

UPDATE REPORT for Agenda No: 5D

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| Application No: | 20/01101/VAR |
| Location: | Appletree Farm, Polecat Road, Cressing, Essex |
| Description: | Application for variation of Conditions 6c, 9, 11, 17, 18 of application 18/00920/FUL granted 13/02/2020 for: Demolition of existing buildings on site and erection of 78 residential dwellings with associated open space, landscaping, amenity space, car and cycle parking and other associated works |

UPDATE

Following the publication on the Planning Committee Agenda for 13.10.2020, the Applicant has agreed to pay a financial contribution towards HRA.

Habitat Regulations Assessment (HRA / RAMS)

The application site is situated within the Zone of Influence (ZOI) for the Blackwater Estuary SPA/Ramsar site.

In this regard, Natural England have published revised interim guidance on 16th August 2018 in connection with the emerging strategic approach relating to the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitats Regulations.

In accordance with the revised interim guidance an appropriate assessment has been completed for this application, as it falls within the threshold of a scheme of 99 residential units or less and is located within the updated Zones of Influence. Where an appropriate assessment concludes that a likely significant effect would occur, the Local Planning Authority is required to secure a financial contribution towards off site mitigation at the identified natura 2000 sites to mitigate the impact of the development upon these sites.

At the time of considering application reference 18/00920/FUL at the Planning Committee held on 10th September 2019, no HRA financial contribution was secured. However, following discussions with the Applicant, it is now proposed that the HRA financial contribution will be secured to ensure that the development would not have an unacceptable impact on the Blackwater Estuary SPA/Ramsar sites. This payment would amount to £125.58 per dwelling. The Applicant has agreed to pay the

HRA contribution and it is proposed that this would be included within the Deed of Variation that would be attached to this application, to ensure that all S106 particulars agreed for application 18/00920/FUL are secured. The additional Head of Term would be as follows:

- **HRA:** As indicated above, the Applicant has agreed to pay the HRA financial contribution of £125.58 per dwelling (£9,795.24). This contribution will be secured through the Deed of Variation for the S106 Agreement.