

Your Ref: S62A/2023/0030
Our Ref: HT/SD/RMc/10499
Date: 10/04/2024



Essex County Council

Highways and Transportation
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CC (by email): Cllr [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/2023/0030
Applicant	BAYA Group
Site Location	Land to the west of Clatterbury Lane, Clavering, Essex
Proposal	Description of proposed development: Outline application with all matters reserved except access for up to 28 dwellings (class C3) including public open space, sustainable drainage systems, landscaping and associated infrastructure

An assessment of this S62A application, including its Transport Statement, was undertaken with reference to the National Planning Policy Framework 2023, in particular, paragraphs 114-116, the following were considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures. The highway authority provided an initial response to PINS on 13th February 2024. That response set out a number of areas where we felt additional information was required in order to fully assess the proposals.

The applicant prepared a Transport Note titled 'Response to Highway Officer Comments' dated February 2024, however, following a meeting on 27th February 2024 between ECC and Icen Projects (transport consultant), it was agreed that the highway authority need not consider that response as it were to be updated. Subsequently, an updated Transport Note 'Response to Highway Officer Comments' dated 20th March 2024 has been prepared and submitted alongside drawing no. 23-T011-02-Rev F (Access Arrangement and Visibility Assessment), drawing no. 23-T011-06-Rev E (Pedestrian Visibility Assessment) and a copy of email correspondence regarding wet weather corrections on speed surveys. The updated Transport Note also included an updated drawing no. 23-T011-05-Rev E (Improvements to Clatterbury Lane junction) at Appendix 5.

Further to the above submission to PINS, more clarity was provided by Icen Projects by email on 9th April 2024 in respect to the visibility splay to the left and whether it would require third-party land to deliver.

A speed survey has now been undertaken. Paragraph 3.1.1 of CA 185 - *Vehicle speed measurement* sets out "Where speed measurements have been taken either partially or entirely in wet weather conditions, the following values should be added to each individual speed recorded in wet weather: 1) 8kph for dual carriageways; and 2) 4kph for single carriageways. Wet weather conditions includes periods after rainfall when the road surface is still wet." It is hard to be sure without contemporaneous recording of the weather and road surface condition (wet/dry) whether it is strictly necessary to apply a 'wet weather correction' to all recorded speeds but in the interests of robustness, as correspondence from the applicant's transport consultant sets out that rain was recorded during the survey period, we consider it appropriate for 4kph to

be added to the recorded 85th percentile speed. As such, we consider the visibility required to the right is 2.4m by 56.1m measured to the nearside kerb-line (based on MfS2 Table 10.1 values for design speeds '60kph and below') and the visibility required to the left is 2.4m by 96.5m measured to the nearside edge of the vehicle track – 1m from the carriageway edge (based on MfS Table 10.1 values for design speeds 'over 60kph').

The pedestrian visibility splays shown on drawings 23-T011-06-Rev E (Pedestrian Visibility Assessment) and 23-T011-05-Rev E (Improvements to Clatterbury Lane junction) are acceptable to the highway authority.

It is noted and welcomed that the development would provide new footway and improved crossing facilities within the vicinity of the site. It is also noted and welcomed that the applicant will offer a £1,000 bicycle voucher to each dwelling. As previously noted, we still consider that given the location of the site, for the majority of journeys, the only practical option will be the car and this should be taken into consideration by the Inspector when assessing the overall sustainability and acceptability of the site.

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

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 highway authority. The approved plan shall cover all areas of the site identifying differences in operation as necessary and 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,
 - f. treatment and protection of public rights of way during construction,

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 DM1 of the Highway Authority's Development Management Policies February 2011

2. **Access:** prior to occupation of the development, the provision of a road junction access formed at right angles to Stickling Green, as shown in principle on drawing no. 23-T011-02-Rev F to include but not limited to: minimum 5.5 metre carriageway width with minimum radii of 6 metres and two 2 metre wide footways. The road junction access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 96.5 metres to the west and 2.4 metres by 56.1 metres to the east, as measured from and along the nearside edge of the vehicle track and nearside edge of the carriageway respectively. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times.

Reason: to ensure that vehicles can enter and leave the existing highway network in a controlled manner and to provide adequate inter-visibility between vehicles using the 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. **Highway works:** prior to occupation of the development, the provision of a 2m footway and pedestrian dropped kerb crossing points with appropriate tactile paving across Stickling Green and B1038 Clatterbury Lane as shown indicatively on drawing no. 23-T011-05-Rev E. Works to be completed entirely at the developer's expense. A 2m footway to be provided from the junction of Stickling Green with Arkesden Road to the new crossing point across B1038 Clatterbury Lane. Crossing points to be provided to the east of the site access across Stickling Green, at the junction of Stickling Green with Arkesden Road, at the two existing accesses on Arkesden Road/Clatterbury Lane and across the B1038 Clatterbury Lane. At each of the pedestrian crossing points, clear to

ground visibility splays with dimensions as noted on drawing 23-T011-06-Rev E and 23-T011-05-Rev E shall be provided. Such visibility splays shall be provided before first occupation and retained free of any obstruction at all times.

Reason: in the interests of highway safety, reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM1, DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

4. **Vehicle and Cycle Parking:** as part of the reserved matters application, the Developer shall submit to the Local Planning Authority for approval, in consultation with the highway authority, details of both vehicular and cycle parking for residents and visitors in accordance with the relevant parking standards. 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, 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 Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

5. **Residential Travel Information Packs:** prior to occupation of the 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. The Residential Travel Information pack shall also include a £1,000 voucher for each dwelling towards purchase of a bicycle.

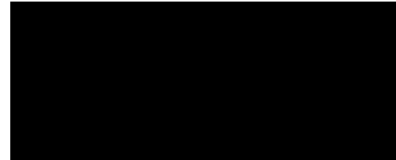
Reason: in the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

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 applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.
- (iii) Any signal equipment, structures and non-standard materials proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for a period of 15 years following construction to be provided prior to the issue of the works licence.
- (iv) 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. This will include the submission of detailed engineering drawings for approval and safety audit.
- (v) The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the

new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.

- (vi) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check 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.
- (vii) Under Section 23 of the Land Drainage Act 1991, prior written consent from the Environment Agency is required to build any culvert (pipe) or structure (such as a dam or weir) to control or alter the flow of water within an ordinary watercourse. Ordinary watercourses include ditches, drains and any other networks of water which are not classed as Main River.
- (viii) 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



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