

ITEM 6 – 18/00584/REM
LAND EAST OF RUGBY CLUB, AVIATION WAY,
ROCHFORD

1. Neighbour response

Joint response by the owners and tenants of the following 2 addresses:-

Cohav House, 16-17 Aviation Way, Southend on Sea, Essex. SS2 6UN (9 companies)

Ryan House, 18-19 Aviation Way, Southend on Sea, Essex. SS2 6UN (5 companies)

Comments as follows:-

- There is an access shown from Aviation Way to the new Business Park access road, it was our understanding that this was only to be for emergency vehicles and possible public transport link, it now suggests that Ipeco will be given use of this access to travel between existing and new buildings, does this not go against the principle of the two sites not being connected, it was our understanding that the new business park would be served from its own access road?
- The D & A shows vehicles that would use the access link needing to use all of the width of Aviation Way, would this not be a Highway safety issue, it should also be noted that vehicles are parked in the road which may make this very difficult.
- The owners and tenants would like to make sure that Aviation Way is not used for construction traffic, they have already had to contend with Aviation Way being used for the construction of the Rugby Club, despite the new access road being in place, which has resulted in a tarmac ramp being placed on Aviation Way, pot holes appearing and associated mud and debris being deposited on the road (this has also been the case for the construction of the new car showroom).
- They are also concerned that the original outline application showed a car park to the Aviation Way side of the proposed building facing the existing buildings in Aviation Way, this now appears to have been changed to a

service yard for commercial vehicles, refuse and chemical storage, which will be to the detriment of the existing users of these building.

2. ECC Highways response

With a restricted bus gate – method of control most likely ANPR - I would not expect any vehicle movements from the site to turn left towards Aviation Way. The set back of gates would also need to be commensurate with the HGV accessing the service yard (15m) to allow a vehicle to stand clear of carriageway. Vis splays of 2.4m x 43 m in both directions clear to ground. I presume parking layout to approved standards?

3. Officer comments

The new access onto Aviation Way was granted as part of approved reserved matters application ref: 18/00411/REM. This had a condition imposed requiring gate control access to be agreed (condition 3). There is not the intention for this to be a regular connection for all to access Aviation Way however, there is the potential for Ipeco vehicles to use this as part of their operations which was considered in the previous reserved matters application and was not considered objectionable. ECC Highways did not raise issue with regards to the use of this access. Condition 4 of this reserved matters application also required visibility splays to the Aviation Way access to be provided.

Condition 7 of the approved outline application ref: 15/00781/OUT required details of a construction management plan to be submitted to and agreed by the Council. This has been agreed and it is therefore not for this application to revisit the arrangements for construction traffic. This agreed contractor access and compound from Cherry Orchard Way.

It should be noted that the outline application was indicative only in terms of overall layout and design; it did not agree any particular layout in terms of its relationship with neighbouring properties. There would be a soft landscaped buffer between the proposed site and neighbouring properties, it is not considered that the proposal would be detrimental to neighbouring units on Aviation Way.

The gate control access onto Aviation Way was controlled by planning condition attached to approved application ref: 18/00411/REM which approved this spine road. Details of the gate control would be addressed through discharge of this condition. ECC Highways suggest a visibility splay condition for the new accesses be imposed.

Two outbuildings are indicated to be proposed to the southern and eastern elevations. However, no design details are provided for these. It is considered that such design details should be controlled by planning condition.

The recommendation remains one of approval subject to the additional condition set out below:

- (7) Prior to first use of the vehicular accesses, visibility splays measuring 2.4m x 43m to each side of the accesses shall be provided and be permanently retained thereafter.
- (8) Design and materials for outbuildings – to be agreed

ITEM 8 (1) – 17/01136/OUT

ROSEDENE NURSERIES, BARROW HALL ROAD, BARLING MAGNA

1. ECC Highways response

The layout is indicative at this time, and further work will be undertaken, however, consideration should be given to the details contained within the Essex Design Guide. The quantum of development would permit a shared surface facility to be more suitable for the internal arrangements. Parking as shown for some of the dwellings can be relocated to the rear of the property and provide access from lower category roads. The applicant should be encouraged to facilitate turning within the site to enable exist in forward gear on Barrow Hall Road.

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 Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - o the parking of vehicles of site operatives and visitors
 - o loading and unloading of plant and materials

- o storage of plant and materials used in constructing the development
- o 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 DM 1 of the Highway Authority's Development Management Policies February 2011.

2. No works shall commence until such time as Barrow Hall Road has been widened along site frontage and include the provision of a 1.8m footway to link to the existing facility at the junction of Barling Road, all details shall be agreed with the Local Planning Authority in consultation with the Highway Authority and been provided entirely at the Developer's expense.

Reason: 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 occupation of the development, the 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 both directions 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. The unused existing access shall be removed be suitably and permanently closed incorporating the reinstatement to full height of the highway verge, footway and kerbing immediately the proposed new access is brought into first beneficial use.

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.

4. 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.

5. There shall be no discharge of surface water onto the Highway.

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

6. Vehicular parking for all forms shall accord with EPOA parking standards. Vehicles bays space shall have minimum dimensions of 2.9 metres x 5.5 metres. All single garages shall have internal measurements of 7m x 3m

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 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

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:

SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road,
Chelmsford,
CM2 5PU

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. 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.
4. The requirements above should be imposed by way of negative planning condition or planning obligation as appropriate.
5. 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.
6. 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
7. Steps should be taken to ensure that the Developer provides sufficient turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.