

URGENT ADDITIONAL ITEM

**TITLE : 01/00054/FUL
IMPROVEMENTS TO THE TIDAL DEFENCES AT BRANDY
HOLE, HABITAT CREATION, AMEND FOOTPATH NO. 9,
TEMPORARY ACCESS TO THE WORKS
LAND BRANDY HOLE LOCATED EAST OF HULLBRIDGE
KINGSMANS FARM ROAD HULLBRIDGE ESSEX**

APPLICANT : ENVIRONMENT AGENCY

**ZONING : METROPOLITAN GREEN BELT, SPECIAL LANDSCAPE
AREA, COASTAL PROTECTION BELT, SSSI**

PARISH: HULLBRIDGE PARISH COUNCIL

WARD: HULLBRIDGE RIVERSIDE

INTRODUCTION

- 3.1 This item is introduced at the discretion of the Chairman, in relation to the above application. It has been put forward in relation to additional information received from DEFRA (Government Department for Environment, Food and Rural Affairs) in a letter dated 17 October 2001.
- 3.2 At the Planning Services Committee Meeting on the 8th March 2001 Members resolved to grant consent for the proposals, subject to the Secretary of State not directing the Authority to do otherwise.

OUTCOME OF REFERENCE TO THE SECRETARY OF STATE

- 3.3 In April the former DETR (Department for Environment, Transport and the Regions) directed the Authority not to grant planning permission under Regulation 49(6) of the Conservation (Natural Habitats) Regulations 1994. Discussions have taken place with Officers of the Council, the DETR and the Environment Agency. The outcome of those discussions is that, subject to the applicants entering into a Section 106 Agreement with this Authority to ensure that the compensatory measures are provided in accordance with the above Regulations, the Secretary of State will lift the Regulation 49(6) direction.

CONCLUSION

- 3.4 The preparation of such an agreement will therefore lift the direction and allow permission to be given for the works to progress. Members are asked therefore to give the necessary authorisation so that a Section 106 Agreement entered into between the applicants and this Authority.

RECOMMENDATION

- 3.5 It is proposed that this Committee **RESOLVES** that, following its resolution in relation to this application at the Committee meeting of 8 March 2001, that authority be delegated to the Corporate Director (Law, Planning and Administration) to secure a Legal Agreement under s106 of the Town and Country Planning Act to require:
- the provision of appropriate compensatory habitat measures required as a result of the development proposals.
- 3.6 (NOTE The conditions that were set out in the report to the meeting of 8 March 2001, and which were to be applied to any consent, will remain in force)

Relevant Development Plan Policies and Proposals:

UC14, RC3, RC5, RC7 and RC9 of the Rochford District Local Plan

Shaun Scrutton
Head of Planning Services

For further information please contact Mark Mann on (01702) 318092

The Ward Members for this application is/are Cllr D F Flack, Cllr C R Morgan, Cllr Mrs Brown and Cllr Mrs Stevenson (Hullbridge Riverside and South)