



# The Planning Inspectorate

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Mr James Cann  
Planning Direct  
The Furnace, The Maltings  
Princes Street  
Ipswich  
IP1 1SB

Your Ref:

Our Ref: S62A/22/0005

Attachments:

Date: 20 February 2023

Dear Mr Cann

## **Town and Country Planning Act 1990 (Section 62A Applications)**

### **Full planning application proposing the erection of 15 new dwellings At Canfield Moat, High Cross Lane West, Little Canfield, Dunmow, Essex, CM6 1TD**

The appointed person (Susan Hunt, Inspector) has reviewed your response and appendices received on 10 February and has the following comments and observations:

**Principle of Development:** The Inspector is unable to provide 'in principle' comments. There remains outstanding information as set out below, and it is noted that pre-application advice was not sought in relation to the proposals. If you wish the Inspector to proceed to a decision on the application, as currently submitted, please confirm this as soon as possible. This would lead to a written decision without a hearing. The Inspector does not consider a Hearing could take place until the information below is received and re-consultations carried out.

**Units 3-6:** The revised site layout plan, floor plan and elevations for these units as supplied at Appendices A to C are accepted, and the previous plans will be superseded. The Council will be re-consulted on the plans.

**Highways:** The visibility splay plan at Appendix D is accepted. The revised site layout plan at Appendix A indicates a refuse vehicle turning head and the route of the public rights of way. However it is noted that a revised site location plan with a red line boundary which extends to the public highway (and shows the whole site and wider area), a detailed access drawing, and a speed survey, have not been supplied. Additionally, could you confirm if a highway status search has been carried out and if the width of the public right of ways affected by the development (no's 14 and 16) has been established? Please also confirm if an additional access via footpath no.16 is

proposed. Without a more detailed assessment it is currently unclear whether use of these public rights of way would be affected by the development. ECC Highways will be re-consulted on this matter.

**Protected Species:** The intention to retain tree T60 is noted. It is noted that a bat survey has not been provided nor a lighting assessment and that you wish such matters to be conditioned. The Council's ecologist will be re-consulted on this matter.

**Flood Risk and Drainage:** It is noted that additional information requested by the LLFA in relation to infiltration capacity, size, form and location of the attenuation, calculations and design details of SuDS features has not been supplied. The LLFA will be re-consulted on this matter.

**Archaeology:** Thank you for the submission of the 2010 Archaeological Monitoring Report at Appendix E, and the further assessment of non-designated heritage assets. A plan which overlays the findings of that report with the proposed site layout would be useful, as plots 3 to 6 appear to be in close proximity to the location of the moat.

**Planning Obligations:** Thank you for the submission of Heads of Terms relating to affordable housing supplied at Appendix F. The Council's comments will be sought. The applicant is again invited to refer to Appendix 4 of Section 62A procedural guidance (<https://www.gov.uk/government/publications/planning-applicationsprocess-section-62a-authorities-in-special-measures/procedural-guidance-forsection-62a-authorities-in-special-measures>) which requires a completed agreement to be in place so it can be taken into account in reaching a decision. Applicants are strongly encouraged to have any obligations at an advanced stage prior to submission of an application.

**Third Party Comments:** Your response refers to only two objections however there have been 22 representations from interested parties as listed towards the end of the webpage <https://www.gov.uk/guidance/section-62a-planning-application-s62a220005-canfield-moat-high-cross-lane-west-little-canfield-dunmow-essex-cm6-1td> You are invited to provide a response to these objections which raise a number of other issues.

Please would you confirm by 6 March 2023 how you intend to seek to address the above, and the likely timescales for submission of any additional information including draft Section 106 agreement. Please also confirm if you wish the Inspector to proceed with a decision on the basis of the information as currently submitted.

Please also note that additional consultation may be required on receipt of any additional information, and this may necessitate an agreement to extend the time period for determining the application beyond 12 May 2023. A hearing date has not been established in view of the outstanding information that is required.

Yours sincerely,



Leanne Palmer  
Inquiries and Major Casework Team