

**UTT/0142/12/OP (Elsenham)**

**PROPOSAL:** Residential Development Comprising 155 homes, 55 Extra-Care Units, Land for the Provision of a Multi-Use Community Building and Associated On and Off-Site Infrastructure Provision, Following Demolition and Clearance of Essex Autospray and Associated Residential Property.

**LOCATION:** Land at Stansted Road, ELSENHAM

**APPLICANT:** Crown Estates

**AGENT:** Carter Jonas

**EXPIRY DATE:** 26.4.12

**CASE OFFICER:** Nigel Brown

**APPLICATION TYPE:** MAJOR

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**1. NOTATION**

1.1 Outside Development Limits

**2. DESCRIPTION OF SITE**

2.1 The application site lies to the north of Stansted Road, on the north western edge of the village of Elsenham. The majority of the site is currently open fields. The site is bound by the Playing Fields to the south-east, with the existing residential development at Leigh Drive. To the north of the site is the area known as The Orchards, for which planning permission was approved for residential development (Ref: UTT/2166/11/DFO) by this Committee at its meeting of 2 May 2012. To the west of the site is Alsa Wood. The extreme south-west of the site is the former location of the Essex Autospray operations and the residential property The Gables, Stansted Road.

2.2 The application site has a total area of 6.86 hectares

**3. PROPOSAL**

3.1 The application is an outline planning application with all matters reserved. The applicant has provided a masterplan indicating the general form and location of development.

3.2 The application proposes a development of 155 dwellings, with the masterplan indicating a mix of dwellings from 1/2 bedroom apartments through 2-5 bedroom properties. The master plan proposes a mixing of house types throughout the site, however it is proposed that the larger five bedroom dwellings be located on the western edge of the site adjacent to Alsa Wood. It has been indicated that the scale of the residential units will be 1, 1 ½, 2 and 2 ½ storeys. With the higher units being to the north of the site away from existing residential units a suitably distant from approved development to the north

- 3.3 The application also proposes the provision of a 55 bed extra-care facility and multi-use community building. The masterplan does indicate that these will be located on the south-eastern edge of the site.
- 3.4 Although a reserved matter the proposal does indicate that access would be directly onto Stansted Road, through the site of the current Essex Auto Spray operation.

#### **4 APPLICANT'S CASE**

- 4.1 The applicant has provided a Design & Access Statement in support of a planning application to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way. A Planning Statement has also been provided to illustrate the planning policy context to the planning submission.
- 4.2 It should be made clear at this stage that the purpose of the submission is to seek approval to the principle of development described above, and provides plans and illustrations for indicative purposes only i.e. to give the local community and other stakeholders an insight into how we (the applicant) envisage the scheme will look. If consent is granted, a reserved matters application will then follow which will specify exactly what is intended to be built in detailed form.
- 4.3 The Development Site is currently accessed via Stansted Road to the south. Pedestrian access to the Development Site is currently limited to a main north-south and east-west route. Potential exists to bring further pedestrian routes across the Development Site into Alsa Wood, thereby improving links between the village and the surrounding countryside. The Development Site currently comprises agricultural land with limited landscape value, but forms part of a much stronger landscape structure when Alsa Wood and existing hedgerows are taken into account. These help to frame the Development Site, reduce the background noise of the M11 motorway and create foundations of a network of open spaces. The Development Site also lies adjacent to the existing recreation ground, which provides opportunities for formal sports, but has the potential to offer more and become a centre piece for the village. The eastern boundary largely comprises the backs of existing residential properties/back gardens and care will be required to ensure that any development on the Development Site treats the eastern edge carefully and avoids overlooking and loss of privacy.
- 4.4 Topographical Survey
- To ensure that all physical features on the site are appropriately identified and logged, full topographical survey (related to OS active GPS network) has been carried out, including levels at 20m spacing for open areas and 5m spacings for detailed areas, adjacent highways, ponds with depths (where possible), ditches with pipework & photographs, trees above 20cm diameter, gates exiting from private gardens along boundary, footpaths crossing the site, and building ridge and eave heights where possible. The brief was informed by all members of the project team.
- 4.5 Phase 1 Habitat Survey and Species Specific
- Wildlife, such as nesting birds, dormice and great crested newts, are protected species. All protected and Biodiversity Action Plan (BAP) species are material considerations for individual planning decisions under PPS9 (Planning Policy Statement 9) (ODPM, 1994).

A Phase 1 Habit Survey was therefore commissioned to identify the presence or likely presence of any protected or notable species or habitats on or adjacent to the Development Site; assess the potential impact of the proposed works on any protected or notable species and/or habitats present including nature conservation sites on or adjacent to the Development Site; and to make any recommendations for further surveys and/or mitigation following the survey, if necessary and provide suggestions to enhance the biodiversity value of the Development Site post-development. Key recommendations of the P1HS were that a species-specific great crested newt (GCN) survey should be undertaken. Furthermore, if any hedgerows are removed, hedgerow, dormouse and bat surveys should be carried out, and if any substantial works are proposed within Alsa Wood, a badger survey should be carried out. The advice helped to refine the Development Site boundaries, resulting in no proposed hedgerow removal, therefore prompting only the need for GCN surveys. Four surveys were conducted by a Natural England newt-licensed ecologist following Natural England guidelines. No GCN or eggs were found in the water bodies. It was considered that the proposed development would not impact on GCN, and no further survey or mitigation is necessary.

#### 4.6 Trees and Landscape

The Development Site currently comprises arable fields (recently cropped with corn), divided and bordered by mature hedgerows and woodland containing several ponds that are linked by a ditch drainage system and hedgerows. The Spinney located to the south of the Development Site is well maintained by the Parish Council and contains ornamental trees and public access, surrounded by young, coppiced woodland planting. An ancient, semi natural, woodland of 33ha lies to the west of the Development Site, known as Alsa Wood, which is bisected by the M11 motorway. A large amount of public open space is located to the east of the Development Site abutting Elsenham village, which is well managed and in relatively good condition, providing sports, and play and recreation facilities for the current village.

#### 4.7 Highways

Bus stops are located in the vicinity of Leigh Drive, approximately 150m to the east of the development access road on Stansted Road, and on Station Road, in close proximity to Ridley Gardens. The bus stops on Station Road can be accessed via the Orchard at the north eastern boundary of the Development Site. The bus stops are frequented by bus service 7/7A, operated by Roadrunner Coaches. The service provides links with Bishop's Stortford and Stansted Mountfitchet to the west, Elsenham Railway Station and Henham to the north and Stansted Airport to the southeast.

Elsenham Railway Station is located approximately 400m from the north eastern boundary of the proposed development. A direct link is provided to London Liverpool Street Station, with a half hourly service during peak periods. An hourly service operates during off peak periods

In the vicinity of the Development Site, the B1051 Stansted Road is a single carriageway road subject to a 30mph speed limit. Approximately 140m from the western boundary, Stansted Road is subject to a speed limit increase to the National Speed Limit, beyond which the road extends towards Stansted Mountfitchet to the west. Approximately 300m to the east, Stansted Road connects with Station Road, High Street and Robin Hood Road in the form of a 4 arm double mini

roundabout junction. Further afield to the east, High Street extends through the centre of the village of Elsenham.

In the vicinity of the Development Site, Stansted Road benefits from a footway with a width of approximately 1.5m that runs adjacent to the carriageway on the northern side. Heading in an easterly direction towards Elsenham Village Centre the footway widens to an approximate width of 2.0m, with street lighting ensuring the footway is amenable for pedestrians to utilise during the hours of darkness. The footway includes dropped kerbs at Leigh Drive, providing a safe opportunity to cross for pedestrians with reduced mobility. Uncontrolled pedestrian crossing points with dropped kerbs are provided on the northern and southern approaches to the 4 arm double mini roundabout junction. The pedestrian footways then continue on either side of High Street through the centre of the village, providing access to Elsenham Primary School, The Crown public house and the local garage. Pedestrian access to Elsenham Rail Station to the north of the village can be gained via the footways on either side of Stansted Road. No designated cycle routes currently exist in the immediate vicinity of the Development Site. The closest route to the site is Regional Route 50. It should be noted that the topography in the local area is generally flat, and cycling is a valuable means of transport within the village.

Transport Planning Associates has worked closely with Essex County Council through the preparation of the planning application for the development of land at Stansted Road, Elsenham and has engaged in regular exchanges of correspondence and meetings.

Key agreement has been reached on the forecast volume of traffic that might be generated by the development and detailed information related to the distribution of development traffic to the highway network has been submitted. It has been accepted and agreed with the County Council that during a weekday morning and evening peak hour that the development will generate approximately 130 vehicle movements (both arrivals and departures) and that during the course of a 12 hour day, (between 7am and 7pm) the development would generate approximately 1000 vehicle movements.

Data collected from the 2001 census (still the most available data to hand) has been used to forecast the likely levels of movement from the development by means of travel alternative to the private car. This information indicates that 13% of the local (working) population travels to their main place of work by train with others using the bus. The traffic generated by the development has been assigned to the local highway network and its effects on junction capacity tested for delay and impact. The results of this analysis demonstrate that the highway network of Elsenham is not operating at or close to theoretical designed capacity with no queuing forecast by the modelling or observed during on site surveys.

Key to local concerns, and raised during the course of the public consultation exercise is the effect of the proposed development on traffic movements at Grove Hill. This has been the source of detailed discussions with the County Council, which has indicated that a local highway improvement was introduced in September of this year. This improvement introduced double yellow lines and formalised parking for residents along Grove Hill.

The County Council has no record of complaints from local residents of highway users of delays and difficulties negotiating the traffic signals at this location. Transport Planning Associates has nevertheless, prepared a local enhancement scheme to amend road markings in Stansted Mountfitchet on the approach to Grove

Hill as, uneven lane markings effectively provide only a very narrow southbound lane that can/could cause delays at times. This enhancement will ensure that southbound movements do not become obstructed by those waiting at the traffic lights to travel north towards Elsenham. The view was expressed by the County Council that perhaps local perception of delays and problems at Grove Hill is greater than occurs in actual fact. The surveys undertaken by Transport Planning Associates recorded the queues of traffic at Grove Hill and at no time did traffic waiting to travel south obstruct those travelling uphill towards Elsenham. The modelling of capacity in the future years when the development is occupied (projected to 2018) do not suggest that there will be a problem of delay at the junction. A sensitivity test (where all development traffic in the morning and evening uses Grove Hill) reveals that only one additional vehicle will be waiting at the traffic lights compared to what occurs now.

The County Council is content that the proposed development will not prejudice the operation of the traffic signals in the future. In addition to Grove Hill, matters of traffic speed and road safety were also raised by local residents during the public consultation exercise. Accident data for Elsenham has been assessed as part of Transport Planning Associates role and an analysis has revealed that during the most recent 5 year study period a total of 9 accidents have occurred that resulted in personal injury. In none of these cases was speeding a contributory factor. Vehicle speeds were recorded to exceed 30mph in Stansted Road and options for 'calming' the traffic are being examined. The County Council is not supportive of road 'humps' on routes such as Stansted Road due to the presence of buses. Traffic calming proposals were presented to the public during consultation that included the use of priority 'narrowing' that requires traffic to give way. Also different types of surface treatment were presented, albeit that the County Council has concerns related to on-going maintenance.

It is likely that a final agreed form of traffic calming will be discussed during the determination of the application, but additional speed activated signage and road markings are likely to be the main features. Whilst the use of priority (give-way) features is a possibility, further dialogue on this matter is required. The internal layout of the development is designed be a low speed environment; as this is an outline application further details are likely to be the subject of reserved matters. The road widths and configuration is informed by the Essex Design Guide, based around a concept of 6m and 5.5m wide carriageways, with associated footways.

#### 4.8 Flood Risk and Drainage

The land falls in a north-easterly direction from a high point of approximately 100m AOD to a low point in the region of 93m AOD. The Development Site features a number of land drainage ditches on the boundaries that route rural runoff in a northerly/easterly direction. The Development Site lies wholly within Flood Zone 1 (low probability of flooding) as defined by the Environment Agency PPS25 indicates that all types of development are appropriate in this zone and hence there is no requirement for sequential or exemption testing.

- 4.9 A pre-application meeting was held with Uttlesford District Council (UDC) on 21st July 2011, followed by a letter reaffirming the discussion points on 30th August 2011. It was confirmed that a housing shortfall exists in the district and that Councillors had agreed to support the approach to proactively manage the supply of land to reduce the existing 5-year land supply deficit. The Development Site was identified as one which Councillors could support coming forward as an application. UDC recommended that we give consideration to improving recreational facilities in the area, providing Extra Care housing (which

could be offset against the 40% affordable housing standard), and to highways impact (notably the issues around Grove Hill). Furthermore, it was outlined that education contributions would likely be sought from a scheme of this size. We have maintained dialogue with UDC, providing details of the scheme in evolution, including agreement to scheme principles such as Code Level 3; 100% Lifetime Homes; 5% Wheelchair accessible units; On-site renewable or low-carbon energy technologies to provide 10% of the annual energy needs of the approved development in-use; a general housing mix of 1-bed (10%), 2-bed (25%), 3-bed (30%) and 4-bed+ (35%); with affordable unit mix of 1-bed (10%), 2-bed (10%) and 3-bed (10%), and the provision of 2no. Local Areas for Play (LAP) and 1no. Local Equipped Area of Play (LEAP).

We also presented to members of the Planning Committee on 16th November to explain who The Crown Estate is, the design approach to the Development Site and the intention to improve public access in and around Alsa Wood, and the feedback received from the public exhibition. Members were keen to encourage a 'tenure-blind' approach to housing design, to ensure public access to Alsa Wood is permanent, together with adequate management of the woodland, and were keen to understand more about the Extra-Care facility

- 4.10 A presentation was given to the Parish Council on 6th September setting out The Crown Estate's background and interest in the Development Site, the project team, and our development principles for a forthcoming outline planning application.

A public exhibition was held on Friday 4th and Saturday 5th November at the village hall to provide an opportunity for residents, groups and businesses to come and view our design approach and to speak to members of the project team. The consultation was publicised through the mailing of an invitation to all 1,200 local households and through an article in the Parish newsletter. In total 138 residents attended, with many completing a questionnaire which was provided. A website ([www.stanstedroad.co.uk](http://www.stanstedroad.co.uk)) was also set up for those who couldn't attend on the 4th or 5th, with the facility of an online form for those wishing to comment. The results of the consultation are published in the Statement of Community Involvement, which accompanies the planning application.

- 4.11 We have consulted with the Schools Organisation and Planning Team at Essex County Council regarding school capacity and potential impact of the development here and were informed that a primary school contribution of between £400k to £535k would be required for 135-180 new qualifying dwellings (1-bed properties are discounted). No contributions would be sought for secondary education.

- 4.12 We met with the Head Teacher of Elsenham Primary School on 17th November to get a clearer understanding of existing school operation and future requirements.

- 4.13 Planning Policy

The principle of the proposed development needs to be judged against ULP Policy S7 and all the GEN policies of the Council's adopted local plan. The Development Site lies beyond development limits and is therefore contrary to Policy S7. However the Council cannot demonstrate a 5 year supply of housing land when compared with the RSS housing target. A total of 1747 dwellings are assumed to be delivered within the 5 year period 2011/12 to 2015/16. 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 within the district over the 5-year period is 81% (equivalent to 4.06 years – i.e., less than the required 5 year supply).

Strategic housing policy is established to ensure that an appropriate number of new homes, including much-needed affordable homes, is provided on an annual basis, giving existing and prospective new residents to the district improved availability and choice of housing. The direct implications of failing to meet the level of planned housing is increased house prices, difficulties getting on the housing ladder, poor choice, an increase in overcrowding of existing properties, increased levels of in-commuting, and increases in homelessness.

- 4.14 The proposed development, although in outline form only at this stage, indicates a commitment to achieving high quality housing. Design and layout has been formed through the application of principles from the Essex Design Guide.

The proposed housing scheme provides a good mix of properties including 11no. 1-beds (of which 5no. are affordable), 44no. 2-beds (of which 23no. are affordable), 46no. 3-bed (of which 18no. are affordable) 27no. 4-beds and 27no. 5-beds. Additionally, 55no. Extra-Care units will be created as part of the development, offering low, medium and high levels of close care to those in need. This may include village apartments for the elderly, assisted living, care home or respite care accommodation. In total, the scheme will provide 40% affordable housing (84no. of the 210no. total). Our proposal currently shows provision formed by 46no. of the 155no. new dwellings plus 38no. of the 55no. Extra Care Housing units. Alternatively this could however be formed through 29no. of the 155no. new dwellings plus all 55no. of the Extra Care Housing units. Actual split will be determined through the determination process following discussion with the Council's Housing Department.

- 4.15 In terms of suitability, Elsenham is a Key Rural Settlement. The Development Site has been considered as part of UDC's Strategic Housing Land Availability Assessment (SHLAA) 2010, given site reference 'ELS6 Land West of Station Road, Elsenham'. A much larger site area was assessed at this stage comprising 11ha with the potential to accommodate 248 – 413 dwellings. The site was evaluated as being Suitable, Available and Achievable. The proposal in its current form reduces the total dwelling numbers and it is therefore reasonable to assume that it will have a positive impact upon the SHLAA evaluation process. Technical assessments covering ecology, flood risk and drainage, highways and landscape have been carried out to ensure that the proposal (albeit in outline form) satisfactorily addresses the principal environmental considerations. In terms of making efficient and effective use of the land, the proposal for 210 dwellings (155 + 55 extra care units) on a site of 6.7ha results in a density of 31dph which is considered appropriate against the density of the surrounding area. The development proposal therefore meets the criteria of paragraph 69 and should therefore the proposal for new housing should be supported by the Council given its acknowledged 5 year housing shortfall.

- 4.16 Deliverability

In accordance with paragraph 54 of PPS 3, the Site is considered to be deliverable within 5 years of determination. The Site is available now, as it within single ownership and there are no extant leases prohibiting development; it is

suitable as it provides for a use and level of density appropriate to its surrounding context, in a location that lies within a sustainable Key Rural Settlement; it is achievable as the Site is greenfield, and is therefore unlikely to have the 'unknowns' e.g. contaminants that many brownfield sites have

#### 4.17 Design Approach

The masterplan shows an indicative layout for 155 no. dwellings, 55 no. extra care units, land for multi-purpose community building and associated infrastructure works, and includes detail such as individual plots and house types. The masterplan encompasses a rich mix of house types to suit a variety of owners. Housing is set within a landscaped open space with access to the wider countryside through a network of public pathways. Children's play spaces are positioned to be easily accessible and overlooked by surrounding housing, and will benefit the existing community within Elsenham. The retirement community enjoys views across the woodland and will be architecturally integrated within the scheme. The layout has provided extra land for the recreation ground to rationalise the pitch arrangement whilst the design incorporates a community hall positioned to give spectators views across pitches.

A key objective of the scheme was to seek out a solution that would minimise the impact on the existing landscape and woodland setting, whilst restructuring communication links across the Development Site for the long term benefit of the village. Seeking the views of the Elsenham residents was of prime importance and meetings with the Parish Council were held as well as a 2-day public exhibition of proposals. From these, it became clear that changes to the recreation ground and Alsa Woods were not welcomed. The chance to have additional new housing stock was liked but the approach needed to be relatively low key. Despite the concerns on retaining the recreation ground there was a general agreement that it needed to be enlarged to take 3 senior pitches, whilst allowing junior football or hockey to take place on a further pitch. There was also a need for a community building of some sort to link with the recreation ground but not compromise its use.

The Development Site uses a single vehicular access road from Stansted Road. This was initially designed as an 'engineered' carriageway of 6 metres with two pavements, and options to link it with the adjoining development site at The Orchard were investigated. It was eventually agreed that a pedestrian and cycle link would be most appropriate, to allow residents a shorter walk to the station.

A substantial body of analysis work was carried out by the Landscape Consultant to establish the potential boundaries for development. There was an important need for drainage attenuation of storm water and a further piece of engineering work was carried out to design a natural 'swale' and 'scalp' system within the landscape. This runs along the western and northern boundaries of the recreation ground and the eastern edge of the Development Site. These swale areas are quite large and are designed for a 1 in 100 year event and climate change. However, they are useable amenity space for the majority of the year and the proposal is to substantially plant them out.

It was found that the addition of a 6 metre strip of land to the existing recreation ground would allow the 3 senior football pitches to be marked out, in accordance with the Sport England requirements.



The brief was modified to provide the multi-purpose community facility and a retirement community facility, termed a 'Close Care Retirement Community'. This latter comprises 18 independent living flats, 18 warden assisted flats and 19 close care flatlets within a larger building.

The vision for housing is to create a useful quantum of mainly family housing, to reform the edge of settlement and make the recreation ground more the focus of the residents and village.

The proposals create various simple character areas and 'places'. The remaining site area after subtracting the landscaping and storm water attenuation requirements naturally led to the illustrative masterplan. The access road provides a series of small groups of buildings at the site entrance, along the hedgerows, adjacent to the recreation ground and running up to the northern boundary. The mix of housing requires a significant mixture of smaller and affordable homes and these are clustered together into a series of Essex Design Guide small streets in a formation that is similar to other housing parcels within the village.

The design of the units develops from one of the key principles of the Essex Design Guide:- continuous built form protecting larger private amenity space (gardens) and defining public and private realm with small strips of 1-2 metres of defensible space to the front of the home. This principle is applied to all densities to produce a coherent set of linking house types which can be set out on site in line with Essex Design Guide thinking. The layouts provide as many homes as possible fronting onto open space or with views.

Parking is largely on curtilage, mainly in car ports or car barns which are sized to meet both Lifetime Homes standards and the latest Essex County Council Highways requirements. There is a predominance of 2 storey building form, with the 50° steeply pitched roofs used for ancillary accommodation. This allows the designs to emulate the scale and massing of traditional Essex village housing of which Elsenham has numerous examples.

Links to the village and Alsa Wood are enhanced and in the process a series of new play areas have been incorporated into the scheme. These are detailed within the Landscape document.

## **5 RELEVANT SITE HISTORY**

- 5.1 UTT/1368/86 – Outline application for residential development on 14 ha, construction of a new access and alteration of an existing access. Refused 18 December 1986.

## **6 POLICIES**

### **6.1 National Policies**

NPPF

### **6.2 East of England Plan 2006**

H1 – Regional Housing Provision.

### **6.3 Essex Replacement Structure Plan 2001**

No policies relevant.

## **6.4 Uttlesford District Local Plan 2005**

Policy ENV3 – Trees  
Policy ENV 7- Impact of Natural Environment Designated Sites  
Policy ENV 8- Impact on other landscape elements  
Policy GEN1 – Access  
Policy GEN2 – Design  
Policy GEN3 Flood Protection  
Policy GEN4 - Amenity  
Policy GEN7 – Nature Conservation  
Policy GEN8 – Parking  
Policy H4 – Backland Development  
Policy H9 – Affordable Housing  
Policy H10 – Housing Mix  
Policy H11 – Affordable Housing  
Policy S7 – The Countryside

## **6.5 Supplementary Planning Policy**

SPD Accessible Homes  
SPD Renewable Energy  
SPD Parking  
SPD Essex Design Guide

## **7 PARISH/TOWN COUNCIL COMMENTS**

### **7.1 Elsenham Parish Council**

#### Extra Care Housing

The Parish Council notes that for the purposes of the outline planning application, The Crown Estate has provided plans and illustrations for indicative purposes only. Nevertheless, the council has very significant concerns regarding the position of Extra Care Housing within the site. At present, the indicative site plans show that the extra care housing is very close to the multi-use community building. Given the varied nature of use of a community building, the Council is concerned that noise from this hall is likely to cause a distinct, ongoing noise nuisance to residents living in the extra care units. The Parish Council therefore recommends that proper consideration be given to moving/relocating the extra care accommodation away from its present location next to the community hall and close to the entrance of the housing estate and relocate it further into the site; for example, nearer to the points of public transport ( bus stops and the railway station).

#### Car Parking

The Council considers that overall car parking facilities appear to be woefully inadequate for a development of this size. Although the County Council has the necessary guidelines and formulae when determining quantities of parking spaces, it is generally acknowledged that the calculated parking spaces define the minimum number(s) needed to be achieved, and do not , in fact, represent a true and realistic figure when considering the needs and demands of new, modern housing developments, and the households and residents living within them. It is noted that no dedicated on - street t parking facilities have been

provided for visitors to the estate. Again, the Parish Council recommends that proper consideration be given to providing the necessary and proper levels of car parking facilities , both on - and off- street parking, in order to meet the ever - increasing car ownership within the households that will live within the development.

#### Pavements

It is noted that certain housing units / styles within the development would appear to open directly onto the roadways, and do not have the benefit of dedicated pavements/pathways for pedestrian access in the front of the properties. This is considered to be a hazard, particularly in areas of family housing with young children.

The Parish Council therefore requests that safe pedestrian pathways be included alongside all roadways of the development to ensure the safety of pedestrians.

#### Traffic Calming Measures (Stansted Road)

The Council strongly supports the proposals for the introduction of traffic calming measures in Stansted Road, particularly at the junction point where the new access road to the proposed development will join Stansted Road. The Council is well aware, through its active participation in the Essex Police Speedwatch Scheme, that Stansted Road at least from the point where it crosses the M11 motorway up to the double mini - roundabout at its junction with Station Road and High Street regularly experiences incidents of excessive speed, well in excess of the 30 mph speed limit. It is therefore essential that any and all appropriate forms of traffic calming be considered for introduction by Essex County Council Highways and the developer.

#### Flood Risk & Drainage

A drainage ditch currently exists on the eastern boundary of the site (along the rear of Ridley Gardens) and also continues southwards along the eastern boundary of the village playing field/recreation ground. This ditch has been the source of flooding in the past, caused by obstructions (debris) and the partial and/or total infilling of the ditch in places. Other drainage ditches also exist on the western side of the site bordering Alsia Wood and to the northern end of the site.

It must also be noted that this proposed site is situated next to another (approved) 53- home residential development, The Orchard, off Station Road. The Parish Council has already highlighted concerns regarding the management of surface water run- off and drainage for this site, which have yet to be finalised and agreed with the relevant agencies.

Given the significant size of The Crown Estates proposed development, it is considered essential that the surface water drainage schemes for the site and its boundaries must be designed to take full account of extreme- case surface water flows arising from periods of intense rainfall.

In addition, consideration must be taken of the effects and consequences of surface water run- off in the wider area and the impact that new housing developments will have upon the natural water courses. When considering the proposed drainage schemes for The Crown Estate development, consideration must also be given to the contributory water run-offs from The Orchard site

development and the surrounding local area, to ensure that a proper strategy (and drainage systems infrastructure) is put in place for the comprehensive management of surface water drainage in the area of northern Elsenham.

#### Woodland

The woodland adjoining the site, known locally as Alsa Wood, has long been a historic feature of the village. In the past it has been acknowledged as ancient woodland and even today, there are pockets which still retain these ancient woodland features.

Prior to the construction of the M11 motorway, which divided the original woodland in two, Alsa Wood was a Site of Special Scientific Interest (SSSI) and still retains a wide diversity of fauna, flora and wild-life., which includes oxlips, wood anemones and bluebells. In addition, buzzards may be seen regularly circling the woodland.

It is clear that this historic woodland will need sympathetic management in the future, if it is to retain its character and also its role as an area rich in wildlife . The Parish Council therefore requests that the owners of the woodland consider gifting/transferring ownership of the wood land to an organization such as The Woodland Trust, who will protect and manage this valuable nature resource in the future.

#### Allotments

The Parish Council, which has the responsibility for the provision of allotments within the village, is aware that a potential shortage of allotments currently exists in the form of an active waiting list for allotment spaces. With this in mind, the Council requests that the developers, The Crown Estate, consider the inclusion of space for new allotments within the general area of the site.

#### Traffic Congestion

It has been noted in the submitted Design, Access and Design Statement that during meetings with Essex County Council (Highways) that the view was expressed by the County Council that the local perception of delays and problems at Grove Hill (Stansted Mountfitchet) is greater than occurs in actual fact.

The County Councils views notwithstanding, there is , nevertheless, a larger traffic issue to be considered; namely the cumulative (and collective) effects that Grove Hill, Lower Street, Church Road, Chapel Hill and the Cambridge Road junction have upon traffic flows through the Lower Stansted area.

For traffic flowing through this collection of roads and junctions, there are definable problems and delays that do need to be examined and addressed. The sources of delay are due in a large part to the narrow roads and the patterns of legally parked cars along one side of Grove Hill, the constriction to free traffic flow from the doubled- sided parking of cars along the main length of Lower Street, and the extended lines of parked cars on the western side of Chapel Hill. The problems are further compounded by cars regularly (and illegally) parking in areas of double - yellow lines, usually close to local shops and facilities . Although these delays and problems are tolerated and generally accepted by both residents and motorists, traffic delays and waiting times are increasing year

-on- year and if significant new housing developments within both Elsenham and Stansted Mountfitchet are to continue, traffic flows through Lower Stansted will intensify further. With this in mind, the Parish Council recommends that a more in- depth traffic flow survey through the whole of the Grove Hill, Lower Street, Church Road and Chapel Hill road network should be undertaken in order to properly identify the true scope of the problem, with a view to the County Council making the necessary highway improvements and revised parking schemes in the area of Lower Stansted.

#### Public Rights of Way & Footpaths

Although the development plans submitted are only for outline planning purposes, the Council nevertheless has concerns about the nature of the footpaths bordering and leading into Alsa Wood. In particular, the Council is concerned that these footpaths will become alley type paths behind residents back gardens and should, instead, be kept to their rural nature.

#### Ongoing Liaison

Should this development receive outline planning permission, the Parish Council understands the need to maintain a continuing liaison with The Crown Estate to ensure that any concerns and issues that may arise, which effect and impact upon the village and its local community , are fully discussed and resolved in a timely manner, as the ongoing design and construction of the development moves forward.

### 7.2 Henham Parish Council

You are aware that we are very concerned about any development in Elsenham that adds to the already chronic road infrastructure particular through Stansted to the west and the “Toot Bridge” to the north. I know Elsenham Parish Council have similar concerns. Our other concern is the all the householders would shop and socialise in Bishop’s Stortford which is already at gridlock. Bishop’s Stortford Town Council supports our opposition to the “Option 4” site for these very reasons.

So there we have it, whilst supporting the fact that we all have to take development we would like to see the consequences on the road network properly thought through.

## 8 CONSULTATIONS

### 8.1 Essex County Highways

The Highways Authority would not wish to raise an objection to the application subject to conditions and specific advice regarding The Advance Payments Code under the Highway Act.

### 8.2 Environment Agency

#### Flood Risk

No objection to proposal subject conditions

## Contamination

Further details requested with respect of contamination.

Comments awaited on additional details submitted.

### **8.3 Essex County Council (Sustainable Drainage)**

It should be noted that Essex County Council are not yet officially the SuDS Approval Body and therefore we can not currently give approval to SuDS Schemes. However, we are willing to give informal comment and advice so that the surface water drainage proposals could, in principle, be generally in line with our requirements for approval once we are confirmed as the SAB. Therefore any comments made are given without prejudice to any future SuDS application under the Flood and Water Management Act.- In principle the proposals for sustainable surface water drainage appear to be in line with current guidance.- It is understood that there is a historical risk of flooding along the rear of those properties in Ridley Gardens and therefore any proposed surface water drainage strategy for the development should aim to reduce and remove such flooding risk.- Some of the SuDS features (swales/storage) are shown to be located within private rear gardens. Consideration must be given to who will be responsible for their future maintenance and provision of access.- The future management and potential adoption of some/all the SuDS should be considered and a maintenance strategy put in place prior to commencement of the development. These are our initial informal comments, and we are now not expected to become the SuDS Approval Body until October 2012 at the earliest, so in the meantime the Environment Agency remains the key consultee on these issues.

### **8.4 Uttlesford District Council (Environmental Health)**

No objection with respect of ground contamination subject to the imposition of appropriate condition.

### **8.4 Essex County Council (Education)**

This development falls within the priority admissions area for Elsenham Church of England (VC) Primary School which has permanent capacity to take 180 pupils. According to the latest forecasts that are published in the document "Commissioning School Places in Essex 2011-2016" 194 places will be required by 2016 without taking housing growth into account.

With regards early years and childcare provision, Essex County Council's Sufficiency Assessment, completed in March 2011, found that nursery provision was 87% full and that there was no pre-school provision meaning that parents having to drive to Henham to obtain childcare causing difficulties for parents without transport. Early Years and Childcare officers are currently investigating suitable sites.

According to our forecasts published in Commissioning School Places in Essex 2011-2016 there should be sufficient places in the Mountfitchet Mathematics and Computing College to meet the needs of the development. However require contributions to school transport.

### **8.5 Natural England**

Based standing advice can confirm that based on the information provided and the mitigation measures suggested no harm will be caused to habitats and local population of bats and great crested newts.

#### **8.6 Essex Wildlife Trust**

Specific detailed advice with regards the proposed woodland management plan for Alsa Wood, to enhance the existing population of oxlips.

Additional advice and comments with regards mitigation measures and investigations concerning bats, dormice, great crested newts, nesting birds and reptiles.

#### **8.7 Essex County Council (Archaeology)**

Request negative condition to require agreement and implementation of a programme of archaeological work.

#### **8.8 Energy Officer (Uttlesford District Council)**

Recommends specific conditions.

### **9 REPRESENTATIONS**

9.1 In total 24 letters of representation have been received on this application. Of these 23 have objected to the proposal. The objections can be summarised as follows.

1. Outside of the Development Limits of Elsenham
2. Impact of infrastructure (sewers, schools, surgery, public transport, shops, police and electricity supply)
3. Disproportionate increase in population of village
4. Loss of employment land
5. Highways (including, congestion, safety, access onto Stansted Road, inadequate visibility, no need for traffic calming)
6. Inadequate car parking
7. Impact on Alsa Wood
8. Loss of Open Space
9. Non-provision of additional football pitches
10. Overdevelopment
11. Loss of privacy/overlooking
12. Not in support of three storey dwellings
13. Impact of landscape
14. Lack of details regarding boundaries
15. Concerns of proposed location of Extra Care facility( including conflict with community facility)
16. Impact on butterfly habitats
17. Disturbance during construction (including construction vehicles)
18. Party Wall Issues
19. Inadequate consultation/engagement by developer.

- 9.2 One representation, whilst raising some specific concerns supported the proposal stating that the proposal was more in scale with the village compared with other proposals. Also welcomed the inclusion of the Extra Care Facility.

## **10 APPRAISAL**

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

- A The principle of development (ULP Policies S7, H4, H10, NPPF);
- B Access and Highway Safety (ULP Policies GEN1 and GEN8)
- C Design and Master Plan Principles (ULP Policies GEN2 & GEN4, GEN 8 and Essex Design Guide)
- D Drainage and Flood Risk (ULP Policy GEN3)
- E Ecology (ULP Policy GEN7, ENV7 & ENV8)
- F Extra Care Units and Affordable Housing (ULP Policy H9)
- G Other Issues.

### **A The principle of development (ULP Policies S3, S7, H3, H4, H10, NPPF).**

- 10.1 The site lies outside of the Development Limits of Elsenham as defined within the Uttlesford Local Plan 2005. The site is therefore within the countryside and subject to Local Plan Policy S7. That policy protects the countryside for its own sake and specifies that planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. No evidence is provided to the effect that the development needs to take place there. The proposal is therefore contrary to Local Plan Policy S7.
- 10.2 Given that clear policy steer, it is necessary to consider whether there are any material considerations that are of sufficient weight to warrant making an exception to adopted Local Plan policy and planning permission being granted.
- 10.3 The National Planning Policy Framework (NPPF) was published in March 2012. The NPPF introduced the principle of presumption in favour of sustainable development. It reconfirms the plan-led system with a requirement for all applications to be considered in accordance with the Development Plan. This is unless the Development Plan is absent, silent or relevant and out-of-date, whereby permission should be granted subject to any other outweighing material considerations.
- 10.4 One issue to indicate that a relevant policy is out of date is the situation regarding the Council's 5-year housing land supply.
- 10.5 The Council's Annual Monitoring Report of December 2011 outlined the situation as at 1 April 2011. The relevant period is 2012/3- 2016/7 in which 1747 units of a target of 2150 is deliverable (i.e. 81%). This situation has since changed, however, with the potential shortfall now having been reduced to 2348 or thereabouts (i.e. 16%). Nevertheless, this is still significant in both



absolute and relative terms and would be reduced by the development of a further 155 units.

10.6 Elsenham is considered a good location for development; it is identified as a key settlement in the Adopted Local Plan and emerging Local Development Framework. This means that it benefits from a range of services serving the village and surrounding villages. It has a primary school, doctors surgery, shops, rail station, bus service (hourly service 7am to 8pm 6 days a week to Bishop's Stortford, Stansted Airport and Stansted Mountfitchett) and employment at Gaunts End. The development would not impact on the historic core of the village which is centred at Elsenham Cross where there are a number of listed buildings. Also Wood (to the west of the site) is an ancient wood and Local Wildlife Site. The proposal leaves an area of natural green space between the development and the wood minimising the impact of the development. It is therefore considered that the site is an environmentally sustainable location.

10.7 The proposed development of the site is contrary to adopted planning policy and there are no specific circumstances quoted to warrant making an exception to that policy. However, the Council's current 5 year housing land supply is inadequate such that the National Policy within the NPPF to grant permission in such circumstances, is a strong material consideration which could warrant an exception to adopted policy being made.

10.8 The site has been identified as a preferred site within the Uttlesford Draft Local Plan Consultation Document that is currently being consulted upon. Due to the early stages of the consultation, this document does not have minimal weight when considering this application.

## **B Access and Highway Safety (ULP Policies GEN1)**

10.9 Issues related to congestion and the overloading of the road infrastructure serving Elsenham has been considered by Essex County Highways and no objections have been raised.

10.10 The applicant and Essex County Highways have confirmed that the full 90 metres visibility requirement cannot be achieved in both directions. The Highway Authority have requested that a condition be appended requiring the provision of maximum visibility up to 90 metres in both directions. In lieu of the under provision of visibility, the Local Highway Authority have requested the provision of traffic calming along Stansted. Such measures would reduce the speeds achieved in this area and therefore compensate for the reduced visibility. The full details of any traffic calming, should this application be approved, would be subject to formal detailed consultations with the village through the necessary Traffic Order.

10.11 It is concluded that the proposed development would cause no harm to matters of highway safety.

## **C. Design and Master Plan Principles (ULP Policies GEN2, GEN4 & GEN8 and Essex Design Guide)**

- 10.12 The application has been submitted in outline planning application with all matters, including layout and design being reserved. Notwithstanding this the submitted outline planning application should reflect the design and scale principles that the development is seeking to achieve.
- 10.13 The application proposes a development of 155 dwellings, with the master plan indicating a mix of dwellings from 1/2 bedroom apartments through 2-5 bedroom properties. The master plan proposes a mixing of house types throughout the site; however it is proposed that the larger five bedroom dwellings be located on the western edge of the site adjacent to Alsa Wood. It has been indicated that the scale of the residential units will 1, 1 ½, 2 and 2 ½ storeys. With the higher units being to the north of the site away from existing residential units an suitably distant from approved development to the north. It is considered that the master plan principles incorporated by the developer properly respect the site's edge of village location. Should outline planning permission be granted than any reserved matters submission would have to reflect the principles of the master plan.
- 10.14 The proposed sketch perspectives submitted as part of the application, whilst only illustrative they do show a good design approach to the elevational treatments of the site which would reflect the vernacular style, scale and detailing of the village.
- 10.15 The proposal will be required to provide full compliance with the Essex Car Parking Standards within any subsequent reserved matters submission.
- 10.16 Adequate provision of lifetime homes and wheelchair accessed dwellings in accordance with this Council's guidance will be secured through condition.

**D Drainage and Flood Risk (ULP Policy GEN3)**

- 10.17 The Environment Agency have confirmed that adequate measures regarding minimising flood risk have been achieved through the submission of the appropriate Flood Risk Assessment, and have raised no objection to the proposal..

**E Ecology (ULP Policy GEN7).**

- 10.18 The application has submitted all the necessary habitat surveys at Natural England have confirmed that no harm is likely to be caused to matters of habitat importance.
- 10.19 The applicant has demonstrated that the proposal would not harm the adjacent ancient woodland or protected trees in close proximity to the site.

**F Extra Care Units and Affordable Housing (ULP Policy H9)**

- 10.20 **Extra Care Housing** It should be noted that the applicant sought formal pre-application in July 2011 to discuss a purely residential scheme on this site and was advised by UDC of the district wide need for extra care housing. Not only would the facility meet an identified need, it would also offer a local source of employment, and would bring with it other community benefits such as a hairdressing salon and shop (which the local community could use).

The parameters of the extra care facility, as outlined by UDC to the applicant, are as follows:

- Professional kitchen offering an inclusive meal per day, provided as a condition of tenancy and thus funded by benefit if applicable.
- Dining Facilities - Dining area where meals can be taken that can also be used (for a fee) by guests and members of the community.
- Day Room - Preferably as an extension to the dining room, simple, with comfortable seating and an area for socialising.
- Shop - A small room that can be run as a shop by those living in the scheme - Helen Court Shop is open for 4 hours a day (2hrs in morning, 2hrs in afternoon)
- Mixture of Residents - Hanover split tenants as 1/3 high need, 1/3 medium need and 1/3 high need - this ensures facilities are used, and that the more able residents can assist less able ones.
- Scooter Store - Capable of holding 50% of number of units worth of scooters - potential for free electricity to this room via PV panels on roof.
- Primarily One Bedroom Units - small rooms on each floor can be used by residents as additional sitting rooms should guests visit. These also have sofa beds should family need to stay in an emergency.
- Guest Suite - En suite guest room, twin beds and a sofa bed so that 4 people can stay if they need to.
- Hairdressing Salon - also used by members of the local community
- Seating Areas - Throughout the scheme
- Colours - Each floor decorated in different colours so that residents with memory problems can remain familiar with surroundings.
- Staff Room and Treatment Room - Treatment room used by GP, Chiropodist, Dentist, Optician e.t.c.
- Meeting Room - Used by external agencies and by residents
- Office - 2 offices, providing facilities for the 24hr care support - no sleep in facilities but do have a room that could be converted if needs be. Sleep in is not needed as there are enough resident issues to require awake staff 24hrs.
- Laundry Room - Staff can provide these services for less able tenants
- Assisted Bathroom - With hoist tracking so residents can use bathing facilities. Also used by other members of the community with care needs.
- Biofuel plant room and living green roof.

## UNITS

- Mainly one bedroom
- En suite with full wetroom adaptations.
- Small Kitchen
- Lounge
- En suite has two doors, one from hall and one from bedroom, meaning that one bathroom is enough.
- Hoist tracking not installed but unit is prepared to be easily converted should a need arise.

The key factors that we would need in a scheme are:

- Kitchen and dining area + Communal Area
- One Bedroom fully adapted flats
- Offices
- Treatment Room
- 1 Multi purpose room for every 10 flats.

It was suggested that the scheme should consider provision for at least a 40-unit facility (the minimum to make a scheme viable) and that if a 55-unit facility is

pursued the standard 40% affordable housing requirement could be reduced to 30%.

The applicant has since included provision of the 55 unit scheme, which has been supported during local community consultation exercises. To ensure it is deliverable, the facility will be privately operated will be privately operated,

The applicant has submitted a summary viability assessment to demonstrate that the extra care facility, community facility, and the s106 requirements are only viable if 30% affordable housing is delivered.

The assumptions used include:

- Use of HCA model
- Revenue on average for all types of market housing £250 per sq ft
- Build cost in line with BCIS
- The provision of extra care is cash neutral
- All affordable is provided within the 155 housing scheme and none in the extra care
- Section 106 costs are in line with what has been suggested £2,398,000
- Infrastructure and utility provision cost have been verified
- Third party land payment to secure access
- Profit 20% on GDV for market and 6.5% for affordable (as per HCA model)

This summary viability assessment is currently being tested by officers and a verbal update will be given to the meeting.

### **Multi Use Community Building**

The proposal includes provision of a new 510m<sup>2</sup> community building comprising of an 18m x 10m hall with kitchen, lounge, community room, office, changing rooms, toilets and storage.

Further consideration will need to be given to identifying appropriate end-users for the building, including the possibility of a day nursery, and the design and function of the building will then be tailored to ensure compatibility.

The applicant is also willing to support a local employment scheme for the construction of the new building to provide opportunities for construction trades in the local area.

## **G Other Issues (including Response to Comments from Elsenham Parish Council)**

### **10.21 Elsenham Parish Council Comments**

The wording of the parish council's formal response is given as a list of further issues to consider rather than as a definitive statement of support or objection. The material issues are discussed below:

#### **Extra Care Housing**

Concern has been expressed regarding the relationship between the siting of the extra care housing and the community building, in terms of impact to the amenity of future occupiers of the extra care housing.

The purpose of this outline application is to establish a number of key principles, such as scale of development and site uses. Design and layout are shown only for indicative purposes only but the point made by the parish council is valid as the full technical assessments on noise and disturbance cannot be adequately carried out now, so the holding concern will prompt the necessary assessment at a detailed planning application stage.

The applicant advises that they are not committed to implementing this layout, and it is recommended that the concerns raised by the Parish Council will be followed up at the detailed stage by firstly technically assessing likely disturbance issues between the two functions to determine what impact there is likely to be; and secondly considering alternative locations on site for one or both of the functions. A location in the north eastern corner for the extra care housing is certainly a possibility.

### **Car Parking**

Given the nature of the outline application a parking strategy has not been considered at this stage, but would form part of any future detailed planning application submission.

The proposal makes provision for at least 2 car parking spaces per home, which are currently accommodated within a range of options including car ports, garages, and on and off-street parking. There is also an allowance for 23 additional visitor parking spaces. The quantity of parking provision is in accordance with local and county parking requirements.

The detailed planning submission will need to ensure that such spaces are adequately sized and located to avoid off-site parking problems occurring. This will be the responsibility of the developer, to design to the requisite standards, but also the local authority to ensure the design standards are met and that necessary planning conditions are used to prevent garages, for example, being converted into residential accommodation.

### **Pavements**

The outline master plan has been designed in accordance with the Essex Design Guide, which places a strong emphasis on active street frontages in residential design.

Individual plot design, including ensuring safe access and egress, will nonetheless be fully considered as part of any future detailed submission, to satisfy the necessary design and safety requirements.

### **Traffic Calming Measures**

It is noted that the Parish Council supports the introduction of traffic calming along Stansted Road.

### **Flood Risk and Drainage**

The comments on Flood Risk and Drainage have been taken on board by the applicant, who has undertaken further consultation with the Environment Agency to address the outstanding concerns raised. Additional work has included:

- A further site visit to investigate the wider downstream catchment (“sonic testing” of pipework connections);

- Further modelling simulations of the linear basins to highlight freeboard provided and link to exceedence event testing);
- Intermediate liaison (email and telephone liaison with the EA) re the appropriateness of the EA's requests in light of the principles and outline design being agreed; and
- Update and re-issue of the FRA report to incorporate additional explanation of the existing catchment and flooding problems.

The Environment Agency has now accepted the additional work submitted and has confirmed that they do not have an objection to the proposal subject to the conditions attached to this report.

### **Woodland**

The applicant has acknowledged the importance of the Alsa Wood in its submission, and has reacted to public consultation responses by removing formal play areas (that were previously proposed at the public exhibition) on the basis that the majority of residents wanted the woodland retained in its current function. The applicant also acknowledges that the woodland will need careful management, and poses extensive experience in small and large scale woodland management schemes across the country.

### **Allotments**

The scheme addresses open space and recreation requirements. There is no specific policy requirement for the provision of allotments on this site.

### **Traffic Congestion**

The applicant is fully aware of the local concern regarding traffic congestion and has undertaken a significant amount of technical work (including traffic and speed surveys) and pre-and post submission consultation with the County Highways to support the proposal. The applicant agreed a scope of works with the County Highways and has used the findings of the survey work, computer modelling and information provided by the County to inform the transport assessment and highways strategy for the proposal.

The County Highways has stated they have no objection to the proposal subject to conditions attached to this report.

### **Public Rights of Way and Footpaths**

The applicant has advised that it would welcome further consultation with the Parish Council at the detailed design stage with regards to the design and layout of new or improved footpaths.

### **Ongoing liaison**

The detailed application stage will provide the requisite consultation opportunities with the Parish Council.

Essex County Archaeology have requested the imposition of a suitably worded negative worded condition to secure programme of archaeological works.

Essex County Archaeology have requested the imposition of a suitably worded negative worded condition to secure programme of archaeological works.

## **CONCLUSION**

- 10.22 It is noted that the site lies outside of the defined development limits of Elsenham as defined within the Uttlesford Adopted Local Plan 2005. However, the Council's current 5 year housing land supply is inadequate such that the National Policy within the NPPF to grant permission in such circumstances, is a strong material consideration which could warrant an exception to adopted policy being made. Elsenham is considered a good location for development; it is identified as a key settlement in the Adopted Local Plan and emerging Local Development Framework. The site itself has been identified as a preferred site within the current Draft Local Plan which is out for consultation. As such the site is considered appropriate in principle for residential development.
- 10.23 The scheme, whilst submitted for indicative purposes only, achieves a high standard of design, and provides for a significant number of community facilities, including a 55no extra care facility, 46no affordable units, a 510m<sup>2</sup> multi use community building, extensions to the recreation ground, a management scheme for Alsa Wood, traffic calming on Stansted Road and other S106 requirements
- 10.24 The applicant has demonstrated that the proposal would cause no harm to matters of highway safety, it has also been demonstrated that the proposal can be accommodated within the general highway network of the area
- 10.25 The applicant has indicated through a master plan approach an appropriate approach to the development of this site. This approach would accord with the aims and objectives of the Essex Design Guide. Specific issues as regards car parking can be accommodated on the site.
- 10.26 Technical matters such as ecology, archaeology, flood risk and potential decontamination have been appropriately addressed within the application.
- 10.27 It is considered that proposed development is acceptable and the application is recommended for approval.

## **RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO S106 LEGAL OBLIGATION**

The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph II unless by 27 December 2012 the freehold owner enters into a binding agreement 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 agreement to secure the following

1. Delivery of Extra Care Facilities 30% of all dwellings (not including extra care facility) to be affordable units, to be provided prior to the occupation of 50% of the market dwellings
2. Delivery of Community Facility.
3. Within two years of the commencement of development delivery of extended playing pitches and transfer to Elsenham Parish Council
4. The provision of a two children's plays spaces (LAPs) and transfer to Elsenham Parish Council within one year of the commencement of development.
5. Prior to development the provision of a management plan for Alsa Wood.
6. Prior to development payment of appropriate contribution to primary school education as stated within the Essex Developers' Contribution Guidance 2010 (or equivalent at time of commencement of development)
7. Prior to development payment towards early years and childcare provision as stated within Essex Developers' Contribution Guidance 2010 (or equivalent at time of commencement of development)

#### Conditions

1. Approval of the details of the layout, access, scale, landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.
- (B) The development hereby permitted shall be begun later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. Prior to the commencement of the development the details of the amount, location and design of powered two wheeler parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be secure and shall be provided prior to occupation of the development and retained for that purpose at all times.



Reason: To ensure an appropriate level of parking facility for powered two wheelers is provided in the interest of highway safety and amenity.

4. Prior to occupation of any dwelling, the provision of a priority junction formed at right angles to Stansted Road, Elsenham as shown in principle on TPA drawing no. PL01 dated 12/10/11, to include the maximum achievable visibility splays, 10.5 metre junction radii and 6 metre carriageway and two 2 metre footways. Details to be submitted to and approved in writing with the Local Planning Authority in consultation with the Highway Authority, prior to commencement of development.

Reason: To provide highway safety and adequate inter-visibility between the users of the

5. Prior to occupation of any dwelling, the provision of a scheme of traffic management to include a gateway feature at the commencement of the 30 mph speed limit along Stansted Road to encourage lower speeds of traffic passing the site and an extension of the street lighting on Stansted Road westwards to incorporate the proposed priority junction. Details to be submitted to and approved in writing with the Local Planning Authority and implemented.

Reason: In the interests of highway safety.

6. No development shall take place until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved programme.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and NPPF.

7. No development (excluding demolition) shall take place until proposed levels including cross-sections of the site and adjoining land, including details of existing levels around the building(s) hereby permitted and any changes in level proposed, together with the proposed floor levels within the building(s), have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To protect the amenities of neighbours and in order to minimise the visual impact of the development in the street scene., in accordance with Policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

8. Before development commences details of a Waste Management Plan (including the management of demolition waste) shall be submitted to and approved by the Local Planning Authority and thereafter implement in accordance with the approved details.

REASON: To protect the amenities of the locality and surrounding residential occupiers preventing pollution, in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 9 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) and NPPF

10. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

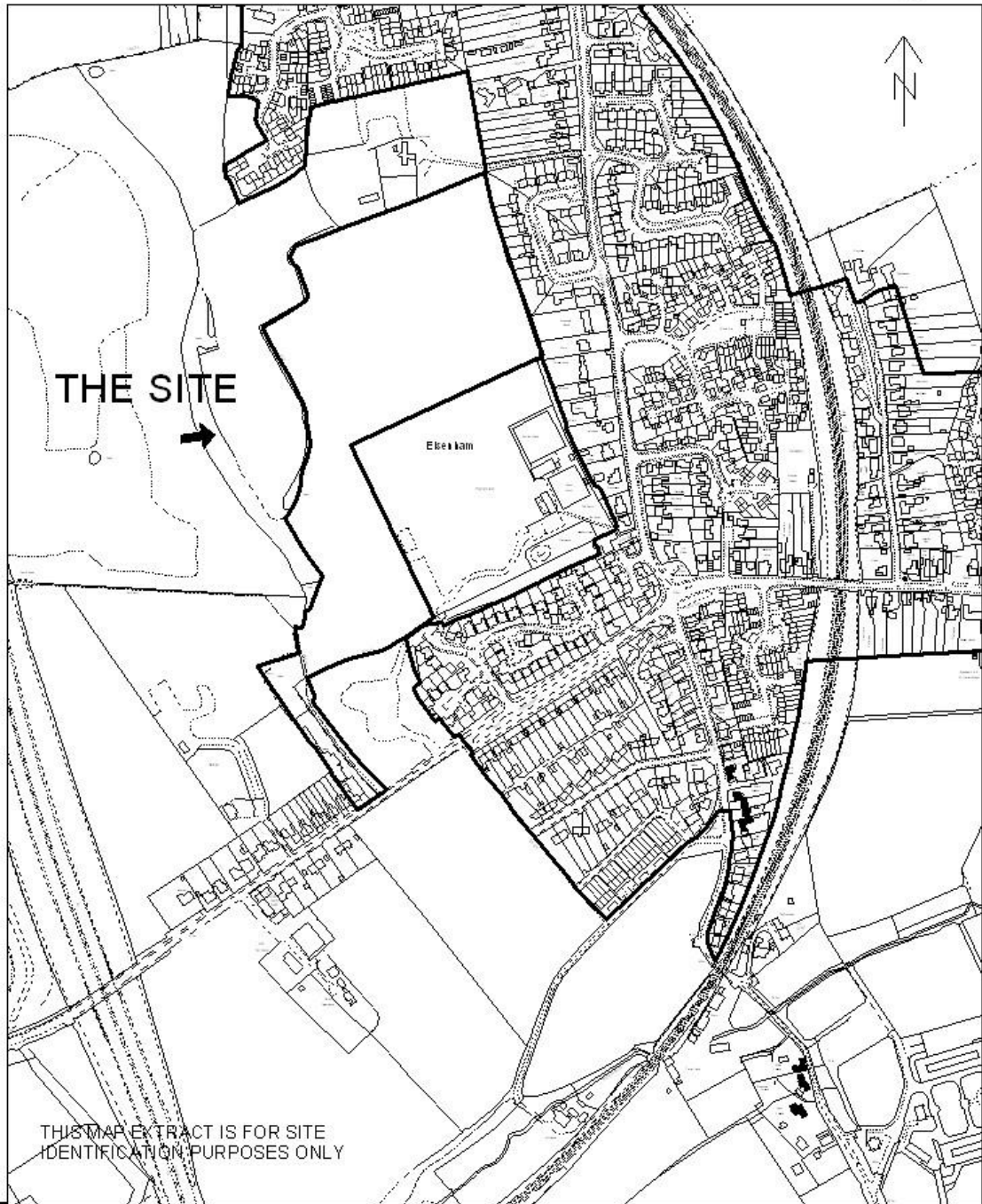
2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To protect controlled waters in accordance with Policies ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).



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