

Your Ref: S62A/2023/0021  
Our Ref: HT/SD/RMc/49899  
Date: 15/12/2023



**Essex County Council**

CC (by email): Cllr Foley  
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### Consultation response

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 documents and plans which the highway authority reviewed and sought further clarifications on in our letter dated 13<sup>th</sup> September 2023. A revised submission of 58 documents was made on 6<sup>th</sup> October 2023 which the highway authority reviewed and responded to in our letter dated 3<sup>rd</sup> November 2023. Following that letter, the applicant sought 'pre-application' advice from the highway authority and a meeting was held on 16<sup>th</sup> November 2023. Following which a revised submission of 56 documents was made on 21<sup>st</sup> November 2023 which the highway authority have now reviewed. The assessment of the application was undertaken with reference to the National Planning Policy Framework 2023, in particular, paragraphs 110 – 112, the following have been considered: access and safety; capacity; opportunities for sustainable transport; and mitigation measures.

It is no longer proposed that the internal estate roads be adopted by the highway authority which means that some of our previous concerns have fallen away. Some concerns remain but we are confident that these can be dealt with by placing appropriately-worded conditions as they should not require major design changes.

We welcome the introduction of a 2 metre wide footway on both sides of the road serving plots 132-147 and efforts to distribute the visitor car parking spaces more evenly across the site.

The latest submission includes a revised Parking Strategy, drawing no. P23-0555\_DE\_013C. This goes some way to addressing the highway safety concerns raised previously in regards to parking provision. On review, however, some issues still remain hence the requirement for draft condition 2 that this be resolved prior to commencement of the development. The highway authority have found the following:

- Parking spaces should be provided immediately behind the footway/carriageway to avoid indiscriminate parking – too much additional space appears to have been provided at the following plots: 1, 2, 51, 101, 102, 103, 129, 147 and 148
- Parking spaces should be a minimum of 5.5m for one space, 11m for two spaces and 16.5m for three spaces – insufficient space appears to have been provided at plots: 14, 15, 16, 29 and 58

We note that the plans submitted do not show a 2 metre wide 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 and we expect it will be provided. We look forward to 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 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 for public right of way footpath 10 (Little Dunmow 35) would be made. If the order is not granted, the Access and Circulation Plan (drawing no. 3261.MA.2000) will need to be reviewed.

**From a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:**

1. **South-eastern pedestrian and cycle access:** prior to commencement of the development, the Developer shall submit to the Local Planning Authority for approval, in consultation with the highway authority, details of the south-eastern shared pedestrian and cycle access, including the proposed bridge over the enhanced swale. Once approved, the development shall not be occupied until such time as all approved work have been completed. Once completed, the shared pedestrian and cycle access shall be retained at all times.

**Reason:** in the interests of reducing the need to travel by car, promoting sustainable development and transport, and ensuring an appropriate walking and cycling network in accordance with policy DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

2. **Residential vehicular parking:** prior to commencement of the development, the Developer shall submit to the Local Planning Authority for approval, in consultation with the highway authority, details of the car parking provision for each residential dwelling. Once approved, the development shall not be occupied until such time as the approved parking spaces are provided in the agreed form. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

**Reason:** to ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

3. **Cycle routes:** prior to occupation of the development, the Developer shall submit to the Local Planning Authority for approval, in consultation with the Highway Authority, details of the cycle routes across the site shown indicatively on drawing no. 3261.MA.2000, including details of their surfacing, signage, and accesses to the highway. Once approved, the development shall not be occupied until such time as all approved work have been completed. Once completed, the shared pedestrian and cycle access is to be retained at all times.

**Reason:** in the interests of reducing the need to travel by car, promoting sustainable development and transport, and ensuring an appropriate walking and cycling network in accordance with policy DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

4. **Visitor vehicular parking:** the proposed development shall not be occupied until such time as the visitor parking spaces indicated on drawing no. P23-0555\_DE\_013C has been hard surfaced, sealed and marked out in parking bays. The visitor parking shall be retained in this form at all times and shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

**Reason:** to ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy

DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

5. **Cycle parking:** prior to occupation of the development, each dwelling will be provided with a minimum of one secure covered cycle parking space as indicated on approved drawing nos. P23-0555-HT25 and P23-0555\_DE\_013C shall be provided and retained in this form at all times.

**Reason:** to ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011

6. **Turning areas:** prior to occupation of the development, vehicular turning facilities as shown indicatively on drawing no. 134390-RSK-ZZ-ZZ-DR-C-0026 P05 shall be constructed to Essex Design Guide standards (size 3 or size 5 as required), surfaced and maintained free from obstruction within the site at all times for that sole purpose.

**Reason:** to ensure that vehicles can enter and leave the highway in a forward gear 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.

7. **Visibility:** prior to occupation of the development, the clear-to-ground visibility splays indicated on drawing nos. 134390-RSK-ZZ-ZZ-DR-C-0027 P04, 134390-RSK-ZZ-ZZ-DR-C-0028 P04 and 134390-RSK-ZZ-ZZ-DR-C-0029 P04 shall be provided. Such vehicular visibility splays shall be kept clear of vegetation, and be retained free of any obstruction at all times. Any new planting shall be planted a minimum of 1m back from the highway boundary and any visibility splay.

**Reason:** to provide adequate inter-visibility between vehicles using the highway and to ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the 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.

8. **Footways:** prior to occupation of the development, footways shown on drawing nos. 3261.MA.1000 - 3261.MA.1007 to be constructed a minimum of 2m wide and retained as such at all times.

**Reason:** in the interests of reducing the need to travel by car, promoting sustainable development and transport, and ensuring an appropriate walking and cycling network in accordance with policy DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

**The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, Uttlesford Local Plan Policy GEN1 and the National Planning Policy Framework.**

**Informatives:**

- (i) 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.
- (ii) 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 applicant should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org)

- (iii) 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. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design checks, 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.
- (iv) Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway
- (v) There shall be no discharge of surface water onto the Highway.
- (vi) Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway



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