

**PROPOSAL: Erection of 14 dwellings.**

**LOCATION: Land rear of Oxley Close, Clavering.**

**APPLICANT: Messrs J Noble, J Noble and JR Tee**

**AGENT: Sworders**

**GRID REFERENCE: TL 475-313**

**EXPIRY DATE: 15 February 2012.**

**CASE OFFICER: Nicholas Ford.**

## **1.0 NOTATION**

1.1 Outside Development Limits.

## **2.0 DESCRIPTION OF SITE**

2.1 The application site lies on the southern edge of Clavering on a site of about 0.7 hectares. The land comprises farmland under cultivation to the east of Oxleys Close, south of Barlee Close and behind the supermarket. Oxleys Close is a cul-de-sac of 14 affordable dwellings granted planning permission in March 2005. The development faces onto the internal spine road of Stortford Road. The supermarket is a modern and substantial building beyond a tree belt. Barlee Close comprises modern dwellings constructed in recent years and further dwellings beyond.

2.2 1 and 2 Barlee Close are on the northern edge of the application site and bounded by hedgerow. The land is bounded by evergreen trees adjacent the supermarket and fencing bounds 8 and 9 Oxleys Close. Land to the east falls to the River Stort and extensive farmland is beyond to the south. The land is not in a flood risk area.

## **3.0 PROPOSAL**

3.1 The application proposes the erection of 14 dwellings accessed from Oxleys Close. These would be arranged in two groups, 8 dwellings to the east of Oxleys Close and 6 dwellings to the east of the supermarket and south of 1 and 2 Barlee Close.

3.2 The dwellings would be detached and semi detached dwellings, each with private rear garden and parking. Dwellings would be two storey. Site levels have been submitted indicating the relationship between new dwellings and existing buildings. Materials proposed comprise a mix of brick, render, painted weatherboarding, tiles and slate.

## **4.0 APPLICANTS CASE**

4.1 See accompanying Design and Access Statement and Planning Statement.

## **5.0 RELEVANT SITE HISTORY**

5.1 None.

## **6.0 POLICIES**

### **6.1 National Policies**

- Planning Policy Statement 1: Delivering Sustainable Development
- Planning Policy Statement 3: Housing

- Planning Policy Statement 7: Sustainable Development in Rural Areas
- Planning Policy Statement 9: Biodiversity and Geological Conservation
- Planning Policy Guidance13: Transport
  
- Draft National Planning Policy Framework (NPPF) July 2011

## 6.2 East of England Plan 2006

- Policy H1: Regional Housing Provision 2001 to 2021
- Policy ENV7: Quality in the Built Environment
- Policy ENG1: Carbon Dioxide Emissions and Energy Performance

## 6.4 Uttlesford District Local Plan 2005

- Policy S7: The Countryside
- Policy H10: Housing Mix
- Policy GEN1: Access
- Policy GEN2: Design
- Policy GEN6: Infrastructure Provision
- Policy GEN7: Nature Conservation
- Policy GEN8: Vehicle Parking Standards
- Policy ENV5: Protection of Agricultural Land
- Policy ENV8: Other Landscape Elements of Importance for Nature Conservation
- SPD: Energy Efficiency and Renewable Energy
- SPD: Accessible Homes and Playspace
- Parking Standards: Design and Good Practice Guide

## 7.0 PARISH COUNCIL COMMENTS

7.1 Object. Outside the development envelope. Access would have an adverse effect on existing residents many with young families. Increased traffic would be a danger to children. Footpaths are non existent in the access road. Traffic could not be accommodated on the unadopted road. Refuse collection are currently unable to access lower houses. Overlooking and environmental impact. In previous years the land has been liable to flood. Extra children would be required at the school which is almost at capacity.

7.2 Appreciate the application is a response to housing shortfall but the development would have a detrimental effect on the village and nearest residents.

## 8.0 CONSULTATIONS

Highway Authority: No Objection subject to conditions.

Thames Water Authority: No objection with regard to sewerage infrastructure. Surface water drainage is the responsibility of the developer.

Veolia Water Authority: The site is within a Groundwater Protection Zone. The construction works and operation of the proposed development should be done in accordance with relevant British Standards and Best Management Practices. Advice for the applicant is provided.

Environment Agency: No response.

Stansted Airport: No response.

Environmental Health: No comment.

Building Surveying: No response

Drainage Engineer: The application states that surface water will be discharged to soakaway which is the preferred option under PPS25. The vehicular access/hardstandings are to be of tarmac, brick pavers or resin bonded gravel. No further information is provided and details of the drainage of these areas should be sought by condition.

Essex Police Liaison: No objection. Construction/plant/vehicles should be parked within the development site during construction. Secured by Design certification should be attained.

National Grid: No response.

Access Officer: The site meets the SPD on Lifetime Homes and the Wheelchair Housing Standard.

Climate Change Manager: The submitted Design Stage pre-assessment meets the Design Stage requirements of the planning condition (Code for Sustainable Homes). Apply a condition to achieve compliance with Code Level 3 Sustainable Homes.

ECC Education: The development falls within the priority admissions area of Clavering Primary School. By April 2016 the school is forecast to have a deficit of 15 places against net capacity. It is clear that the development would add to the need for additional places. Requests a developer contribution of £41,803. According to our forecasts there should be sufficient early years and secondary school places at a local school serving this development.

Ecology Officer: No objection. Recommends that biodiversity is incorporated within the development as a condition.

UDC Planning Policy: PPS3 – Housing, PPS7 – Sustainable Development in Rural Areas

Draft National Planning Policy Framework (NPPF) (July 2011).

Para 14 – presumption in favour of sustainable development, and grant planning permission where relevant policies are out of date.

Para 107 – Government’s key objective is to increase significantly the delivery of new homes.

Para 109 – identify and maintain a rolling supply of specific deliverable sites sufficient to provide 5-years worth of housing against (our) housing requirements. The supply should include an allowance of at least 20% to ensure choice and competition in the market for land.

Para 110 – Applications should be considered in accordance with the presumption. Planning permission should be granted where relevant policies are out of date, for example where a local authority cannot demonstrate an up-to-date five-year supply of deliverable housing sites.

### **Adopted Local Plan**

The site is outside development limits so the principle of the development needs to be judged against policy S7. The GEN policies will also be relevant in terms of the design and layout etc of the proposed development. The comments below relate to the principle of residential development in this location rather than the details of the scheme.

Development in this location, beyond the development limits is contrary to planning policy. The adjacent developments of Oxleys Close and Barlee Close were allowed beyond development limits, because they both comprise 100% affordable housing and therefore meet the exception test set out in Policy H11 Affordable Housing on “Exception Sites”.

But, in terms of housing delivery the Council cannot currently demonstrate an adequate five year land supply. The most recent housing trajectory and statement of 5-year land supply was published in August 2011. A total of 1747 dwellings are assumed to be delivered within the 5 year period 20012/13 to 2016/17. This equates to an average annual completion rate of 349 dwellings. The average annual completion rate required by the East of England plan is 430 dwellings so over the 5 years the Plan’s requirement is 2150 dwellings. Therefore the percentage of the plan target on deliverable sites for the 5-year period is 81%.

According to PPS3, where a 5-year supply of deliverable sites cannot be demonstrated, favourable consideration should be given to applications for housing subject to a number of criteria. Paragraph 69 identifies 4 areas that the LPA should have regard to.

- Achieving high quality design.
- Achieving a good mix of housing.
- Environmental sustainability

- Using land effectively and efficiently

The emerging NPPF sets out the Government's key objective of increasing significantly the delivery of new homes, and the presumption in favour of Sustainable Development. In considering whether this application will deliver sustainable development one needs to look at the definition in para 10 of the NPPF.

Paragraph 10 Sustainable development means:

- Land is the right type and in the right place
- Allows for coordination of infrastructure
- Creates a good quality environment
- Accessible to local services
- Protects and enhances natural, built and historic environment
- Uses natural resources prudently; mitigates and adapts to climate change.

In terms of the location, Clavering, although not a key village does have a range of local services, including a primary school, shop and two public houses. Local services like the primary school and village shop are accessible from the site by foot. The developers are proposing a mixed scheme with 50% 3 and 50% 4 bed houses. The development would not directly impact on the historic core of the village. No impacts have been identified in terms of nature conservation apart from impacts on nesting birds associated with possible works to trees on the site's western boundary. The development would involve the use of agricultural land but information submitted with the application suggests this is grade 3. In terms of a village location this is considered to be a sustainable site.

Strategic Housing Land Availability Assessment (SHLAA) - This site was considered in the SHLAA (ref CLA8). It was identified as being Suitable, Available and Achievable as a housing site which could be delivered within five year with a potential capacity of 13-21 units.

Conclusion - The Council is considering a number of applications for residential development beyond development limits as a result of the five year land supply situation. Paragraph 69 of PPS3 gives the best guidance as to how to judge these applications. The policies in the NPPF give a clear indication of the Government's 'direction of travel' and therefore should also be considered although less weight should be given to them whilst it is still draft.

In relation to this application - the site is considered to be a sustainable site for housing - the issue is whether the environmental impact of development in the countryside beyond development limits would outweigh this.

Given that the site will effectively "infill" between two existing developments the environmental impact is considered to be relatively limited and the harm to the countryside in the context of Policy S7 minimal.

On balance, the principle of residential development on this site is acceptable, and providing the design and details of the scheme comply with other policies in the Local Plan the application should be approved.

## **9.0 REPRESENTATIONS**

Neighbour notification period expires 5 January 2012. 18 Representations have been received and the planning related comments are summarised:

- Another 14 houses would cause congestion and make traffic on Stortford Road worse
- Traffic danger to pedestrians existing residents and users of the play area and poor visibility
- The field is a flood plain and additional houses could be flooded
- Loss of privacy

- There is an unprotected walkway in Oxleys Close
- Should be two and three bedroom homes so those on smaller incomes can afford them
- Development should be for affordable housing
- No obvious employment opportunities for residents of the houses
- The school is already at capacity and there would be more families
- There are bats and in the area and buzzards use the field behind Barlee Close for hunting
- The site is outside development limits
- Problems with sewerage

## 10.0 APPRAISAL

The issues to consider in the determination of the application are:

### **Whether development of the land for housing is acceptable in principle having regard to policy seeking protection of the character and appearance of the countryside and Government advice which seeks delivery of new homes (PPS7, PPS9, ULP S7).**

10.1 The land is outside of any development limits for the purposes of the Uttlesford Local Plan (ULP) adopted 2005. The principle of the development needs to be judged against saved policy S7 (The Countryside) of the Uttlesford Local Plan adopted 2005.

10.2 Policy S7 of the adopted Uttlesford Local Plan (ULP) states that *“the countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. There will be strict control on new building. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there”*. New dwellings outside of development limits do not normally meet the exceptions of ULP Policy S7 and would fail to protect the character and appearance of the countryside.

10.3 However, in terms of housing delivery the Council cannot currently demonstrate an adequate five year land supply. The most recent housing trajectory and statement of 5-year land supply was published in August 2011. A total of 1747 dwellings are assumed to be delivered within the 5 year period 20012/13 to 2016/17. This equates to an average annual completion rate of 349 dwellings. The average annual completion rate required by the East of England plan is 430 dwellings so over the 5 years the Plan’s requirement is 2150 dwellings. Therefore the percentage of the plan target on deliverable sites for the 5-year period is 81%.

10.4 The Council is considering a number of applications for residential development beyond development limits as a result of the five year land supply situation. Paragraph 69 of PPS3 gives the best guidance as to how to judge these applications. The policies in the NPPF give a clear indication of the Government’s ‘direction of travel’ and therefore should also be considered although less weight should be given to them whilst it is still draft.

10.5 According to PPS3, where a 5-year supply of deliverable sites cannot be demonstrated, favourable consideration should be given to applications for housing subject to a number of criteria including high quality design, good mix of housing, environmental sustainability and using land efficiently and effectively (Para 69).

10.6 The emerging NPPF sets out the Government’s key objective of increasing significantly the delivery of new homes, and the presumption in favour of Sustainable Development. In considering whether this application will deliver sustainable development the definition in paragraph 10 of the NPPF is to be considered:

Paragraph 10 Sustainable development means:

- Land is the right type and in the right place
- Allows for coordination of infrastructure
- Creates a good quality environment
- Accessible to local services
- Protects and enhances natural, built and historic environment
- Uses natural resources prudently; mitigates and adapts to climate change.

10.7 In terms of the location, Clavering, although not a key village does have a range of local services, including a primary school, shop and two public houses. Local services like the primary school and village shop are accessible from the site by foot and so is open space in Oxleys Close. In terms of a village location this is considered to be a sustainable site.

10.8 This site was considered in the Strategic Housing Land Availability Assessment (SHLAA ref CLA8). It was identified as being Suitable, Available and Achievable as a housing site which could be delivered within five year with a potential capacity of 13-21 units.

10.9 In summary, it is considered that the weight to be given to the requirement to provide a 5 year land supply and the housing provision which could be delivered by the proposal can, in principle, outweigh the harm in relation to rural restraint set out in ULP Policy S7 and PPS7 subject to detailed considerations.

**Whether the proposed housing would be acceptable in detail having regard to highway safety, the character and appearance of the area and the amenity of neighbouring properties (PPS1, PPG13, ULP Policies GEN1, GEN2, GEN6, GEN8, ENV8, H10, SPD Accessible Homes and Playspace, SPD Energy Efficiency and Renewable Energy, ECC Parking Standards - Design and Good Practice 2009).**

10.10 It is recognised that development on agricultural land is a significant change in character and so opportunity must be taken to integrate and minimise impact. The dwellings would be of two storey scale and this would impact on the countryside. Development on the southern edge of the village has already been accepted for Oxleys Close and this urban edge on the southern edge of the village would be of similar form and contained by development on its western and northern boundaries. The applicant has taken account of the fall in land so that the houses are also arranged with consecutively lower ridge heights. This is an appropriate way to make use of the existing landscape and reduce the impact of built development. The result would be housing sited at a lower level than much of the existing housing and particularly the supermarket. Furthermore, the housing proposed is not dense, partly because of the requirement to provide separation from overhead power lines and a sewer, and to integrate development. The design also makes use of appropriate materials for the locality, including brick, render and weatherboarding and, combined with steep pitches, would be dwellings that would preserve local character. If the principle of housing development is accepted it is considered that the proposed housing would be an appropriate response to its location.

10.11 Save for the point of access, existing trees and hedgerows to boundaries adjacent the application site would remain. The applicant has indicated on the submitted layout drawing that indigenous species hedgerow planting would define the boundaries of the new housing with agricultural land beyond. Landscape conditions can secure an appropriate scheme.

10.12 Garden areas are to be provided in accordance with the Essex Design Guide. This requires a minimum of 100 sqm for three or more bedroom houses. Smaller houses may have a minimum of 50 sqm. All the dwellings proposed would meet or exceed this requirement for amenity space.

10.13 Policy H10 requires that this site provide a significant proportion of housing as 'small properties'. Small properties are defined as two and three bed homes. The development proposes an equal mix of three and four bedroom houses. As such, the development would meet the requirement of this policy and provide a significant amount of small market properties.

10.14 Access would be taken from the existing internal road for Oxleys Close. The road is not adopted but is built to adoptable standards and is capable of accommodating an additional 14 dwellings. The Highway Authority is satisfied with access and parking arrangements subject to conditions. Any refuse, construction or delivery vehicle difficulties currently experienced would be alleviated by the provision of turning heads in the development.

10.15 With regard to pedestrian safety, a footway would be provided between the two cul-de-sacs. Concern has been expressed regarding the lack of an existing footpath at the eastern end of Oxleys Close. The design and construction of footway provision is in accordance with the Essex Design Guide.

10.16 Each dwelling would be provided with two off road parking spaces which meets the parking standard for dwellings with two or more bedrooms. Six additional parking spaces would be provided which would meet the requirement for visitor parking. Powered two wheeler parking is provided. Furthermore, parking bays and garages would accord with the dimensions required by the parking standards.

10.17 With regard to amenity, much of the housing would not lie adjacent to existing development and would raise no amenity concerns. 1 Barlee Close and 8 and 9 Oxleys Close would lay adjacent to new housing. Plots 1 and 9 indicate no windows to their first floor west elevations and this, combined with the distance between them and 8 and 9 Oxleys Close means that there would be no significant harm from overlooking, overbearing or overshadowing effect. A condition can control the addition of windows to privacy sensitive elevations and therefore no objections are raised.

10.18 Plot 14 is sited with a rear elevation facing 1 Barlee Close. This has been taken account of and no first floor windows are indicated to its rear elevation. Plot 13 is sited sufficiently distant from 1 and 2 Barlee Close so as not to cause significant overlooking. There would as such be no significant harm to 1 or 2 Barlee Close with regard to overlooking, overshadowing or overbearing effect. No other significant amenity concerns are identified.

10.19 Representations have made reference to the potential for the development to add pressure to existing infrastructure, in particular the sewage system and schools. ULP Policy GEN6 relates to developments needing to ensure adequate infrastructure provision, in some instances required by payment of appropriate costs to the relevant statutory authority.

10.20 In relation to the sewage works Thames Water have raised no concerns regarding the existing sewerage network. Sewerage capacity is not in its own right a material planning consideration. The statutory undertaker is required to provide a connection to the network if a developer serves notice under Section 106 of the Water Industry Act 1991. Notwithstanding, Thames Water have indicated in the Uttlesford Water Cycle Study that there is capacity for development in Clavering at Stortford Road. Provision of medical facilities is outside the scope of the planning system and falls within the jurisdiction of the relevant Health Authority. Essex County Council who has adopted Supplementary Planning Guidance requiring a financial contribution from developers where there would be a requirement for the provision of additional school places. Essex County Council has assessed the application and according to their forecasts predicts a need for additional secondary school places. This can be secured by legal agreement.

**Whether the change of use would result in the loss of best and most versatile agricultural land (PPS7 and ULP Policy ENV5).**

10.21 The development of the land for housing would mean the irreversible loss of a portion of land presently used in agriculture. The quality of farmland is assessed by classification by that which is most productive and efficient in response to climate, temperature and soil conditions. The application site is not Grade 1 or 2 best and most versatile land but Grade 3 good to moderate land. Loss of this land would be true for housing applications that come forward

through allocation in development plans. Weighing planning considerations it is considered that the need for new housing is of greater need than this portion of land remaining in agricultural use.

### **Whether there would be harm to wildlife and protected species (PPS9 and ULP Policy GEN7).**

10.22 Some representations have registered concern that wildlife may be harmed such as bats and buzzards. Existing trees and hedgerows are not proposed to be removed and the Council has received ecological advice that raised no such concerns with regard to harm. Measures to enhance biodiversity are to be agreed by condition as recommended by the ecologist.

10.23 The submitted ecological survey identifies that mature trees and hedges on the western boundary have potential to support bird nesting. Trees and hedges were not identified as suitable for bat roosting. The application site as ploughed agricultural land was identified as being unsuitable for any other habitat.

## **11.0 CONCLUSION**

11.1 The following is a summary of the main reasons for the recommendation:

11.2 It is considered that the weight to be given to the requirement to provide a 5 year land supply and the housing provision which could be delivered by the proposal would outweigh the harm identified in relation to rural restraint set out in ULP Policy S7 and PPS7. Therefore, in balancing planning merits, it is considered that planning permission should be granted for the development of this site accordingly a shorter time period for commencement is proposed.

## **RECOMMENDATION – CONDITIONAL APPROVAL WITH S106 LEGAL OBLIGATION**

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive – Legal, in which case he shall be authorised to conclude such an obligation to secure the following:
  - (i) Payment of contributions towards Education provision
  - (ii) Pay Councils reasonable costs
- (II) In the event of such an obligation being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set out below
- (III) If the freehold owner shall fail to enter into such an obligation, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:
  - 1) No contributions towards Education provision

## **CONDITIONS:**

1. The development hereby permitted shall be begun before the expiration of 2 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.



REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

3. Prior to the erection of the development hereby approved (not including footings and foundations) full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:-
- i. proposed finished levels or contours;
  - ii. means of enclosure;
  - iii. car parking layouts;
  - iv. other vehicle and pedestrian access and circulation areas;
  - v. hard surfacing materials;
  - vi. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
  - vii. proposed and existing functional services above and below ground (e.g. drainage power, viii. communications cables, pipelines etc. indicating lines, manholes, supports.);
  - ix. retained historic landscape features and proposals for restoration, where relevant.
- Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].
- x. biodiversity measures to enhance wildlife habitat.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

5. The development hereby permitted shall be constructed entirely of the materials details of which are shown on the schedule of materials on the planning application form unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the appearance of the development, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

6. Notwithstanding the submitted details and before development commences details of surface water drainage works shall be submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of all surface water to the ground within the site by means of a sustainable drainage system, which should include levels of the vehicle access/hardstandings, materials to be used and how it would be drained. The results of this assessment shall be submitted to the local planning authority. Subsequently the surface water drainage shall be carried out in accordance with the approved details before the first occupation of the dwellings.

REASON: To control the risk of flooding to the development and adjoining land in accordance with the principles set out in Annex 5 of PPG25 (or any subsequent version).

7. Before occupation or other period as agreed by the Local Planning Authority Secured by Design certification shall be achieved.

REASON: To ensure a satisfactory form of design where the potential for crime or fear of crime is reduced in accordance with ULP Policy GEN2.

8. No construction work relating to this permission shall be carried out nor machinery operated on, nor materials be delivered to the site at any time on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 08.00 and 18.00 on Mondays to Fridays and between the hours of 08.00 to 13.00 on Saturdays.

REASON: To safeguard the amenities of the occupiers of neighbouring properties in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005.

9. No windows, rooflights, or other form of opening shall be inserted into the first floor side (west) elevation or roof slope of plots 1 and 8 hereby permitted without the prior written consent of the local planning authority.

REASON: To avoid overlooking of the adjacent property in the interests of residential amenity in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005.

10. No windows, rooflights, or other form of opening shall be inserted into the rear first floor (north) elevation or roof slope of plot 14 hereby permitted without the prior written consent of the local planning authority.

REASON: To avoid overlooking of the adjacent property in the interests of residential amenity in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005.

11. Other than the windows shown on the approved drawings to which this planning permission relates, no windows or other form of opening shall be inserted into the first floor north elevation of plot 13 hereby permitted without the prior written consent of the local planning authority.

REASON: To avoid overlooking of the adjacent property in the interests of residential amenity in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005.

12. The development as designed, specified and built shall achieve the equivalent of a 'Code for Sustainable Homes' rating of 'Level 3', namely the dwelling emissions rate (DER) achieved shall be at least 25% lower than the target emissions rate (TER) as calculated by the Building Regulations 2006 Part L1A SAP methodology, and will incorporate other water saving and environmental features agreed with the planning authority.

The applicant will provide a SAP rating of the as-built development and details of water saving and other environmental features incorporated once the development within four weeks following its completion.

REASON: In the interests of the promotion of sustainable forms of development and construction and construction to meet the requirements contained in adopted SPD Energy Efficiency and Renewable Energy Adopted October 2007.

13. The applicant shall incorporate on-site renewable or low-carbon energy technologies to provide 10% of the annual energy needs of the approved development in-use.

The applicant will provide the planning authority with a design SAP or SBEM rating of the proposed development carried out by an accredited assessor before work commences on-site, as well as technical details and estimated annual energy production of the proposed renewable or low carbon technologies to be installed.

Within four weeks following its completion, the applicant will provide a SAP or SBEM rating of the as-built development and details of the renewable or low carbon technologies that were installed.

REASON: In the interests of the promotion of sustainable forms of development and construction and construction to meet the requirements contained in adopted SPD Energy Efficiency and Renewable Energy Adopted October 2007.

14. The development hereby permitted shall be implemented in accordance with the ecological scheme of mitigation/enhancement submitted with the application in all respects and any variation thereto shall be agreed in writing by the local planning authority before such change is made.

REASON: In the interest of the protection of the wildlife value of the site in accordance with Policy GEN7 of the Uttlesford Local Plan adopted 2005.

15. The development hereby permitted shall incorporate all measures set out in the accessibility statement / drawings which accompanied the application.

REASON: To ensure that the premises can be readily used by people with physical disabilities in accordance with national and local planning policies in accordance with SPD Accessible Homes and Playspace.

16. Before development commences 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 in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

17. Before development commences details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

18. Before development commences details of provision of suitable access arrangements to the application site in connection with the construction of the development, to include wheel cleaning facilities for the duration of the development to prevent the deposition of mud and other debris onto the highway network/public areas, turning and parking facilities for delivery/construction vehicles within the limits of the application site together with an adequate parking area for those employed in developing the site shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter, construction of the development shall be carried out in accordance with the approved details.

REASON: In the interests of highway safety and efficiency in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

19. The carriageway of the proposed estate road shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling.

REASON: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

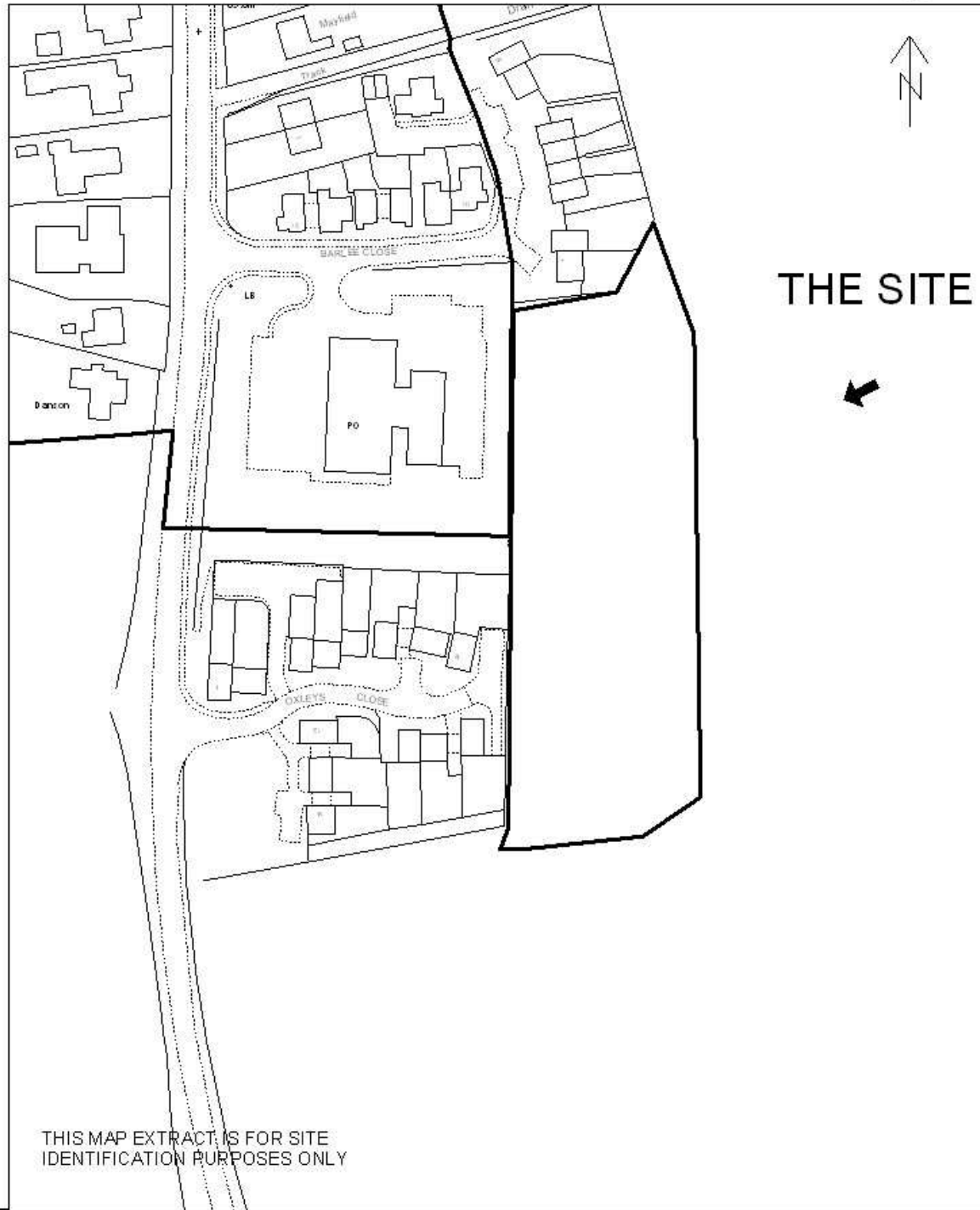
20. Before occupation of any dwelling hereby permitted the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, shall be hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy GEN1 of Uttlesford Local Plan adopted 2005.

21. Before occupation of any dwelling hereby permitted the Developer shall be responsible for the provision and implementation of a Travel Information and Marketing Scheme for sustainable transport in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

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DATE:29/12/2011

MAP REFERENCE:IL4731SE

SCALE:1:1250