

Your Ref: 23/00949/FUL
Our Ref: HT/SD/CT/ROC/00949/23
Date: 16th February 2024
Site file: 56121



Essex County Council

CC: (by email) Cllr Laureen Shaw - ECC
SMO2
Sustainable Travel Planning Team - ECC

Director for Highways and Transportation

To: Mrs Elizabeth Milne
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Recommendation

Application No: 23/0949/FUL

Site Location: Land West Of 4 Spruce Drive, Hawkwell, Essex

Proposal: Erection of 4 detached dwellings with associated parking, garaging, servicing, open space, landscaping, drainage and utilities. Formation of new vehicular access onto Rectory Road.

A site visit has been undertaken and the information that was submitted in association with the application has been fully considered by the Highway Authority. The proposal includes four new dwellings, a new vehicle access and improvements to the highway footway at the west of the site frontage.

The submitted information also includes a Highway Technical Note with additional supporting plans which propose a suitable shared vehicle access to enable two-way vehicle movements clear of the highway, and provision of visibility splays in accordance with the permitted vehicle speeds.

The new private drive will serve three of the dwellings and the proposal includes a pedestrian connection at the rear of the site. Each dwelling will have adequate off-street parking and turning, therefore:

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:
 - i. the parking of vehicles of site operatives and visitors,
 - ii. loading and unloading of plant and materials,

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- iii. storage of plant and materials used in constructing the development,
 - iv. 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 DM1.
2. Prior to first occupation of the development and as shown on planning drawing ZD481 - PL - SK - 202 Rev P02, the proposed site access, at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres in each direction, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access 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 and those in the existing public highway in the interest of highway safety in accordance with policy DM1.
 3. Prior to first occupation of the development and as shown on planning drawing ZD481 - PL - SK - 202 Rev P02, the proposed vehicle access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall be 5.5 metres and shall be retained at that width for 6 metres into the site from the back edge of the footway and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge and ditch. *
Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety in accordance with policy DM1.
 4. Prior to first occupation of the development and as shown on planning drawing ZD481 - PL - SK - 202 Rev P02, the existing highway footway to the west of the proposed access at the site frontage shall be widened to a minimum width of 2 metres as measured from the back edge of the carriageway and shall connect to the existing footway at the western boundary. The highway footway to the east of the access shall be provided at 2 metres and shall taper into the existing footway avoiding tree root protection areas.
All such works to be provided entirely at the developer's expense and full details to be agreed in writing with the Highway Authority prior to commencement of any highway works. *
Reason: To make adequate provision within the highway for pedestrians in the interest of highway safety in accordance with policy DM1.
 5. No unbound material shall be used in the surface treatment of the vehicular accesses 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.
 6. The proposed inward opening gates for plot 1 shall be provided with a minimum set back of 6 metres as measured from the back edge of the footway.
Reason: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent carriageway in the interest of highway safety in accordance with policy DM1.

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7. Prior to first occupation of the development, each dwelling shall be provided with a minimum of two off-street parking spaces and a turning area. Each parking space shall have dimensions in accordance with current parking standards and shall be retained in the agreed form at all times. Full layout details to be agreed with the Local Planning Authority.
Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 and 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.
8. Prior to first occupation of the development, the cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and retained at all times.
Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8.
9. Prior to first occupation of the development, the Developer shall be responsible for the provision, implementation and distribution of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.
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.

The above conditions are to ensure that the proposal conforms to the relevant policies contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

Informative:

- The proposed layout also includes a pedestrian footway to the north of plot 4, which appears to connect to the highway footway between Beehive Lane and Spruce Drive. The applicant should be advised to contact the relevant landowner regarding any potential connection across third party land to tie into the highway footway. The applicant should note that it is unlikely that the Highway Authority would adopt the access road or the private footway.
- Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway.
- The applicant should be made aware of the potential relocation of the utility apparatus and/or highway signs in the highway; any relocation shall be fully at the applicant's expense.
- * 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

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- The requirements above shall be imposed by way of negative planning condition or planning obligation with associated legal framework as appropriate.
- Under Section 23 of the Land Drainage Act 1991, prior written consent from the Lead Local Flood Authority (Essex County Council) is required to construct 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. If you believe you need to apply for consent, further information and the required application forms can be found at www.essex.gov.uk/flooding. Alternatively, you can email any queries to Essex County Council via watercourses@essex.gov.uk
- The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes technical check, safety audits, site inspection, commuted sums for maintenance and any potential claims under the 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 as security in case of default.
- 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.

Caroline Tracey

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