

Your Ref: 23/0085/OUT
Our Ref: CO/EGD /SD/CPT/23/0085/OUT
Date:- 14th August 2023
Site file:5085



Essex County Council

CC: (by email) Adjeley Dsane (SMO3)
Cllr G Reeves

Paul Crick
Director for Highway & Transportation

To:

Regeneration and Homes
Castle Point Borough Council
Council Offices
Kiln Road
Thundersley
Benfleet
Essex SS7 1TF

County Hall
Chelmsford
Essex CM1 1QH

Recommendation

Application No. 23/0085/OUT

Applicant This Land Development Limited

Site Location Land East Of Rayleigh Road Thundersley Essex SS7 3UB

Proposal | Outline planning application for the development of up to 455 new homes, a new multi-use community hall, land for the provision of a healthcare facility, land for a stand-alone early years and childcare nursery, new vehicular/pedestrian access points from Stadium Way in the north and Daws Heath Road in the south, new greenways and green links, multi-functional open space, green infrastructure, surface water attenuation, landscaping and associated infrastructure. All matters reserved except access. |

The work contained within the transport assessment in relation to junction capacity modelling contained very robust positions in relation to traffic growth, development traffic application and unit numbers which when taken together more than cover the change in traffic demands locally during the assessment period. The highway authority therefore considers the submitted transport assessment to be a thorough and robust analysis of the highway network.

Access to the residential development is proposed to be taken from two new access points onto the highway network, these junctions have been designed in accordance with the Essex Design Guide and visibility displays that are compliant with MfS requirements.

Mitigation in the form of sustainable transport improvements are also to be secured to offer alternative forms of transport from the development to connect into cycle and walking network and also improvements to the bus service facilities and services in the vicinity of the site.

A comprehensive list of improvements and mitigation measures to promote sustainable travel has been identified within the vicinity of the site. These measures are proposed to mitigate the impact of the development on the highway network and considered acceptable by the highway authority.

From a highway and transportation perspective the proposal is acceptable to the Highway Authority subject to following conditions being applied.

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.

1. All development shall accord with a Construction Management Plan, including any ground works or demolition, to be submitted to the planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for;
 - I. vehicle routing,
 - II. the parking of vehicles of site operatives and visitors,
 - III. loading and unloading of plant and materials,
 - IV. storage of plant and materials used in constructing the development,
 - V. wheel and underbody washing facilities.
 - VI. Before and after condition survey to identify defects to highway in the vicinity of the access 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 DM 1 of the Highway Authority's Development Management Policies February 2011.

2. Prior to first occupation of the development, the access points at Daws Heath Road and Stadium Way shall be provided as shown in principle on Stantec DWG Proposed general arrangement drawings 47268/5501/002 P8 and 47268/5501/001 rev p12. The vehicular access points shall be constructed at right angles to the highway boundary and to the existing carriageway with an appropriate dropped kerb vehicular crossing of the footway with clear to ground visibility splay. Such vehicular visibility splays of 2.4m x 43m in both directions, shall be provided before the road junctions are first used by vehicular traffic and retained free of any obstruction at all times thereafter. All redundant access points shall be suitably reinstated with full upstand kerb and footway provision.

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 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

3. 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.

Reason: To ensure that appropriate loading / unloading facilities are available to ensure that the highway is not obstructed during the construction period 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 commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

5. 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.

6. Vehicle parking shall accord with the requirement of the EPOA parking standards and as such each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres. All single garages should have a minimum internal measurement of 7m x 3m, All double garages should have a minimum internal measurement of 7m x 5.5m to be considered in the parking numbers. Visitor Parking shall be provided throughout the development.

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

7. Prior to occupation of the proposed residential development the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for every household for sustainable transport, to include 6 day travel ticket for bus travel from the development site, approved by 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. Any tree planting proposed within the highway must be agreed with the Highway Authority. Trees must be sited clear of all underground services and 2m back 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.

Reason: To avoid the interference with visibility splays and lighting of the highway in the interest of highway safety in accordance Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

9. Prior to occupation of the proposed residential development a phased payment financial contribution of £1.150,000 towards bus service enhancements along the Daws Heath Road Corridor (route 3) to improve frequency/accessibility and routing to / from the site to services, facilities, and areas of employment.

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.

10. Prior to occupation of the proposed development, bus infrastructure enhancements shall be provided to upgrade existing facilities on Daws Heath Road to include raised kerbs and shelters with Real Time Information, where necessary, to the east of the access. Both sets of improvements shall be completed at the expense of the developer and to the satisfaction of the Highway Authority.

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

11. Prior to first occupation of the proposed development, the approved travel plan shall then be actively implemented 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 £2817 (index linked), 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

12. Prior to first occupation of the proposed development a parcel of land along the full length of the site on the eastern side of Rayleigh Road shall be transferred, free of charge and easements to the Highway Authority for the future provision of highway related improvements along the Rayleigh Road corridor.

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

13. Connection to the existing Public Rights of Way network footpath 7 shall be provided both on the northern boundary (providing access to the employment zone) and eastern side (providing access to nature reserve). Both sets of improvements shall be completed at the expense of the developer and to the satisfaction of the Highway Authority with any new planting to be set back at least 2m away from the edge of the footpath to ensure sufficient width is provided for future growth and to prevent unwanted encroachment.

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.

14. Prior to occupation of the proposed residential development a financial contribution towards A129 corridor enhancements to upgrade existing services / creation of new cycling routes as deemed necessary and approved by 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

Informatives:

1. 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:

SMO3 - Essex Highways, Childerditch Highways Depot, Unit 36, Childerditch Industrial Park, Childerditch Hall Drive, Brentwood, Essex, CM13 3HD

2. 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.
3. Prior to any works taking place in the public highway the developer shall enter into the appropriate legal agreement with the Highway authority under the Highways Act 1980 to regulate the construction of the highway works.
4. 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.
5. Mitigating and adapting to a changing climate is a national and Essex County Council priority. The Climate Change Act 2008 (amended in 2019) commits the UK to achieving net-zero by 2050. In Essex, the [Essex Climate Action Commission](#) proposed 160+ recommendations for climate action. Essex County Council is working with partners to achieve specific goals by 2030, including net zero carbon development. All those active in the development sector should have regard to these goals and applicants are invited to sign up to the [Essex Developers' Group Climate Charter \[2022\]](#) and to view the advice contained in the [Essex Design Guide](#). Climate Action [Advice guides](#) for residents, businesses and schools are also available.
6. 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 PROW network shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.
7. 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.

A handwritten signature in dark ink, appearing to read 'F. Masnie', is enclosed within a thin black rectangular border.

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pp. . Director for Highways and Transportation

Enquiries to

Internet: www.essex.gov.uk

Email: mark.lawrence@essex.gov.uk