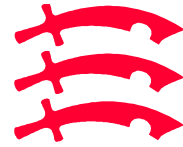


Your Ref: UTT/22/3126/FUL

Our Ref: HT/TPD/SD/48518
Date: 11/02/2023



Essex County Council

CC: Cllr Susan Barker

Paul Crick
Director for Highways and Transportation

To: Uttlesford District Council
Assistant Director Planning & Building Control
Council Offices
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Essex CB11 4ER

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Chelmsford
Essex CM1 1QH

Recommendation of Refusal

Application No. **UTT/22/3126/FUL**

Applicant **Weston Homes**

Site Location **Land At Warish Hall Farm North Of Jacks Lane Smiths Green Lane
Takeley**

Proposal **Erection of 40 no. dwellings, including open space landscaping and
associated infrastructure**

The vehicular access to Jacks Lane is from the Smiths Green, this is a 30mph road with no footways. Although it has a wide verge this is uneven and can be difficult to walk on so the tendency is for people to walk on the road.

Two public rights of way PROW 48/40 and 48/41 lie to the north and south of Bulls Field and west of the site. These are both footpaths the northern one goes along the edge of the field and the southern one through the field. No cycling rights exist over these public rights of way. While surfacing could be undertaken by the applicant as the land is in their ownership, it is not clear what surfacing would be acceptable in this agricultural environment, the footpaths would remain isolated and unlit and unattractive to potential residents from the application site. No details or drawings of any works have been submitted with the application.

45/25 is a restricted byway, it is outside the ownership of the applicant, works on the byway would need the permission of the landowner. This link is potentially the only link that pedestrians and cyclists could use to access amenities from the application site. It is isolated and unlit. No details or drawings of proposed improvements have been submitted with the application nor is any evidence that they have permission to carry out work on the public right of way provided. In addition, it is difficult to see how the isolation would be overcome and make it an attractive route for all residents at all times of day.

The walking and cycling distances in table 3.1 (Typical Journey Times to Key Services) within the Transport Assessment is predicated on using the public rights of way which, for the

reasons stated above, are not suitable for all residents and for all trips and therefore cannot be relied on, so a number of the journeys would be longer especially to the west.

An assessment of the cycling routes is mentioned in the text of the TA but I could not locate it.

The bus services in table 3.2 are not correct as the 42A has been withdrawn and replaced different services.

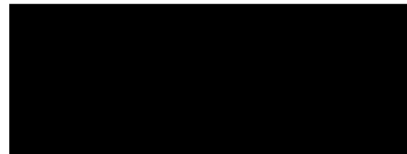
From a highway and transportation perspective the impact of the proposal is NOT acceptable to the Highway Authority for the following reasons:

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 safety and accessibility with particular regard to the following:

1. The application does not demonstrate that safe and suitable access can be achieved for all users:

The lack of pedestrian footways on Smiths Green and reliance on public rights of way which are isolated and unlit for all pedestrian movements mean that they are not attractive or suitable for general everyday use particularly in terms of personal safety.
2. The application does not demonstrate that appropriate opportunities to promote public transport can be or have been taken up, given the type of development or location.

The proposal is therefore contrary to policies DM1 and DM9 contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011; Policy Gen 1 in the Uttlesford Local Plan and paragraphs 110 and 112 of the National Planning Policy Framework 2021



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pp. Director for Highways and Transportation
Enquiries to Katherine Wilkinson
Internet: www.essex.gov.uk

