 Settlement Boundaries and the Countryside
- D1 Design Quality and Built Environment

- D2 Climate Change and Environmental Impact of New Development
- D5 Flood Risk and Coastal Change
- E5 Tourism
- N1 Green Infrastructure Network
- N2 Natural Environment and Biodiversity.
- T1 Sustainable Transport
- T2 Accessibility

#### **4.3 Burnham-on-Crouch Neighbourhood Development Plan (7th September 2017):**

- Policy EC.6 Tourism
- Policy EN.1 Flood Prevention
- Policy EN.3 Enhancement of the Natural Environment
- Policy RI.2 Design Sensitivity of Riverside Developments

#### **4.4 Relevant Planning Guidance / Documents:**

- National Planning Policy Framework (NPPF)
- Maldon District Design Guide SPD (MDDG) (2017)
- Maldon District Vehicle Parking Standards SPD (VPS)

### **5. MAIN CONSIDERATIONS**

#### **5.1 Principle of Development**

- 5.1.1 It is noted that the principle of development providing ancillary facilities to support the existing tourist use of the site, which has a lawful use as a caravan site, were previously assessed and found acceptable. As noted in the committee report drafted for the original application (18/00381/FUL) given the lawful use of the site, as a caravan park, no permission is required for the siting of the caravans, as long as they comply with the dimensions stated in The Caravan Act. Therefore, the provision of three additional caravans and associated car parking on site would be acceptable in principle.

#### **5.2 Design and Impact on the Character of the Area**

- 5.2.1 The planning system promotes high quality development through good inclusive design and layout, and the creation of safe, sustainable, liveable and mixed communities. Good design should be indivisible from good planning. Recognised principles of good design seek to create a high quality built environment for all types of development.

- 5.2.2 It should be noted that good design is fundamental to high quality new development and its importance is reflected in the NPPF. The NPPF states that:

*“The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”.*

- 5.2.3 The basis of policy D1 of the approved LDP seeks to ensure that all development will respect and enhance the character and local context. Similar support for high quality

design and the appropriate layout, scale and detailing of development is found within the MDDG (2017).

- 5.2.4 The application site lies outside the defined settlement boundaries. According to policies S1 and S8 of the LDP, the countryside will be protected for its landscape, natural resources and ecological value as well as its intrinsic character and beauty. The policies stipulate that outside of the defined settlement boundaries, the Garden Suburbs and the Strategic Allocations, planning permission for development will only be granted where the intrinsic character and beauty of the countryside is not adversely impacted upon and provided the development is for proposals that are in compliance with policies within the LDP, neighbourhood plans and other local planning guidance.
- 5.2.5 As noted above the proposed development seeks permission to increase the number of caravans on site by three (from 52 to 55) together with the associated parking, which would include additional hardstanding for three vehicles. No other changes to the previously approved application are proposed. The previously approved multi-purpose amenity building, and development associated with the caravan site, remain unaltered. Furthermore, no changes to the landscaping scheme are proposed.
- 5.2.6 The visual impact of the development on the character and appearance of the area previously assessed was found acceptable. It is considered that the increase to the number of caravans and associated hardstanding for the parking of three vehicles proposed on site would be minimal, considering the quantum of development approved on site, and therefore, the visual impact would only be marginally affected. It is therefore considered that the amended proposal would be acceptable in terms of its impact on the character of the area and the minor increase in the number of caravans and hardstanding on site would not result in a detrimental impact on the visual amenity of the site, the scheme as previously approved or the wider area.

### **5.3 Impact on Residential Amenity**

- 5.3.1 The basis of policy D1 of the approved LDP seeks to ensure that development will protect the amenity of its surrounding areas taking into account privacy, overlooking, outlook, noise, smell, light, visual impact, pollution, daylight and sunlight. This is also supported by section C07 of the MDDG (2017).
- 5.3.2 The proposed amended scheme would intensify the use of the site by increasing the number of caravans on site. However, it should be noted that although the site is currently and has been in recent years vacant, it is noted that its lawful use as a caravan site has not ceased and thus, it could be re-used as a caravan site at any time, without the need of planning permission. Furthermore, it is considered that the intensification of the use would be minimal, as it would only result in an increase in the number of caravans on the site by three, taking into account the number of caravans that has been approved as being acceptable to be stationed on site (52 caravans).
- 5.3.3 The proposed additional hardstanding for the formation of three parking spaces, would have no impact on the residential amenity of the nearby occupiers.
- 5.3.4 No other changes to the operational development previously approved on site is proposed to be amended and therefore, the development would not have a further impact on residential amenity.

## **5.4 Access, Parking and Highway Safety**

- 5.4.1 Policy T2 aims to create and maintain an accessible environment, requiring a development proposal, inter alia, to sufficient parking facilities having regard to the Council's adopted parking standards. Similarly, policy D1 of the approved LDP seeks to include safe and secure vehicle and cycle parking having regard to the Council's adopted parking standards and maximise connectivity within the development and to the surrounding areas including the provision of high quality and safe pedestrian, cycle and, where appropriate, horse riding routes.
- 5.4.2 The proposal would not alter the vehicular access to the site and therefore, no objection is raised in relation to the proposed access to the site.
- 5.4.3 The impact of the development on the highway network in terms of trip generation was previously assessed and found acceptable. The proposed development would only increase the number of caravans on site by three, from 52 to 55. It is considered that this minimal increase to the number of caravans on site would not result in a material increase in the trips generated by the proposed development to a degree that would have a material and detrimental impact on the highway network, and as such is considered acceptable.
- 5.4.4 With regard to parking, it is noted that one parking space would be provided per new caravan and pitch in accordance with the Vehicle Parking Standards SPD. No other changes are proposed to the previously approved scheme in terms of parking provision and therefore, the amended proposal would meet the off-street parking needs of the scheme.
- 5.4.5 In terms of cycle parking, one cycle parking space per 4 members of staff and one per 10 pitches would be required to be provided. The amended proposal would not result in an increase in the number of cycle parking spaces on site. The details of safe and secure cycle parking would be secured by condition.

## **5.5 Flood Risk**

- 5.5.1 The application site is located within Flood Zone 3a, defined by Planning Policy Guidance as having a high probability of flooding. Policy D5 of the LDP, in line with national policy, provides local flood risk considerations and seeks to direct development to the lower risk flood zones.
- 5.5.2 Policy D5 of the LDP states that the Council's approach is to direct strategic growth towards lower flood risk areas, such as Flood Zone 1 as identified by the Environment Agency. Where development is not located in Flood Zone 1 and in order to minimise the risk of flooding, it should be demonstrated that the Sequential and Exception Tests, where necessary, have been satisfactorily undertaken in accordance with national planning policy.
- 5.5.3 The impact of the development in terms of flood risk was previously assessed and found acceptable. The amended scheme would result in an increase of the number of caravans on site; however, the site benefits from a lawful use as a caravan site and therefore, the stationing of caravans in this location was previously considered acceptable in terms of flood risk.
- 5.5.4 The additional hardstanding to provide three parking spaces would cover a very limited area of space when compared to the total area of the caravan park, and therefore, it is not considered the hardstanding would result in a material increase to

the flood risk liability of the site. Conditions to secure the submission and approval of details to manage surface water are attached to the recommendation

- 5.5.5 In light of the above assessment, it is considered that the development would be acceptable in terms of flood risk, it would not result in an unacceptable risk of flooding and would not increase flood risk elsewhere.

## 5.6 Ecology

- 5.6.1 Policy D2 seeks all development to minimise its impact on the environment by incorporating measures to minimise all forms of possible pollution including air, land, water, odour, noise and light. Any detrimental impacts and potential risks to the human and natural environment will need to be adequately addressed by appropriate avoidance, alleviation and mitigation measures.
- 5.6.2 Policy N2 of the LDP states that where any potential adverse effects to the conservation value or biodiversity value of designated sites are identified, the proposal will not normally be permitted.
- 5.6.3 The site is located near the River Crouch; thus, near a number of nature conservation sites, such as Special Protection Area (SPA), a Ramsar site and a Special Site of Scientific Interest (SSSI).
- 5.6.4 The impact of the development on the nature conservation sites was previously assessed and found acceptable. The proposed addition of three caravans and the associated hardstanding to provide three additional parking spaces, would not result in a significant increase in the impacts of the development on the nearby nature consideration sites. Conditions to secure appropriate mitigation measures are attached to the recommendation
- 5.6.5 It is noted that a separate Habitat Regulation Assessment (HRA) was previously prepared by the Local Planning Authority to assess the likely significant effect of the proposed development on the European sites, which concluded that the development would be acceptable and would not have an adverse effect on the integrity of the designated sites or wildlife. The amended scheme would not materially result in a greater impact on either nature designations or wildlife habitats and therefore, it is considered that the previously prepared HRA would still be applicable.

## 5.7 Other Matters

### Contamination

- 5.7.1 A condition was previously imposed to control contamination on site. Details of a Phase 2 Site Investigation was resubmitted under the terms of application 21/05056/DET and following consultation with the Environmental Health Team it was considered that the details were sufficient for the condition to be discharged. The amended scheme will not pose an additional threat in terms of contamination and therefore, the previously approved details are still considered applicable, and the implementation of the recommendation included in the Phase 2 Site Investigation will be secured by condition.

## 6. **ANY RELEVANT SITE HISTORY**

- 6.1 The relevant planning history is set out below:



- **94/00782/FUL** - Increase ceiling height to pump house and erection of pitched roof over slop sink - Planning permission granted
- **18/00381/FUL - 94/00782/FUL** - Increase ceiling height to pump house and erection of pitched roof over slop sink. Planning permission granted – Planning permission granted
- **20/05056/DET** - Compliance with conditions notification FUL/MAL/18/00381 Erection of building to be used as offices, shop, shower/toilet facilities, spa, pool facilities and gym, formation of hardstanding to be used as road and parking and enhanced landscaping, in association with an existing caravan site. Condition 7 - Foul Drainage. Condition 8 - Contamination. Condition 12 - Construction Method Statement. – Details approved

## 7. **CONSULTATIONS AND REPRESENTATIONS RECEIVED**

### 7.1 **Representations received from Parish / Town Councils**

<b>Name of Parish / Town Council</b>	<b>Comment</b>	<b>Officer Response</b>
Burnham-on-Crouch Town Council	No comment	Noted

### 7.2 **Statutory Consultees and Other Organisations**

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Essex County Council (ECC) Highways Authority	No objection.	Noted.
Cadent	No objection in principle to the proposed development. It is noted though that Cadent Gas have assets in the area. It is stated that if the development would affect the high pressure pipelines, it is a statutory requirement that the Applicant inputs the details into the Health and Safety Executive's (HSE) Planning Advice Web Application.	Noted. An informative will be added as a reminder for the applicant of the statutory requirements.
Lead Local Flood Authority (LLFA)	No comment	Noted.

### 7.3 **Internal Consultees**

<b>Name of Internal Consultee</b>	<b>Comment</b>	<b>Officer Response</b>
Environmental Health Team	No comments.	Noted.

## 7.4 Representations received from Interested Parties

7.4.1 No representations have been received.

## 8. PROPOSED CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of permission 18/00381/FUL, dated 13.09.2019.  
REASON: To comply with Section 91(1) of The Town & Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in complete accordance with approved drawings: ATS/537/03; 10955-0020-002; 10955-0001-007 (Dated January 2022); RCEF64080-SK002 REV B and RCEF64080-SK003 REV A.  
REASON: To ensure the development is carried out in accordance with the details as approved.
- 3 The development hereby permitted shall only be used ancillary to the caravan park proposed as shown on approved drawing 10955-0001-007 (Dated January 2022) and for no other purpose, including any type of residential accommodation, at any time.  
REASON: To ensure that the development would only provide facilities ancillary to the existing lawful use of the site in the interests of the character and appearance of the area, the adjoining designated nature conservation site and minimising flood risk in accord with policies S1, S8, E5, D1, D2, D5 and N2 of the approved Local Development Plan, policies EC.6, EN.1 and EN.3 of the Burnham-on-Crouch Neighbourhood Plan and the guidance contained within the National Planning Policy Framework.
- 4 The proposed development shall be implemented in accordance with the forms of mitigation included in Ecology Survey Report (dated November 2018) and be retained as such in perpetuity.  
REASON: In order to ensure that there is no adverse effect to the adjoining designated nature conservation site in line with policies S1, S8, E5, D1, D2 and N2 of the approved Local Development Plan, policy EN.3 of the Burnham-on-Crouch Neighbourhood Plan and the guidance contained within the National Planning Policy Framework.
- 5 The use of the site hereby permitted shall be implemented in accordance with the Flood Warning and Evacuation Plan (dated 19.02.2019) submitted with this application. The Plan shall be made available to all users of the site at all times throughout the lifetime of this permission.  
REASON: In order to ensure that the impact from any flood events is limited in line with policy D5 of the approved Local Development Plan, policy EN.1 of the Burnham-on-Crouch Neighbourhood Plan and the guidance contained within the National Planning Policy Framework.
- 6 No development shall be constructed during the wintering bird period between October – March inclusive.  
REASON: In the interests of protecting the natural conservation designations and protected species in accordance with the guidance contained within the NPPF and Policy N2 of the approved Local Development Plan.
- 7 The foul drainage scheme to serve the development shall be implemented in accordance with the details approved under the terms of application 20/05056/DET prior to the first occupation of the development.  
REASON: To avoid the risk of water flooding and pollution in accordance with policy D2 of the Maldon Local Development Plan (2017).
- 8 The development shall be implemented in accordance with the Phase 2 Environmental Investigation Report (March 2020) details approved under the terms of application 20/05056/DET prior to the first occupation of the development.  
REASON: To prevent the undue contamination of the site in accordance with policy D2 of the approved Maldon Development Local Plan (2017).

- 9 Where identified as necessary in accordance with the requirements of condition 8, no development shall commence, other than where necessary to carry out additional investigation, until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The development hereby permitted shall not commence until the measures set out in the approved scheme have been implemented, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority may give approval for the commencement of development prior to the completion of the remedial measures when it is deemed necessary to do so in order to complete the agreed remediation scheme. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

This shall be conducted in accordance with the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers' and DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. The development hereby permitted shall not commence until the measures set out in the approved report have been implemented.

REASON: To prevent the undue contamination of the site in accordance with policy D2 of the approved Maldon Development Local Plan (2017).

- 10 Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to the Local Planning Authority for approval in writing. These approved schemes shall be carried out before the development is resumed or continued. Following completion of measures identified in the approved remediation scheme, a verification report demonstrating the effectiveness of the remediation scheme carried out must be submitted to the Local Planning Authority for approval in writing.

REASON: To prevent the undue contamination of the site in accordance with policy D2 of the approved Maldon Development Local Plan (2017).

- 11 The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment and the following mitigation measures detailed within the FRA:
- Infiltration testing in line with BRE 365. If infiltration is found unviable the run-off rates from the site should be limited to 2.4 l/s
  - Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of climate change.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within

the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Storage should half empty within 24 hours wherever possible. An assessment of the performance of the system and the consequences of consecutive rainfall events occurring should be submitted to and approved in writing by the Local Authority. If the storage required to achieve this via infiltration or a restricted runoff rate is considered to make the development unviable.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**REASON:** To avoid the risk of water flooding and pollution in accordance with policy D2 of the Maldon Local Development Plan (2017).

- 12 The development shall be implemented in accordance with the Construction Traffic Management Plan details approved under the terms of application 20/05056/DET during the construction of the development.

**REASON:** To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety in accordance with policies D1 and T2 of the submitted Local Development Plan.

- 13 Prior to works above ground level, details of the external materials to be used in the construction of the outbuilding hereby approved shall be submitted to the Local Planning Authority for approval in writing. The construction of the outbuilding shall be carried out in accordance with the approved details and retained as such in perpetuity.

**REASON:** In the interests of the character and appearance of the site and the surrounding area, in accordance with policy D1 of the Maldon District Local Development Plan.

## **INFORMATIVES**

1. It is noted that the Cadent gas owns asset/s in the area. You are therefore reminded that if the application affects one of our high pressure pipelines, it is a statutory requirement that the application input the details into the HSE's Planning Advice Web App. For further details, visit [www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm](http://www.hse.gov.uk/landuseplanning/planning-advice-web-app.htm).
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](mailto:development.management@essexhighways.org) or by post to: SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, CM2 5PU.
3. Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to [suds@essex.gov.uk](mailto:suds@essex.gov.uk).
4. Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
5. Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.

6. It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
7. The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
8. The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours:
  - a) No waste materials should be burnt on the site, instead being removed by licensed waste contractors;
  - b) No dust emissions should leave the boundary of the site;
  - c) Consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site;
  - d) Hours of works: works should only be undertaken between 0730 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.