

Your Ref: S62A/2023/0019
Our Ref: HT/SD/RMc/48518
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Essex County Council

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Response to additional information

Application No.	S62A/2023/0019
Applicant	Weston Homes PLC
Site Location	Land to the north of Roseacres, between Parsonage Road and Smiths Green Lane, Takeley, Essex, CM22 6NZ (Land known as Bull Field, Warish Hall Farm, Takeley, Essex)
Proposal	Access to/from Parsonage Road between Weston Group Business Centre and Innovation Centre buildings leading to: 96 dwellings on Bulls Field, south of Prior's Wood, including associated parking, landscaping, public open space, land for the expansion of Roseacres Primary School, pedestrian and cycle routes to Smiths Green Lane together with associated infrastructure

This S62A planning application involves one of the land parcels which formed part of planning application UTT/21/1987/FUL for a wider area of land which was refused by Uttlesford District Council and subsequently dismissed by the Planning Inspectorate following an appeal.

This highway authority issued a response to the original submission of documents on 25th August 2023 requesting additional information be provided to ensure a comprehensive review could be undertaken. The applicant subsequently provided further information, including a Transport Assessment Addendum, which has 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 Assessment and TA Addendum, was undertaken with reference to the National Planning Policy Framework 2023 and 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/obligations:

Prior to implementation:

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,
- g. before and after condition survey to identify defects to highway in the vicinity of the accesses to the site and where necessary ensure repairs are undertaken at the developer expense where caused by developer.

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. **Walking, Cycling and Public Rights of Way:** 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 pedestrian and cycle connections across the development including details of works to the two public rights of way running through the site – including, but not limited to, surfacing, drainage and signage. Once approved, the development shall not be occupied until such time as all approved works have been completed. For the avoidance of doubt, the public rights of way are:

Footpath 40 (Takeley 48) between Parsonage Road and Smith's Green and
Footpath 41 (Takeley 48) between Leyfield and Smith's Green

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 policies DM9 of the Highway Authority's Development Management Policies, 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 cycle parking for residents and visitors in accordance with the relevant cycle parking standards. Once approved, the development shall not be occupied until such time as the cycle parking indicated on the approved plans has been provided and shall be 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.

Prior to occupation:

4. **Highway works:** prior to occupation of the development, the following highway works will be provided entirely at the developer's expense: provision of an uncontrolled pedestrian crossing to the south of the Parsonage Road access, to provide pedestrian access to the northbound bus stop, at the location shown indicatively on Motion drawing no. 2007045-02 Rev A, to include dropped kerbs and tactile paving

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

5. **Active Travel Infrastructure:** prior to occupation of the development, the Developer shall submit details of the works shown indicatively on Motion drawing no. 2007045-02 Rev A to facilitate active travel within and beyond the site boundary. Once approved, the works are to be completed prior to first occupation and will be delivered entirely at the developer's expense (recognising that some of these measures have been secured as part of permissions for adjacent development sites owned by the same applicant, and no double-counting of improvements is expected nor required):

- a. Improvements to the surfacing and lighting on restricted byway 25 (Takeley 48) between Jacks Lane and Burgattes Road
- b. New shared footway/cycleway with a minimum width of 3m along the northern edge of the site from Smiths Green Lane to the western edge of the woodland, running approximately parallel to footpath 40 (Takeley 48) to connect to the shared footway/cycleway along the carriageway of the Weston Business Centre/7 Acres access road
- c. Improvements to footpath 40 (Takeley 48) between the western edge of the woodland and Parsonage Road
- d. Provision of a shared footway/cycleway with a minimum width of 3m through the southern portion of the site from Smiths Green Lane to Roseacres Primary School, running approximately parallel to footpath 41 (Takeley 48)
- e. Provision of a new footway connection with a minimum width of 2m along the eastern side of the application site, approximately parallel to Smiths Green Lane, connecting footpath 40 (Takeley 48) and footpath 41 (Takeley 48)

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 policies DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

6. **Vehicular Parking:** the development shall not be occupied until such time as the vehicle parking areas indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas 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 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.

7. **Residential Travel Plan:** prior to occupation of the development, the Developer shall submit a residential travel plan to the Local Planning Authority for approval, in consultation with the highway authority. Such approved travel plan shall then be actively implemented by a travel plan co-ordinator for a minimum period from first occupation of the development until 1 year after final occupation. It shall be accompanied by an annual monitoring fee of £1690 per annum (index linked to the date of this recommendation) to be paid to Essex County Council.

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

8. **Travel 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.

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

9. **Sustainable Transport Contribution:** payment of a financial contribution of £326,400 (indexed from the date of this recommendation) shall be paid to fund improvements to enhance bus services between the development, Bishops Stortford, local amenities and/or Stansted Airport improving the frequency, quality and/or geographical cover of bus routes that serve the site. In addition funding may contribute to the design and implementation of a cycle route between Takeley and Stansted

Airport. This payment will be made 50% prior to first occupation, and the remaining 50% within 2 years of the first.

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

10. **Bus Infrastructure Contribution:** prior to occupation of the development, payment of a financial contribution of £86,258.71 (index linked to the date of this recommendation) to provide real-time passenger information displays at the following bus stops: Chestnut Way (adj), Chestnut Way (opp), The Four Ashes (adj), The Four Ashes (near) to include installation and a commuted sum towards the energy and maintenance for a 15 year period and part replacement costs.

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) 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.
- (iii) 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.
- (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) 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 rights of way 48/40 and 48/41 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.

- (viii) Not all areas of the proposed highway network may be suitable for adoption as maintainable public highway.
- (ix) Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees should be provided with root barriers, must be sited clear of all underground services and visibility splays and must be sympathetic to the street lighting scheme. All proposed tree planting must be supported by a commuted sum to cover the cost of future maintenance, to be agreed with the Highway Authority.
- (x) Prior to occupation, the development shall be served by a system of operational street lighting of design approved from the Highway Authority, which shall thereafter be maintained in good repair.
- (xi) Headroom requirements at the entrance to parking courts should be a minimum of 2.5 metres and may be reduced to 2.1m provided fire tender access is not required.



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