

Highways and Planning

The role of the Highway
Authority in the planning process

2nd December 2025

Strategic Development Team: Responsibility for preparing responses to planning applications on behalf of ECC as Highway Authority

Matthew Bradley

Strategic Development Manager (North) and

Matthew Lane

Strategic Development Manager (South)



Strategic Development Team (background and Structure)

- Head of Service is **Peter Massie**,
- **Matthew Bradley** – Strategic Development Manager – North

(Epping, Harlow, Uttlesford, Braintree, Tendring, Colchester and Maldon)

- **Matthew Lane** – Strategic Development Manger – South

(Chelmsford, Brentwood, Maldon, Rochford, Castle Point and Basildon)



- Team of 12 Strategic Development Engineers and 8 Strategic Development Officers with 2 specialists (Transport Assessments and Highway related S106 matters) and support.
- Responsible for covering all 12 districts within Essex plus ECC applications relating to minerals, waste, schools and other infrastructure.
- Based at County Hall (flexible “anywhere working”)
- Up to 6000 planning applications and 300 pre applications/year



The role of the Highway Authority in the planning process:

The Highway Authority are a 'Statutory Consultee' and are consulted when:

- The development is likely to result in a material increase in volume or change in the character of traffic entering and leaving the highway.
- The development includes the formation, laying out or alteration of any means of access to a highway.
- 21 days to respond/close liaison with the LPA/surgeries



The Role of the Strategic Development Team as Highway Authority

- To protect the safety and efficiency of the highway network
- To promote the use of sustainable/active travel
- To secure appropriate mitigation to the operation of the highway network.



Assessing the Application

- Site assessment
- Local and National Planning Policies
- Compliance with highway standards, DMRB and MfS
- Site history, existing lawful use (fallback position)
- Collision data/Road Safety Audit
- **Transport assessment/statement:** site access/impact and mitigation on wider network/sustainable/active travel considerations/access to local services and facilities



Assessing the Application (*continued*)

- Review of layout, parking and servicing arrangements (parking insofar as it affects highway safety)
- Consultation with other teams within the Highway Authority, as required e.g. Highway Liaison Officers, Public Rights of Way team, Passenger Transport, Network Assurance, Structures, Development Management etc.
- **Issue the Highway Recommendation to the LPA** (unconditional approval/approval subject to conditions or refusal)



After issuing the highway recommendation:

- Preparation for planning committee, chairpersons briefing, surgeries or attendance.
- **LPA determine planning application**
- Planning conditions (compliance not submission of further details to avoid further discharge of planning conditions)
- Planning conditions that require highway works - Section 278 Highways Act 1980 for delivery of developer highway works – Development Management Team



After issuing the highway recommendation (*continued*):

- Planning obligation or Section 106 Agreement Town and Country Planning Act 1990 e.g. financial contributions
- Negotiating terms of S106 Agreements can take some considerable time, consent not issued until S106 signed.
- Alternatively, we can, and do, **recommend refusal**
- Preparation of evidence and attendance at any Planning Appeal, this can take the form of written representations, informal hearings or a public inquiry.



National Planning Policy Framework:

- First issued in 2012, latest update December 2024
- **Presumption in favour of sustainable development**

Considering development proposals (paras 115 to 118:

- Sustainable transport modes are prioritised (vision, development type and location)
- Safe and suitable access to the site for all users
- Design reflects current national guidance
- Any significant impacts of development on transport network can be cost effectively mitigated (cost effective, mitigated to an acceptable degree through a vision-led approach)



National Planning Policy Framework:

NPPF Paragraph 116, sets the bar very high for making an objection to a planning application on highway grounds and reads as follows:

- ***Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.***



National Planning Policy Framework:

Paragraph 58

Planning obligations must only be sought where they meet all of the following tests:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.



Other responsibilities:

- Providing a pre application highways advice service
- Nationally Significant Infrastructure Projects (NSIP).
- Supporting LPA with transport evidence for Local Plans including EiPs
- Master planning for strategic land allocations/Garden Communities
- Providing highway input to Local Plans and Neighbourhood plans



Other responsibilities (continued):

- Monitoring and spend of highway related S106 contributions.
- Development and review of highway policy/guidelines, e.g. parking and Essex Design Guide
- Training events



Frequently raised matters:

- Perceived traffic impact/speed
- Pre-existing safety and congestion issues
- Construction issues
- Residential amenity
- Personal circumstances
- Highway mitigation is insufficient



Any questions?

A large, stylized graphic of a road that curves to the right, rendered in shades of grey. It features a white line on the right side, mirroring the design of the Essex Highways logo.

