

Your Ref: S62A/22/0007
Our Ref: HT/TPD /SD/KW/52751/4C
Date:- 17 March 2023



Essex County Council

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Recommendation

Application No. S62A/22/0007

Site Location Land to the south of Henham Road, Elsenham, Essex

Proposal Residential development comprising 130 dwellings, together with a new vehicular access from Henham Road, public open space, landscaping and associated highways, drainage and other infrastructure works (all matters reserved for subsequent approval apart from the primary means of access, on land to the south of Henham Road, Elsenham)

Summary Application in highways

1. This recommendation is in response to the Transport Addendum submitted on the 23rd of February 2023. The addendum sought to address the highway authority's concerns regarding the original submission, particularly in regard to the modelling and data collection for the Stansted Mountfitchet area, as the data collection had taken place during a time of road works which affected the traffic flows at a number of junctions. It also provided additional information about off site mitigation works, including revised drawings and safety audits.

Impact on Stansted Mountfitchet

2. Stansted Mountfitchet is the village closest the site which has a significant number of amenities. It is also the most direct route to Bishops Stortford, the nearest major town and the M11. Stansted Airport is a major employer and also has a highway network that provides a link to the M11 and on to the south of Bishops Stortford. Both routes are options for a number of destinations. So while it is recognised there are facilities within Elsenham there will still be need for residents to travel by car to work, shop, attend secondary school and undertake other activities using these routes.
3. The key junction to access Stansted Mountfitchet from Elsenham is Grove Hill. The Junction is unconventional, traffic signals are provided at the Grove Hill junction with Lower Street to manage single way working of vehicles through a narrow section of carriageway. The operation of Grove Hill is affected by two blocks of on-street parking located to the northeast of the signals. The consequence of this is that Stansted Mountfitchet bound vehicles approaching the signals from Elsenham have to queue in

two places; at the stop line for the traffic signals where four vehicles can wait and then beyond the aforementioned on street parking where traffic can wait before moving forward to the stop line when not opposed by oncoming vehicles.

4. Over the years, as applications have come forward, the junction has been reviewed and solutions to improve the capacity of the junction have been explored. The signals at this junction have been recently upgraded, this has increased the detection range of the signals and made some improvement to the efficiency of them. A further mitigation was secured as part of Isabel Drive application to improve capacity and detailed design of this scheme is taking place. This will provide some additional capacity by increasing the range of signal detection further to manage traffic queuing at the signals more effectively. This mitigation has been included in the modelling work that the applicant has undertaken. It is the highway authority's view that there is no further work that can reasonably take place to improve the capacity of the junction, beyond that all ready planned, due to land constraints and residential parking, which cannot be relocated to an acceptable location.
5. Due to the complexities of the junction, and to understand the interactions within Stansted Mountfitchet, a detailed Vissim model was constructed by the applicant to understand the impact of the development on the network. The model produces journey times and queue lengths to assess the impact of committed and proposed development on the highway network. The modelling has been assessed and we are satisfied that it is representative of the highway network and provides a sound basis upon which to make decisions.
6. The applicant has provided a number of scenarios for testing these are listed below
 - a. Main test: this includes committed development
 - b. Sensitivity Test 1. Committed development and the proposed but not approved developments – including Land East of Station Road.
 - c. Sensitivity Test 2 main scenario assumptions but with a reduction of 15% of consented committed development
 - d. Sensitivity Test 3 main scenario assumptions but with a reduction of 15% of consented committed development and 15% reduction of the flows from the unconsented schemes – including Land East of Station Road.
7. The reduction of the flows of 15% from committed and unconsented development, used in Sensitivity Tests 2 and 3, is an assumption based on a number of other assumptions about how people are making their trips post Covid. While there has been some change, traffic counters near by show that this is less than 10% in the am peak but in the pm peak the levels are a practically the same since September 2022. We do not know if the change in the am peak will be permanent and therefore we cannot rely on this assumption to make decisions.
8. With this application it is the cumulative element that is the key issue. Developments in Elsenham have come forward piece meal over the years each one adding a more to the network. While there has been some mitigation which has reduced the severity of the impact of individual developments on this junction this is not the case with this application.
9. The highway authority also has assessed application S62a/22/0012 Land to the East of Station Road, which is included in the sensitivity test. We had identified inadequacies in the modelling and did not agree that it was safe to rely on to provide an accurate

representation of the current network or the future impact of that development. Further modelling was not provided so the recommendation for a refusal on highway grounds for that application remains. We have not yet seen a decision for that application, so it is important to review the sensitivity test which includes it as well.

		Current	A	A +dev	A compared to current	A compared to 2027	B	B +dev	A compared to current	A compared to 2027
		2023	2027 Base	2027 Base +dev	Difference with 2023	Difference with base 2027	2027 Base + Sens	Base + Sens + Dev	Difference with 2023	Difference with sens base 2027
SECONDS										
AM PEAK	WB	325	373	402	77	29	556	723	398	167
	NB	303	403	436	133	33	467	497	194	30
PM PEAK	WB	303	430	477	174	47	607	671	368	64
	NB	306	392	429	123	37	461	504	198	43
MINUTES										
AM PEAK	WB	5.42	6.22	6.70	1.28	0.48	9.27	12.05	6.63	2.78
	NB	5.05	6.72	7.27	2.22	0.55	7.78	8.28	3.23	0.50
PM PEAK	WB	5.05	7.17	7.95	2.90	0.78	10.12	11.18	6.13	1.07
	NB	5.10	6.53	7.15	2.05	0.62	7.68	8.40	3.30	0.72

Table 1 Journey Times

10. In Table 1 the cumulative impact of the development is shown in the orange columns, it shows that changes in journey times from one side of Stansted Mountfitchet to the other, (within the modelled area) compared to the current 2023 situation. As can be seen in the AM peak the journey times rise by 77 seconds (a 24% rise) west bound and by 133 seconds (a 44% rise) northbound. In the sensitivity test the west bound journey more than doubles rising by 398 seconds (122%) and by 194 seconds (64%) in the northbound direction.
11. If the development traffic is looked at in comparison to 2027 base (highlighted yellow) westbound in the AM peak it can be seen that a 29 second increase is expected on 2027 committed growth but the same traffic gives a 167 second rise on top the sensitivity growth. This is because the network is becoming more unstable as as traffic volumes increase so the same traffic generated by the development makes a disproportionate rise in journey time.
12. This increase in journey times will impact on public transport as well as car drivers and show that the as more traffic goes through Stansted Mountfitchet the journey times will rise disproportionately.

		Current	A	A +dev	A compared to current	A compared to 2027	B	B +dev	A compared to current	A compared to 2027
Grove Hill Q2		West bound								
		2023	2027 Base	2027 Base +dev	Difference with 2023	Difference with base 2027	2027 Base + Sens	Base + Sens + Dev	Difference with 2023	Difference with sens base 2027
AM	metres	131	226	278	147	52	494	712	581	218
PM	metres	40	158	199	159	41	333	400	360	67
Queue Profiles Silver Street at right turn onto Chapel Street										
		2023	2027 Base	2027 Base +dev	Difference with 2023	Difference with base 2027	2027 Base + Sens	Base + Sens + Dev	Difference with 2023	Difference with sens base 2027
AM	metres	50	250	254	204	4	333	416	366	83
PM	metres	75	364	603	528	239	777	1201	1126	424
Lower Street										
		2023	2027 Base	2027 Base +dev	Difference with 2023	Difference with base 2027	2027 Base + Sens	Base + Sens + Dev	Difference with 2023	Difference with sens base 2027
AM	metres	40	99	104	64	5	116	133	93	17
PM	metres	63	113	131	68	18	149	142	79	-7

Table 2 Average Maximum Queue Lengths

13. The model also looks at average maximum queue lengths (in metres), these are shown in table 2, again the cumulative impact is highlighted orange and the yellow shows the change in relation to the 2027 committed and sensitivity growth. The key queues are at Grove Hill (west bound) Silver Street (B1383) northbound and Lower Street (north bound), shown in Table 2. At Grove Hill (with the committed mitigation modelled) the cumulative impact shows an increase of 147m (112%) in the AM peak and in the sensitivity test this raises to an increase of 366m (444%) against current queues. Again the same development traffic makes a much greater impact when compared to 2027 growth, a 52m increase against committed development versus a 218m against the sensitivity test. This is because the junction is not clearing traffic each cycle and so the queue lengthens disproportionately as more vehicles are added to the back of the queue.
14. In the PM peak on Silver Street (B1383) the queues turning right on Silver Street are forecast to grow significantly, especially in the PM peak. As can be seen the cumulative impact, taking into account committed development, sees an increase of 528m (700%) and even more against the sensitivity test 1126m (1501%) when compared to the 2023 situation. As this junction is over capacity the development traffic has a significant impact of a rise of 239m above 2027 committed development and 424m above the 2027 sensitivity test.
15. This route is an important route for bus services and the route is a strategic route that connects local village to Bishops Stortford, so this increase in queues will have a significant impact on local traffic.
16. The northbound queues on Lower Street, are significant because although they are not as long as the other queues, the distance between Grove Hill and the roundabout to the south is only 110m. The average maximum queue in the pm peak is 63m in in 2023 but is forecast to breach this distance by just 3m with the 2027 base committed growth, with the development traffic it rises by 18m to 131m and with the sensitivity test it rises again to between 142 and 149m. This queuing is very likely to cause grid lock of the roundabout which will have a knock-on effect to the operation of the whole network in

Stansted Mountfitchet and could cause negative driver behaviour that could impact on highway safety, such as pushing on to the roundabout or taking risks pulling out into an inappropriate gap.

17. Options for physical schemes on the network have not been put forward by the developer and the highway authority does not consider a scheme of further mitigation at Grove Hill possible. Mitigation in the form of sustainable transport has been considered and if the Inspector was minded to approve the application these would be required. However, the congestion on the network and particularly at Grove Hill will have an impact not only on the car drivers but on the attractiveness and suitability of the route for pedestrians, cyclists and bus passengers. The road is narrowed by parked cars providing limited room for cyclists to pass queues. Pedestrians are constrained by the very narrow footway, which means they are close to the traffic and moving traffic will be pushed closer to them by the queues certainly making the route unpleasant and potentially less safe for walking. Congestion in the peak hour will impact on the bus services making them less attractive as they will become more unreliable and journey times will increase.
18. The applicant obviously recognises that the modelling has identified that the cumulative impact on highway network is unacceptable and so the Transport Addendum lists a number of reasons why the applicant thinks modelling provided is overly onerous, including, using a peak hour for development traffic that is different to the observed peak hour in the morning (Observed peak hour 07:45-08:45, development traffic peak hour used 08:00-09:00 a difference of 7 trips). The model not allowing for drivers to change route if the shortest route is congested. The traffic modelled is assumed to go through Stansted Mountfitchet not stop at destinations within it and parking spaces are assumed to be full at all times. They also state the use of pre-covid traffic levels as being an overestimate. The Addendum also includes an analysis of the 2021 Census data.
19. I have reviewed these comments and have the following observations:
 - a. It should be recognised that the Census was undertaken in the COVID lock down and the question asked how respondents travelled to work that day – not how they would usually travel and as such cannot be used to inform travel patterns post lockdown.
 - b. The Addendum is seeking to argue that 15% reduction in consented schemes is equivalent to the number for trips from this development, but as addressed in paragraph 7 which outlines why we do not agree it reasonable to apply such a reduction.
 - c. While the model does not allow drivers to change routes the distribution of trips across the network has allowed for this a and a significant proportion to use the alternative route via Hall Road so we believe that this has been accounted for.
 - d. Models always have limitations but what we do know from local knowledge, traffic monitoring and constant feedback from the residents of Stansted Mountfitchet is that there are currently delays in the Stansted Mountfitchet and that Grove Hill is a particular problem, modelling reflects this.

20. When considering the impact of a development the highway authority has to consider paragraph 111 of the NPPF. *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*
21. Due to the impact on the Stansted Mountfitchet network summarised above the highway authority considers that the residual, cumulative, impacts on the road network would be severe and therefore unacceptable.

Hall Road Mini-Roundabout and Coopers End Roundabout – Stansted Airport

22. Revised modelling of the Hall Road mini roundabout (situated on the local highway network) and Coopers End Roundabout (situated on the Airport network) was undertaken to ensure that the committed growth associated with the airport was taken into account. In addition a sensitivity test was undertaken to include the unconsented development Land East of Station Road.
23. The modelling shows that the impact of the development traffic is particularly on the link road, this is a short link that is about 29m long and can accommodate 5 cars. The link can accommodate current queues. The queues on the link road from the mini roundabout grow from 25 vehicles in the 2027 base to 32 vehicles with development in the PM peak. This will impact on the airport network. In the sensitivity test (which includes East of Station Road) the queues are longer and grow from 64 sensitivity 2027 base – 73 vehicles with development.
24. There is also an impact on the Local Highway Network as the queue will increase to from 13 (2027 base) to 17 in the AM peak and 49 (sensitivity 2027 base) to 59 in the sensitivity test.
25. The applicant has put forward a proposal to address the impact on the airport network. It is recognised that a more comprehensive mitigation is required to ensure impact on the Local Highway Network as well as the Airport Highway Network is addressed. It is also recognised that the growth is from a number of developments including the airport. Therefore, a proportionate contribution to a larger scheme would be a more appropriate way to address this impact. The highway authority is working with Stansted Airport to provide a sum for that contribution.

Revised Drawings, Off Site Mitigation and Safety Audits

26. The submitted drawings for the access and highway works adjacent to the site are acceptable as outline schemes. They have been referenced in potential conditions provided as appendix 1 of this document and that the highway authority provides without prejudice.

S106 / Unilateral Undertaking

27. The highway authority has not had sight of a legal agreement securing any mitigation should the application be approved.

From a highway and transportation perspective the impact of the proposal is NOT acceptable to the Highway Authority for the following reasons:

The applicant has not demonstrated to the satisfaction of this Authority that the impact on the local highway network caused by this proposal is acceptable in terms of highway capacity with particular regard to the following:

1. The residual, cumulative impact of traffic on Stansted Mountfitchet at Grove Hill Junction, including Lower Street and Silver Street (B1338) /Chapel Hill Junction, is considered severe.
 - a. The increased queue lengths and time delays caused by the cumulative impact cannot be adequately mitigated against. The impact of the delays will affect the attractiveness of sustainable transport options, and the queuing from one junction to another will affect the efficiency of the highway network and potentially highway safety.

The proposal is therefore contrary to Policy Gen 1 in the Uttlesford Local Plan and paragraphs 111 of the National Planning Policy Framework 2021.



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APPENDIX 1

Notwithstanding the highway recommendation for refusal above, without prejudice the conditions are put forward should the Inspector decide to approve the application.

1. Prior to commencement a Construction Management Plan including the following:
 - I. the parking of vehicles of site operatives and visitors,
 - II. loading and unloading of plant and materials,
 - III. storage of plant and materials used in constructing the development,
 - IV. wheel and underbody washing facilities.
 - V. Routing strategy for construction vehicles
 - VI. Protection of any public rights of way within or adjacent to the site
 - VII. Before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense where caused by developer.
2. **Access:** Prior to occupation of the development, the access provision on to Henham Road as shown in principle on submitted drawing 2008170-008 A shall be provided, including a clear to ground visibility splays with dimensions of 2.4 metres by 94 metres to the east and 2.4 by 61m to the west, as measured from and along the nearside edge of the carriageway (off set 0.5m to the east). The vehicular visibility splays shall

retained free of any obstruction at all times thereafter. **Reason:** To ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

3. **Pedestrian Improvements:** Prior to occupation the following highway improvements as shown in principle on drawing numbers 2008170-032 Rev B and 2008170-032 B shall be provided:
- a. Pedestrian access onto Hall Road as shown in principle on drawing number 2008170-032 Rev B with clear to ground visibility splays of 1.5m x 54m to the north and 1.5m by 82m to the south shall be provided having a minimum width of 3.5m, and associated drop kerb crossing, the visibility splays shall be retained free of any obstruction at all times thereafter.
 - b. A footway a minimum width of 2m to connect to the proposed pedestrian access with the existing footway to the north.
 - c. A scheme to improve pedestrian crossing on the junction of Hall Road with Henham Road.
 - d. A footway with a minimum width of 2m along the site frontage of Henham Road to connect with the existing footways either side.

All necessary works including any relocation or provision of signage, lighting, associated resurfacing or works to the existing carriageway to facilitate widening and Traffic Regulation Orders to be carried out entirely at the developer's expense.

Reason: To ensure a safe access for pedestrians from the site to the site highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

4. **Bus stops:** Prior to occupation the enhancement and provision of bus stops as shown in principle on drawing number 2008170-032 B including:
- a. the enhancement of the bus stop on the south side of Henham Road to the west of the access with shelter, pole and flag, timetable frame as well as raised kerbs, bus cage and crossing points and Real Time Passenger Information.
 - b. The enhancement of the bus stop on the north side of Henham Road to the west of the access with new pole, flag and timetable frame and raised kerbs, bus cage and Real Time Passenger Information.
 - c. Provision a bus stop on the east side of Hall including shelter, pole and flag, timetable frame as well as raised kerbs, bus cage and crossing points and Real Time Passenger Information.
 - d. Provision a bus stop on the west side of Hall including pole and flag, timetable frame as well as raised kerbs, bus cage and crossing points and Real Time Passenger Information.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011. (See also informative iii).

5. **Cycle Parking:** Prior to occupation the provision of a minimum of 5 secure, covered spaces to be situated on highway land close to Elsenham railway station and a minimum of 2 Sheffield Stands on highway land at the local shopping area, facilities to be situated details to be approved in writing by the local planning authority and approved scheme implemented.
6. **Bus contribution:** Prior to first occupation payment of a financial contribution totalling £347,230 (index linked from April 2023) for the support and enhancement of bus services within Elsenham linking the proposed development to key towns villages and amenities such as Stansted Mountfitchet, Bishops Stortford and Stansted Airport, improving the frequency, quality and/or geographical coverage of bus services.
Reason: to improve the accessibility of the of the development by bus in accordance with policy DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011
7. **Stansted Mountfitchet Scheme:** Prior to occupation a financial contribution to be paid to the highway authority of £25,000 (April 2023) towards the design and implementation of a scheme or schemes to reduce the impact within and approaching Stansted Mountfitchet of increasing traffic and HGV traffic such measures could include, but not be limited to, CCTV enforcement cameras, signing, vehicle activation signing, Traffic Regulation Orders, re-classification of road network. The contribution can be used retrospectively for design and implementation if ECC has carried out such work at its own expense . **Reason:** to help protect the highway network in Stansted Mountfitchet from unnecessary traffic and HGV traffic interest of highway safety and efficiency in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
8. **Hall Road Mini-roundabout:** Prior to first occupation of the development to pay a sum of xxxx indexed linked from the April 2023 (proportionate sum to in help fund a capacity scheme), to widen and lengthen the link road, and improve highway safety for all user. **Reason:** to help mitigate the impact of traffic from the development to in terms of capacity and in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
9. **Residential Travel Plan:** Prior to first occupation of the proposed development, the Developer shall submit a residential travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall include but not be limited to provision of membership to car club, travel voucher/miles and space and car on site, lift-share, targets for reduction of single occupancy travel and then be actively implemented by a travel plan co-ordinator for a minimum period from first occupation of the development until 1 year after final occupation. It shall be accompanied by an annual monitoring fee of £1595 (index linked from April 2023), to be paid to Essex County Council.
10. **Travel Packs:** Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, to include travel vouchers of the value of £100 for used with the relevant local public transport operator. **Reason:** In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

11. Walking and cycling in site: Prior to the commencement of the development, a scheme showing the footway cycleway network across the site including treatment of public rights of way. The scheme shall provide details of any necessary surfacing, signing and lighting and shall be submitted to and approved in writing by the Local Planning Authority. The footway/cycleways shall be constructed in accordance with the approved scheme and made available for use prior to the occupation of the first dwelling hereby permitted.

The above conditions are requested, without prejudice if the inspector should be minded to approve the planning application.

Informatives:

- (i) In making this recommendation the Highway Authority has treated all planning application drawings relating to the internal layout of the proposal site as illustrative only.
- (ii) All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.
- (iii) Any signal equipment, real time passenger information at bus stops, structures and non-standard materials proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for a period of 15 years following construction. To be provided prior to the issue of the works licence.
- (iv) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to 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 or by post to SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.
- (v) Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
- (vi) The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.
- (vii) 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.

- (viii) The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW 13 (Elsenham) is considered to be a breach of this legislation. The public's rights passage over shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

- (ix) Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the [Essex Climate Action Commission](#) proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the [Essex Developers' Group Climate Charter \[2022\]](#) and to view the advice contained in the [Essex Design Guide](#). Climate Action [Advice guides](#) for residents, businesses and schools are also available.

