

Your Ref: UTT/22/1261/FUL  
Our Ref: HT/SD/RMc/26093  
Date: 06/10/2023



CC (by email): Cllr Barker  
Essex Highways Development Management  
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## Recommendation

Application No.	UTT/22/1261/FUL
Applicant	Mr W. I Bampton Pelham Structures Ltd 4 Brices Yard Butts Green Langley Upper Green Clavering CB11 4RT
Site Location	Land To The West Of Mill Lane Hatfield Heath
Proposal	The demolition of 10 no. existing structures, the conversion and restoration of 8 no. existing buildings to form 8 no. holiday cottages and 1 no. dwelling, the construction of 3 no. single storey dwellings. The creation of a pedestrian and cycle link path.

This application was accompanied by a Transport Assessment (dated 25.04.2022) and two technical notes (dated 04.11.2022 and 01.06.2023) which have been reviewed by the highway authority in conjunction with several site visits and internal consultations.

Further to our last response (dated 10.01.2023), amendments have been made to the scheme in response to the concerns raised. A Stage 1 Road Safety Audit has been undertaken on the whole highway works package and an alternative route for pedestrians is provided such that pedestrians, cyclists and vehicles need not share the carriageway of Mill Lane (which will also be widened).

The assessment of the application and Transport Assessment was undertaken with reference to the National Planning Policy Framework 2021, in particular paragraphs 110 – 112, the following was considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.

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

1. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
  - a. vehicle routing,
  - b. the parking of vehicles of site operatives and visitors,
  - c. loading and unloading of plant and materials,
  - d. storage of plant and materials used in constructing the development,
  - e. wheel and underbody washing facilities.

**Reason:** To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of

highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2. Prior to occupation of the development, the access road junction at its centre line as shown in principle drawing ITB11347-GA-012 Rev G shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 25 metres in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access road junction is first used by vehicular traffic and retained free of any obstruction at all times

**Reason:** To provide adequate inter-visibility between vehicles using the access road junction 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. Prior to occupation of the development, visibility splays at the junctions of the all-weather link with the existing bridleway of Mill Lane (bridleway 9, Hatfield Heath 297) and the improved public right of way to Home Pastures (footpath 12, Hatfield Heath 297) shall be provided as shown in principle on drawing ITB11347-GA-012 Rev F. Such visibility splays shall be retained free of any obstruction at all times.

**Reason:** To provide adequate inter-visibility between the users of the highway, bridleway and pedestrians/cyclists accessing the development 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.

4. Prior to development above slab level, details to be submitted to the local planning authority of the all-weather link from the access road to bridleway 9 (Hatfield Heath 297) and through to Home Pastures (along existing footpath 12, Hatfield Heath 297) as shown in principle on drawings no. ITB11347-GA-012 Rev G and 571x02 Rev C including, but not limited to: provision of an all-weather surface suitable for pedestrians and cycles, vegetation management, and the necessary order/agreement to allow cycle movements, to be considered and approved in consultation with the highway authority.

**Reason:** To make adequate provision for safe and suitable access to site for pedestrians and cyclists in accordance with Policies DM1 and DM11 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

5. Prior to occupation of the development, the highway works shown in principle on drawing no. ITB11347-GA-012 Rev G are to be provided entirely at the developer's expense. These works shall include, but not be restricted to, the following:
  - a. Widening of Mill Lane, maintaining a minimum 0.45m clearance from existing buildings
  - b. Resurfacing of Mill Lane from Stortford Road to site access, including full depth construction/re-construction where required
  - c. Improvements to the existing access to site from Mill Lane
  - d. Provision of footway and amendments to kerb radii at junction of Mill Lane with Stortford Road
  - e. Provision of all-weather surfaced link to Home Pastures

**Reason:** To make adequate provision within the highway for vehicular traffic, pedestrians and cyclists as a result of the proposed development ensuring safe and suitable access to site 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.

6. 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/unit, for sustainable transport, approved by Essex County Council (packs for residential dwellings to include six one day travel vouchers for use 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

7. The proposed development shall not be occupied until such time as the vehicle parking provision indicated on the approved plans has been hard surfaced, sealed and marked. The vehicle parking provision shall be retained at all times.

**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.

8. Prior to occupation of the development, a vehicular turning facility shall be constructed and surfaced and will be maintained free from obstruction within the site at all times.

**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.

9. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

**Reason:** To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies, as 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 and Uttlesford Local Plan Policy GEN1.**

**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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