

From: Rachel McKeown - Strategic Development Engineer [REDACTED]
Sent: 12 January 2024 15:01
To: Section 62A Applications <section62a@planninginspectorate.gov.uk>
Subject: RE: S62A/2023/0027 Land At Warish Hall Farm North Of Jacks Lane, Smiths Green lane, TAKELEY

Hello Leanne,

Happy New Year. Please see below our response on the Highways queries raised:

Essex County Council

Highways

1. The consultation response dated 15 December 2023 regarding the use of the byway indicates that ECC is not able to agree a scheme and suggest the imposition of a condition. Given the Inspector's comments set out in paragraph 5 above, the imposition of a condition is not considered acceptable. Can ECC set out in detail what its requirements are?
On balance, following further review, ECC are satisfied that the proposed lighting scheme for the restricted byway is acceptable. As such, we would suggest the following amended suggested condition 2:

Jacks Lane restricted byway 25 (Takeley 48) improvement works: prior to occupation of the development, the Developer shall complete the improvement works to restricted byway 25 (Takeley 48) from Burgattes Road, to Jacks Lane and north to the proposed footway/cycle link forming part of the residential estate shown hatched purple on drawing no. WH202.WST.P1.ZZ.DR.PL.10.04. The improvement works shall make the restricted byway suitable for regular, all-weather use by pedestrians, cyclists and people with mobility impairment. The scheme shall include, but not be limited to, full depth construction, surfacing, lighting, drainage, signage, ditch crossing, measures to prevent use by motor vehicles and vegetation clearance. No occupation of any dwelling shall take place until the scheme of works is delivered entirely at the developer's expense.

Reason: to ensure safe and suitable access to key facilities for pedestrians and cyclists in accordance with policy DM1 and DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

2. Suggested conditions 3, 9 and 10. It is not appropriate to require the payment of money by way of a planning condition. If this is to be agreed, it should form part of the S106 Agreement. **We agree that these requirements can form a planning obligation via s106 (to collect the commuted sums, and an obligation to maintain the vegetation)**
3. Suggested Condition 8, Travel Packs and the provision of travel vouchers should be dealt with via the S106 Agreement. **We agree that these requirements can form a planning obligation via s106**
4. Can ECC clarify what is specifically required in terms of bus stops? Consideration of these facilities would need to be assessed having regard to the effect on the character and appearance of Smiths Green Road. **The bus stops are proposed to be placed on B1256 Dunmow Road, one eastbound and one westbound. As currently drafted, the s106 allows for the provision of shelters, seating, raised kerbs, bus stop markings, flags and timetable**

casings at each stop, however, it may be that there is insufficient highway available for shelters to be provided once detailed design progresses in which case that part of the obligation would fall away. Both stops are likely best placed to the west of the junction with Smiths Green Lane to ensure consistent spacing from existing stops, and would therefore likely be outside the extent of the Smiths Green Takeley Conservation Area minimising impact on its character and appearance, alternatively, the shelters may be designed to accord with the surroundings of the conversation area if placed within it. We have verbally agreed with the applicant that this will form an obligation to pay to ECC the cost of providing the bus stops, and ECC will deliver them and will reflect this in the s106 agreement.

Kind regards,

Rachel McKeown

Strategic Development Engineer

