

Your Ref: S62A/2023/0021  
Our Ref: HT/SD/RMc/49899  
Date: 03/11/2023



**Essex County Council**

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### **Response to revised submission**

Application No.	S62A/2023/0021
Applicant	Dandara Eastern Limited
Site Location	Moors Field, Station Road, Little Dunmow, Essex
Proposal	Application for the approval of reserved matters for appearance, landscaping, layout and scale for 160 dwellings and a countryside park pursuant to conditions 1 and 2 of outline planning permission UTT/21/3596/OP

This S62A planning application is for the reserved matters of layout, appearance, scale and landscaping in relation to outline permission UTT/21/3596. The application was accompanied by a number of statements and plans which the highway authority reviewed and sought further clarifications on in our letter dated 13<sup>th</sup> September 2023. To be clear, the applicant did not seek pre-application advice from the highway authority and we would have welcomed an opportunity to provide input at an earlier stage.

A revised submission of 58 documents was made on 6<sup>th</sup> October 2023 which the highway authority have now reviewed. The assessment of the application was undertaken with reference to the National Planning Policy Framework 2023 and in particular, paragraphs 110 – 112, the following were considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.

It should be made clear that the Adoptable Highways Plan has not been agreed with the highway authority. Some of our concerns could fall away if the development is not adopted as public highway.

The revised submission adequately deals with a number of the issues raised in our initial response, however, some concerns remain. We have detailed below:

- Highway safety concerns with the layout that have not been resolved in the revised submission and cannot reasonably be resolved by an appropriately-worded condition
- Highways safety concerns with the layout that have not been resolved in the revised submission and could be resolved by an appropriately-worded condition
- Issues with the road layout which are only relevant if the intention is for the highway to be adopted as per the submitted Adoptable Highways Plan
- Items that we suggest should be secured by condition

**There are some highway safety concerns that should be resolved regardless of who maintains the highway, and thus should be considered ahead of a decision being made. These concerns require further discussion and design changes, and are detailed as follows:**

1. We consider that the road serving plots 24-138 should have 2m footways on both sides of the carriageway, especially along the portion where there are dwellings on both sides of the road. The current plans show that future occupants of plots 138-147 would have no safe and suitable pedestrian access to their properties, as no footway is provided nor safe crossing points to the footway opposite. We do not agree that the road only serves 19 dwellings, as it provides access to the vast majority of the site – we may be able to agree with the applicant's assertion if measures were in place to make it a less attractive through-route for vehicles, but preferably, a footway would be provided
2. There are issues with the parking provision at a number of plots whereby the design could lead to indiscriminate parking across the footway resulting in a highway safety issue as pedestrians may be forced into the carriageway:
  - a. The following plots show an additional 2m of 'private parking' beyond the footway on drawing *P23-0555\_DE\_013A\_-\_Parking\_Strategy\_*. These areas are shown blank on drawing *P23-0555\_DE\_010A\_-\_Adoptable\_Highways\_Plan\_Checked* which only adds to the ambiguity of how this space will be used: plots 75, 90, 100, 118-122 and 157-160
  - b. The following plots show a driveway provided is in excess of the required 11m long (to provide two spaces) plots: 5-8, 14-16, 20-26, 28-29, 38, 55-56, 116-119, 122 and 137-138
  - c. At plots 97 and 98, the driveways are marked as triple tandem parking, but appear to only be too short (only 15.5m)
  - d. At plot 143, the available length for parking 2 cars is reduced by the position of the cycle store (11m required)
3. On drawing *3261.MA.3003A\_PLANTING\_PLAN\_SHEET\_3\_OF\_7\_Redacted*, outside plots 30-37/opposite plot 19, a small segment of verge is shown with a tree planted within it. It appears it would not be possible to achieve a minimum 450mm clearance between the tree and the carriageway
4. We welcome the effort made to improve the distribution of visitor parking bays across the site but are not satisfied that the revised Parking Strategy provides sufficient accessible visitor parking for the majority of dwellings. We remain concerned that this distribution of visitor spaces would lead to parking on-highway and could have a detrimental impact on highway safety

**We are satisfied that the following highway safety concerns, which are relevant regardless of who maintains the highway, can be resolved by condition:**

1. All the visibility splays shown on drawings *134390-RSK-ZZ-ZZ-DR-C-0027\_P03*, *134390-RSK-ZZ-ZZ-DR-C-0028\_P03* and *134390-RSK-ZZ-ZZ-DR-C-0029\_P03* should be kept clear of vegetation, with any planting beyond grass being kept a minimum of 1m clear of the marked visibility splays. This requirement could be secured by condition
2. We would welcome a condition that secures the submission of more details of the south-eastern pedestrian/cycle access as it appears to be a 3.5m wide structure over an enhanced swale. It is unclear from this application what the effective width of the route would be, whether it would be fenced, and how cyclists would enter/exit the carriageway
3. The refuse vehicle tracking shown on drawing *134390-RSK-ZZ-ZZ-DR-C-0026\_P03\_Refuse\_Vehicle\_Tracking\_Redacted* remains unsatisfactory. The tracking shows that at multiple locations, refuse vehicles would significantly overhang the footway when turning or manoeuvring. Furthermore, at plots 11/13, the vehicle is shown to require the space reserved for visitor parking which is unacceptable. However, it would appear that the turning heads dimensions do comply with our standards, as such, we would recommend a condition to ensure that an appropriately-sized turning head is constructed, surfaced and maintained free from obstruction at each relevant location

**If the applicant expects the highway to be adopted, the following issues will also need to be resolved:**

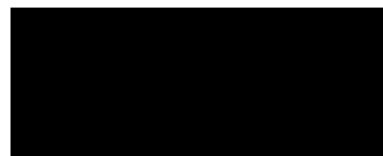
1. The highway verges are required to be a minimum width of 3m, they are currently shown as only 2m wide. It is unlikely this could be secured by condition without requiring significant changes to the submitted plans
2. Footways need not be provided around turning heads, these should be omitted from the design if the highway is to be adopted

**We would welcome, if permission is to be granted, the following conditions to be secured:**

1. A condition to ensure every dwelling is provided with a minimum of one secure covered cycle parking space as per drawings *P23-0555\_DE\_013A\_-\_Parking\_Strategy\_checked* and *P23-0555-HT25\_-\_Bin\_and\_Cycle\_Store\_Details\_Redacted*
2. A condition to ensure that all footways within the development should be a minimum 2m wide
3. A condition to ensure that dropped kerbs are provided where cycle routes link to the road network

We note that none of the plans submitted show a 2m footway along the southern edge of the carriageway along Station Road – this is a requirement from condition 24 of the outline permission so no further condition is required. We expect a further submission of details to discharge condition 27 of the outline permission in relation to the treatment/surfacing of Public Rights of Way within the site. We also ask that the applicant note that should permission is to be granted, it does not guarantee that the Cycle Track Order (Cycle Tracks Act 1984) proposed would be made. If the order were not granted, the Access and Circulation Plan would need to be reviewed.

Although not a planning matter, the failure to address some/all of the issues raised above may preclude the future adoption of highways within the site. We do consider that the outstanding highway safety concerns are a planning matter, and, although there have been some improvements made to address the previous concerns raised, there are still some unresolved concerns which we would respectfully ask the Inspector to consider in their decision-making.



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