

Your Ref: S62A/2023/0031
Our Ref: HT/SD/RMc/57218
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Essex County Council

Highways and Transportation
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CC (by email): [REDACTED]
Essex Highways Development Management
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To: Inquiries and Major Casework Team
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Updated consultation response

Application No.	S62A/2023/0031
Applicant	Kier Ventures Ltd
Site Location	Land North of Thaxted Road, Saffron Walden
Proposal	The erection of up to 55 dwellings, associated landscaping and open space, with access from Knight Park

This S62A application is for up to 55 dwellings accessed through the Knight Retail Park. The applicant sought pre-application advice from the highway authority, which was issued in September 2023, and much of that advice has been incorporated in the application, which is welcomed. The highway authority previously issued a response to PINS dated 9th February 2024 to the original submission of documents requesting additional information be provided to ensure a comprehensive review could be undertaken. The applicant has subsequently provided further information, including an updated Transport Statement, updated Framework Travel Plan, a letter confirming access from the public highway, and updated Framework, Access and Sketch Site Layout plans, which have all now been reviewed. The highway authority also met with the applicant and their transport consultant to ensure the proposals were fully understood.

The assessment of the application, including its Transport Statement, was undertaken with reference to the National Planning Policy Framework 2023 and, in particular, paragraphs 114-116, the following were considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.

We welcome the applicant's commitment to protect the public rights of way within/adjacent to the site but note that they are not all clearly marked on the submitted plans. At reserved matters stage, should the Inspector be minded to grant outline permission, we would request that all public rights of way (footpath 36, byway 18 and bridleway 19) are clearly marked on all relevant plans.

We note that the applicant benefits from a right of access over the Knight Retail Park access road (within the red line boundary) but that it is not within the gift of the applicant to provide improvements to facilities along that access road. Whilst disappointing that specific improvements for sustainable transport modes cannot be secured along that route, we are satisfied that safe and suitable access to the site can be achieved for all users.

The highway authority has plans to introduce two new regular services which will terminate/begin at the Knight Retail Park. As the development access works would require the removal of the existing turning head, we requested that the internal loop road of the proposed development be suitable for bus services to use for turning – we welcome the applicant's offer to facilitate this and have suggested a condition to that effect.

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

1. **Construction Management Plan:** 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, in consultation with the local highway authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
 - a. construction vehicle access,
 - 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,
 - f. routing strategy for construction vehicles,
 - g. protection of public rights of way within or adjacent to the site,

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 in accordance with policy DM1 of the Highway Authority's Development Management Policies February 2011

2. **Vehicle parking:** prior to implementation of the development, the Developer shall submit to the Local Planning Authority for approval, in consultation with the highway authority, details of the vehicular parking provision for residents and visitors in accordance with the relevant parking standards. Each vehicular parking space shall have minimum dimensions of 2.9 metres by 5.5 metres. All single garages shall have a minimum internal dimensions of 7 metres by 3 metres if their intended purpose is parking. Once approved, the development shall not be occupied until such time as the parking indicated on those approved plans has been provided and shall be retained in this form at all times. 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 encourage the use of off-street parking, to ensure adequate space for parking off the highway and to ensure that on street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and amenity in accordance with policy DM8 of the Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance in February 2011

3. **Cycle parking:** prior to implementation of the development, the Developer shall submit to the Local Planning Authority for approval, in consultation with the highway authority, details of the cycle parking provision for residents in accordance with the relevant parking standards. The cycle parking provision will be secure, convenient and covered. Once approved, the development shall not be occupied until such time as the parking indicated on those approved plans has been provided and shall be retained in this form at all times

Reason: to ensure appropriate cycle parking is provided and in the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM8 and DM9 of the Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance in February 2011

4. **Residential Travel Plan:** prior to first occupation of the proposed development, the Developer shall submit a residential travel plan incorporating the principles set out in Framework Travel Plan Rev C to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall then be actively implemented for a minimum period from first occupation

of the development until 1 year after final occupation

Reason: to encourage trips associated with the development to be made by more sustainable modes of transport such as public transport, cycling and walking, in accordance with policy DM10 of the Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance in February 2011

5. **Bus accessibility:** prior to first occupation of the proposed development, the Developer shall submit to the Local Planning Authority for approval, in consultation with the highway authority, details relating to bus facilities on the site, including the ability for a bus to turn using the development's internal loop road as shown in principle on drawing 23075-TK01, and stop facilities if required by the highway authority. Once approved, the Developer will ensure that the turning route is retained in that form at all times and kept free of obstruction

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

6. **Public Rights of Way:** the public's rights and ease of passage over public footpath 36, bridleway 19 and byway 18 (Saffron Walden 44) shall be maintained free and unobstructed at all times

Reason: to ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with policies DM1 and DM11 of the Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance in February 2011

The following obligations are understood to be secured within the Section 106 agreement to be provided to the Planning Inspectorate separately but, for the sake of completeness, are repeated here - the impact of the proposal is acceptable to the Highway Authority subject to the following obligations:

1. **Residential travel information packs:** 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, for sustainable transport, approved by Essex County Council (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

2. **Sustainable transport contribution:** prior to occupation of the proposed development, payment of a financial contribution of £145,000 (index-linked) towards bus services between the site, Saffron Walden Town Centre and Audley End station

Reason: to improve the accessibility of the development by funding alternatives to private car use in accordance with policy DM9 of the Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance in February 2011

3. **Bus infrastructure contribution:** prior to implementation of the proposed development, payment of a financial contribution of £32,690 (index-linked) towards either providing additional bus stops within Knight Retail Park to serve the Development or, in the event that the extension of services to Knight Retail Park is not delivered, towards the cost of providing real-time passenger information displays (including maintenance and energy costs) at the 2 existing bus stops nearest to the development

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

Informatives:

- (i) As this is an outline application, the internal layout has not been fully assessed.
- (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
- (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
- (vii) 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.
- (viii) The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath 36, bridleway 19 and byway 18 (Saffron Walden 44) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.



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