

Committee: Planning

Agenda Item

Date: 8 February 2017

Title: UTT/16/2669/FUL: Application to vary condition 21 (highway works) and condition 26 (bridleway) of UTT/14/0127/FUL

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Land south of Ongar Road, Great Dunmow

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Summary

1. The above planning application was reported to Planning Committee on 16 November 2016. Members resolved to approve the application subject to the conditions as set out in the agenda.
2. It has come to light that in preparing the report for the 16 November 2016 Planning Committee a condition requested by Essex County Council Highways in relation to the temporary construction access has been omitted in error.
3. In order for the local planning authority to retain control over the future closure of the temporary construction access it is considered necessary for the condition to be added to the conditions previously set out in the officer's report.

Recommendations

■ **It is recommended that the following condition is added to the resolution to grant for UTT/16/2669/FUL**

Prior to commencement of the development the construction 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 not be less than 6.5 metres, shall be retained at that width for 10 metres within the site and shall be provided with 6 metre radius kerbs. Upon completion of the development the temporary construction vehicular access shall be suitably and permanently closed, details to be agreed with the highway authority.

Reason: To ensure to ensure that vehicles can enter and leave the highway in a controlled manner and to preclude the creation of unnecessary points of traffic conflict in the highway following development 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, and Uttlesford Local Plan Policy GEN1 (adopted 2005).

Financial Implications

1. None. There are no costs associated with the recommendation.

Background Papers

Planning Application Reference UTT/16/2669/FUL and report to Planning Committee 16 November 2016.

Impact

1.

| | |
|---------------------------------|------|
| Communication/Consultation | None |
| Community Safety | None |
| Equalities | None |
| Health and Safety | None |
| Human Rights/Legal Implications | None |
| Sustainability | None |
| Ward-specific impacts | None |
| Workforce/Workplace | None |

Situation

1. The above planning application was reported to Planning Committee on 16 November 2016. Members resolved to approve the application subject to the conditions as set out in the officer's report. The application is also subject to a S106 Legal Obligation which is currently being negotiated. As such the decision notice has not yet been issued.
2. Taylor Wimpey is currently moving towards the commencement of development on site, including the construction of the site access. They are currently in negotiations with Essex County Council about the technical issues in relation to the construction access. During these discussions it has been identified that the condition relating to the creation of, and more importantly the subsequent closure, of this temporary access has been omitted from the officer's report.
3. Therefore, it is recommended that an additional condition is added to the resolution to grant as set out below:

Prior to commencement of the development the construction 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 not be less than 6.5 metres, shall be retained at that width for 10 metres within the site and shall be provided with 6 metre radius kerbs. Upon completion of the development the temporary construction vehicular access shall be suitably and permanently closed, details to be agreed with the highway authority.

Reason: To ensure to ensure that vehicles can enter and leave the highway in a controlled manner and to preclude the creation of unnecessary points of

traffic conflict in the highway following development 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, and Uttlesford Local Plan Policy GEN1 (adopted 2005).

Conclusion

1. The resolution to grant planning permission had inadvertently omitted a condition which would allow the local planning authority control over the construction, and more importantly the subsequent closure, of the temporary construction access. It is recommended that the condition be added to the resolution to grant.

Risk Analysis

2.

| Risk | Likelihood | Impact | Mitigating actions |
|------|------------|--------|--------------------|
| 1 | 1 | 1 | None |

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.