

UTT/12/5144/FUL – (WICKEN BONHUNT)
(Referred to Committee by Cllr Oliver. Reason: Outside development limits)

PROPOSAL: Erection of new dwelling with car port

LOCATION: The Brick House, Wicken Bonhunt

APPLICANT: Mr and Mrs William Heard

AGENT: Liddicoat and Goldhill LLP

GRID REFERENCE: E549584 N233010

EXPIRY DATE: 20 November 2012

CASE OFFICER: Nicholas Ford

1.0 NOTATION

1.1 Outside Development Limits.

2.0 DESCRIPTION OF SITE

2.1 The application site is located in Wicken Bonhunt on the southern side of the B1038 Wicken Road and forms a portion of the grounds of Brick House. Mr and Mrs Heard (the applicants) reside in Brick House which is a Grade II* listed building. This is a two storey with attics red brick house constructed c. 1600 probably by William Bradbury with a wing added in about 1660.

2.2 From the highway land rises steeply from north to south encompassing an old quarry that is now heavily treed. This depression sits between the application site and several dwellings that lay adjacent the highway. This mixed thicket of oak, beech, ash, hawthorn and field maple screens the site from the north. There are also several trees of predominantly field maple to the eastern boundary along the access and to the southern field edge including oak trees and field maples. The application site forms a fallow grassed clearing in these trees. There is an un-metalled track that accesses the site from the B1038 running between dwellings known as The Port House and The Barn.

2.3 The greater part of the garden used in association with Brick House is to the east along with a number of ponds. To the south is cultivated arable land and to the west, and set in a cutting, are Rickling Road and Howland Farm House.

3.0 PROPOSAL

3.1 The application proposes the erection of a detached five bedroom dwelling over a foot print of some 300 sqm and car port canopy of some 80 sqm. An outbuilding is also proposed of some 35 sqm. The dwelling would have a height of about 7.8 metres. The dwelling would be constructed of brickwork and timber cladding with a cedar shingle roof.

3.2 Models have been prepared by the applicant's architects which will visually demonstrate the proposal for Members of Planning Committee.

3.3 The applicants held a public consultation event in June 2012 in which models and drawings of the scheme were presented to neighbours, the Parish Council and Ward Councillor.

4.0 APPLICANTS CASE

4.1 See Design and Access Statement. Ecological surveys including a bat and newt survey have been submitted with the application along with an aboricultural report, archaeological assessment and contaminated land report.

5.0 RELEVANT SITE HISTORY

5.1 None.

6.0 POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy S7 - The Countryside
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN4 – Good Neighbourliness
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards
- Policy ENV2 – Development affecting Listed Buildings
- Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance
- Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation
- Policy ENV14 – Contaminated Land

7.0 PARISH COUNCIL COMMENTS

7.1 The village of Wicken Bonhunt is a small, historic village with less than 250 people and yet has a number of listed properties – including Brick House which was built in the 1600's. All the concern centres around the premise that we live in this village, which only has one pub and a church and no other amenities, because of its unspoilt natural beauty.

7.2 The new property – Bradbury House – would be the first dwelling outside the development limits of the village, thus setting a precedent which could affect future development ideas.

7.3 The proposed access to the property, presently a green hill/slope, has in the past attracted villagers to use it for dog walking and rambling. As well as tobogganing in the snow. It now seems to have lost its identity as Mr Heard is planning to develop it into a private drive to the new house. One of the main objections raised at the meeting on Tuesday was this new access road, infringing on the iconic county views that we all enjoy at present. Also, the effect of the proposed strengthening of the new road that would give rise to flooding and/or ice patches created in the busy Wicken Road.

- 7.4 Another concern is the disruption of wildlife that exists in Wicken, badgers, bats and other natural inhabitants of the country – rabbits, hares, pheasants etc. Although Mr Heard has done some extensive research and expended a large sum of money on many surveys, residents in close proximity to Brick House think the dwelling would in fact frighten these creatures far away from our village.
- 7.5 Finally, there will be several residents who have various personal objections as they live so close to the proposed site. They include privacy, fear of subsidence from soil erosion and other issues they will be more capable to express,

8.0 CONSULTATIONS

- 8.1 ECC Archaeology – The Historic Environment Record shows that the proposed house lies in an area where little archaeological deposits are recorded. This view is supported by the desk based archaeological assessment submitted with the application. The lack of any known archaeological deposits means that is unlikely that significant archaeological deposits will be impacted by this development. No archaeological recommendations.
- 8.2 Environmental Health – The submitted desk top study has not identified any significant pollutant linkages. I have no objections to the application subject to a contamination condition.
- 8.3 Highway Authority - No objections.
- 8.4 Access and Equalities Officer – The changes in level inside the dwelling in the main corridor effectively separates the house in two. This separates the entrance level living space from the accessible WC, the kitchen and the dining room. This is something that should be borne in mind by the applicant as it might require a stair lift in the future. Provision of electrical points for a stairlift could be requested for the future. There is an accessible toilet for guest use, but access to the rest of the house is via the main corridor and those stairs.
- 8.5 Conservation Officer - The proposal subject of this application is to create a new house within the land adjacent to The Brick House; grade II listed building, in Wicken Bonhunt. The new house would be outside defined development limits, some distance from the main thoroughfare through the village and the listed building. Consequently, I consider that the setting of the listed building would not be affected nor will the new house be immediately apparent from the road.

The adopted local policy as well as ministerial advice aims at restricting development in the open countryside to the development which has to be there. In the rural district like Uttlesford it usually relates to the farming industry. However, the National Planning Policy Framework identifies an exception to this rule and aims at encouraging the Local Authorities to favourably consider proposals which can be identified as exceptional in terms of design, innovative technologically and consequent forming an enriching legacy to the locality.

I feel that the proposed scheme fulfils these criteria. The officers participated in the discussions with the architects and the applicant from the early stages of the project through to its final stages. The thorough assessment of local vernacular resulted in the design concept which while echoing the historical architectural language in terms of pitched roof forms of individual segments of the building, results in the refreshingly contemporary final outcome. The segmented form of the house would follow the

contours of the land with interesting landscaping scheme complementing the design concept.

The suggested materials like brick and timber would again reflect the traditional local pallet but would be used in innovative way cladding contemporary shapes. Clearly the final visual success of the scheme would depend on the quality of materials and craftsmanship. It would be important therefore that the project is supervised by the concept architects, not a subsequent project manager which may lead to diluting the intended high quality of the scheme.

In conclusion and should the members be persuaded as to the unique qualities of this proposal, conditions should be imposed tightening as much as possible the intended design and not resulting in the approval of a principle of any house on this site.

8.6 Landscape Officer - The relationship of the house to the site and the broader landscape is considered to be sensitively and skilfully handled. The landscape master plan provides an interesting and well-structured design integrating the house within its setting. The scheme allows for the retention of existing trees and their meaningful incorporation into the proposed new landscaping. I am of the view that this proposed development is sensitive to the defining characteristics of the local area.

I concur with the comments made in respect of this application by the Council's Conservation Officer, Mrs Bosworth.

Recommended that approval is granted subject to conditions requiring the submission and approval of full details of hard and soft landscaping and protective measures for existing trees to be retained.

8.7 Waste and Recycling – Confirmed verbally that the bin a recycling store location would be appropriate for waste collection vehicles.

8.8 ECC Ecology - Thank you for consulting me with regard to this proposal, which relates to the four documents listed below:

- Extended Phase 1 Habitat Survey (October 2011)
- Great Crested Newt Survey Report (May 2012)
- Ecological Report, Grassland (and surrounds) Assessment with Recommendations, (June 2012),
- Method Statement with Regards to Bats (August 2012)

I had pre application discussions with the applicant and his ecological consultant during the summer of 2012 and these earlier comments still apply.

Pre-construction, construction and post construction recommendations of the four wildlife reports should be conditioned. This should include measures to protect potential bats and breeding birds and should include the recommendations to include features to attract wildlife. Landscaping should include native species as much as possible.

Great crested newts

Great crested newts were not found during surveys of the nearby ponds. Despite ecological surveys being undertaken which suggest that great crested newts are not using the application site, it is possible that they may be encountered once works commence. As such Natural England (through the Standing Advice for Protected Species) recommends that the following informative should be appended to the consent:

'Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant or the Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.'

Ground flora in the woodland

There should be no planting of ground flora within the woodland without a survey of the existing ground flora. No assessment of the ground flora was made in the Phase 1 survey (please refer to Section 5.2.1).

Bats

I originally advised during pre-application discussions with the applicant that an emergent bat survey should be undertaken due to trees on the southern boundary having potential for roosting bats. However, the ecological consultant providing the following reassurance:

"We've been asked to provide costs for these further surveys but having read through the ecological survey report for the site and discussed the proposals for the site with the architect I'm unconvinced that dusk/dawn surveys to confirm a roost are required. The tree with suitability is along the southern boundary of the site and is not to be directly affected by the proposed development works. Rather it will be retained and appropriately protected for the duration of works. Neither will it be separated from the surrounding foraging habitat, i.e. connective hedgerows, woodland or neighbouring ponds, by the proposals. As such we would recommend that the tree is treated as if a roost were present and that appropriate precautions were put in place to reduce any potential disturbance effects caused by the construction process. A method statement with regards to habitat clearance and construction works would be prepared and put in place to safeguard this feature, as well as incorporating enhancement with regards to bats into the proposals. This is likely to include, gapping up of existing hedgerows and provision of artificial roosts on existing trees.

This route would mean that, without the unnecessary cost of dusk/dawn surveys, my clients money could be better spent on enhancement for bats which would ultimately benefit the local bat population. If we were to undertake bat dusk/dawn surveys and confirm the presence of a roost, as the tree is not to be effected by proposals, it is unlikely that the mitigation would be any more rigorous than that set out above."

My reply was as follows and still stands:

"Your proposals appear to be acceptable as you advise that the effects of reduced foraging due to the development would be negligible, that other surrounding habitats would be retained and enhanced and that access for bats from the tree on the southern boundary to other habitats would not be adversely affected.

Apart from the potential reduced foraging opportunities and reduced habitat connectivity, my key concern was lighting, particularly as it cannot be controlled in the long term, post development. As you suggest, a method statement should be agreed which should include protection during construction and positive measures for

bats and a there should be lighting scheme to ensure minimal lighting in the grounds of the property.”

My response to the Method Statement with Regards to Bats, dated August 2012 - I consider that your approach is acceptable on this occasion; it will need to be incorporated into any planning permission through conditions. This is on the basis that trees containing potential bats roosts are on the boundary of the site, rather than within it and that no trees are to be removed. The ecological consultant has assured me that, as a result of the proposed measures contained in the Method Statement, there is no likelihood of any potential bats being harmed by the proposed development and that a European Protected Species licence would not have been required even if bats were to be found.

Badgers

Badgers are present in the woodland but have not been considered in the report. There is no evaluation or recommendations within the Extended Phase 1 Habitat Survey. This information should be provided.

Proposed Conditions

Suitably worded planning conditions should be attached to any planning permission to include the following:

- The proposed mitigation and other recommendations within the four reports listed above must be undertaken.
- All existing habitats to be retained must be protected during construction.
- An appropriate lighting scheme to ensure that bats and other wildlife are not adversely affected by the development.
- Vegetation should not be removed during the nesting season (mid-February to the end of August).
- Should there be a delay of more than three years to the start of the development a revised ecological assessment should be undertaken which may require repeat protected species surveys.
- Retention and enhancement of biodiversity within the site, including appropriate landscape planting.
- Survey of woodland flora prior to any bulb and bluebell planting.

9.0 REPRESENTATIONS

9.1 14 letters of representation have been received. Comments have been summarised:

- Outside village envelope
- Area of outstanding natural beauty
- A precedent would be set for building in the countryside
- The break in development at the centre of the village is an important and fragile landscape feature which makes an essential contribution to the character and appearance of the settlement
- The dwelling is not in keeping with others in the village
- The style is too modern
- Hiding a building of architectural importance would be a contradiction
- The size of the dwelling seems excessive for the plot
- The dwelling should be built next to Brick House as juxtaposition between old and new
- Negative development on the village and cross valley views

- Harm to the historic settlement pattern
- The development is not exceptional
- Overlooking of other houses
- Screening the access road would prevent natural light entering houses
- Regular traffic disturbance passing dwellings
- Reversing could be dangerous down a slope
- Rainwater and ice would wash into the highway as a hazard
- Heavy construction vehicles would have to park on the highway
- The access should have no hard surface
- The proximity of the gate would cause access difficulties
- The access road is too steep for emergency vehicles
- Disturbance of a spring
- Concern for illumination of night time drivers
- Concern for land slippage

9.2 Surface water drainage design caters for collection of rainwater from roofs for domestic use. Rainwater to grounds would be drained through soakaways to fill ponds or dispersed in swales, which would appropriately manage infiltration. Utilities are not a matter for planning consideration. For example, foul sewerage is assessed by Building Control surveyors. Concern related to land slippage is also a matter for Building Control surveyors – the applicant has engaged a structural engineer. Ground makeup is suitable for construction vehicles and future occupier traffic following suitable construction of the metalled surface.

9.3 Building Control also consider emergency access and waste disposal. They will assess these issues at building regulations stage but have informally viewed the access arrangements which appear practical.

10.0 APPRAISAL

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

- **Whether the proposal constitutes development that needs to take place in the countryside or there are special reasons why development in the form proposed needs to be there, is appropriate to a rural area and protects or enhances the particular character of the part of the countryside in which it is set (ULP Policy S7).**

10.1 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”.

10.2 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 or meet sustainability objectives. Where there are circumstances of exception these generally relate to a demonstrated need to house agricultural workers or for affordable housing.

- 10.3 Government guidance contained in the National Planning Policy Framework (Paragraph 55) retains the view (previously enshrined in Paragraph 11 of PPS7) that isolated new dwellings in the countryside should be avoided unless there are special circumstances. Such circumstances include the exceptional quality or innovative design of a dwelling. Such a design is to be:
1. Truly outstanding or innovative, helping to raise standards of design more generally in rural areas;
 2. Reflect the highest standards in architecture;
 3. Significantly enhance its immediate setting;
 4. Be sensitive to the defining characteristics of the local area.
- 10.4 To be a truly outstanding and innovative dwelling, the crux of acceptability continues to rest on ground-breaking design and technology.
- 10.5 The architects, as agent for the application, have paid much effort into the concept of such a house and have negotiated the scheme with the Council's Conservation Officer and Landscape Officer. In order for officers to support such a dwelling we must have evidence that the requirements of Paragraph 55 are met. Such evidence can include peer review and the involvement of a Shape East design panel to give professional confidence that the high standards required by the NPPF are adhered.
- 10.6 The requirements for exceptional quality or innovative design established by Paragraph 55 of the NPPF are qualitative and therefore require value judgements to be made. The applicants are aware of these prerequisites in submitting comments received in independent peer review and following a design review carried out by Shape East prior to submission. We can also rely on the advice provided by our Conservation Officer as architect in relation to this and preservation of the listed buildings' setting.
- 10.7 House design has evolved in response to addressing three strategic views that emanate from the woodland clearing. These views emanate from the arable land to the south, Rickling Road and the curtilage of Brick House itself. From the north the dwelling would be screened by woodland.
- 10.8 The new dwelling would be constructed predominantly of locally sourced timber as a reflection of the design ethos to preserve natural resources and habitats. The intention is to create a high quality low environmental impact building informed by eco-design principles drawing on the advantage of a south facing aspect by creating a long open façade. As such the south elevations would house much of the habitable rooms, with the library, utilities and storage to the northern elevation.
- 10.9 The dwelling would have a complex roof geometry engendered by a design that would provide summer shade, cool temperatures and natural air flow. Equally, winter heat would be garnered by its windows and the house heated using wood managed from the grounds during clearance and regular maintenance. The house would be kept warm with super insulation, passive solar gain and heat recovery. A biomass boiler would also be present. The central roof folded canopy is designed to capture water and the energy of the sun with the addition of solar hot water panels but would disguise equipment from view. The house is design to receive much natural light through windows and skylights so as to reduce energy consumption.

10.10 The applicants' architects have submitted comments on the scheme from independent architectural practices:

- Lord Richard Rogers agrees with the analysis of the house, its landscape and bio-climatic design and goes onto comment that the house seems sympathetic to its surroundings with an interesting plan.
- Kevin Rhowbotham is Professor of architecture at the University of Central Lancashire. He states that the house comprises a very sensitive rural scheme and an excellent example of responsive and sustainable design within a rural context. Materials are appropriate, low-key and in keeping with the woodland setting of the project. The massing of the buildings creatively encloses a series of spaces reflecting the local building typology. The organisation of roof planes and fenestration is both modern and traditional, keeping a low eaves line yet affording good quality illumination to the interior plan. Altogether, the scheme masterfully engages with its site producing an architectural result of high quality.
- David Lister is Arts Editor for the Independent. He states that the proposed building strikes him as in keeping with the area and of clear architectural interest.
- Stephen C Reinke is a director of HOK International. He states that the design composition sits very comfortably in the rural setting, almost barnlike, but with a sophistication and playful panache that reflect a family home and grounds. On the whole a very handsome, lively composition; with beautiful and appropriate materiality.

10.11 To summarise, peer review suggests that the house would be sympathetic and in keeping with its rural surroundings. Has a creative design engaging local building typology with modern and clear architectural interest.

10.12 Shape East has provided a design review service following a site visit and workshop held for several architects. They consider the house to have the potential to be of exceptional quality, innovative in its design, enhance the local setting and reflect the highest standards of architecture and be sensitive to the characteristics of the local area. The relationship of the house to the landscape is endorsed. It is ambitious and promises to be an interesting piece of architecture. It comprises complicated design and construction techniques.

10.13 The Council's Conservation Officer has also advised on the merits of the house from a listed building and architectural point of view. She considered that the design echoes historical architecture through segmented pitched roofs with a contemporary outcome. The segmented form of the house following the contours of the land with an interesting landscape scheme. This view is echoed by peer review.

10.14 Officers are therefore comfortable to agree that the proposed house would meet the requirements of Paragraph 55 of the NPPF, being sensitive to local characteristics, significantly enhance its immediate setting, reflect highest standards in architecture and help to raise design standards by being innovative and outstanding.

Whether the dwellings would protect the character and appearance of the part of the countryside in which it is set and would preserve visually important spaces and trees (ULP Policies S7 and ENV3)

- 10.14 The application site is on the southern valley slopes of Wicken Water – a tributary of the Cam facing onto rolling agricultural land. The valley bottom is generally wooded and enclosed. The arboricultural report concludes that the most significant trees on or near the site are three mature oaks near the pond in the wood and on the southern side. Other trees are relatively young. As the trees are growing around the edge of the site they are not unduly vulnerable to construction work. This can be mitigated. The Council's Landscape Officer is satisfied with retention of trees and recommends a condition to agree protective measures.
- 10.15 Of particular importance is the relationship between the building and the landscape 'sense of place'. The form of the building must be in harmony with its surroundings. It is acknowledged that building a house in this location will be outside the historic pattern of development which exists in Wicken Bonhunt and for this reason the appropriateness of the design and its positive contribution to the fabric of the landscape must be demonstrated. The scheme aims to make little change to the site and to maintain its semi natural state.
- 10.16 The ethos applied to the setting of the new dwelling is to bridge the gap between the woodland and isolated oaks adjacent cultivated land so as to create a new informal woodland landscape in contrast to the formality of Brick House. This would be achieved through additional planting of semi-mature climax deciduous trees and shrubs with small clearing to be engaged as differing formal vegetable, herb and semi-wild gardens to serve the dwelling's occupiers. The intention is to integrate a garden landscape into its natural setting by blurring boundaries with a wildflower meadow. The tree lined avenue of the access would be retained with additional hornbeam and beech hedging, with planting of wildflowers. The avenue itself would have granite sets to carry vehicles.
- 10.17 The Council's Landscape Officer considers that the relationship of the house to the site and the broader landscape to be sensitively and skilfully handled. The landscape masterplan provides an interesting and well structured design, integrating the house within its setting and being sensitive to the defining characteristics of the local area.

Whether access and parking provision would be appropriate in the interests of highway safety (ULP Policy GEN1).

- 10.18 Access is proposed onto the B1038 Wicken Road utilising an existing un-metalled access. The Highway Authority has no objection to this arrangement. There are adequate visibility splays from the access into Wicken Road. The Highway Authority has also indicated in discussion that they have no concern regarding water or ice flow from the access gradient with regard to potential highway hazards.
- 10.19 Concern has been raised by neighbouring properties regarding vehicles reversing onto the highway from the access and so causing a hazard to drivers. However, a turning area is provided to negate such concern on both the access from Wicken Road and adjacent to the dwelling and its car port.

Whether the setting of the listed Brick House would be preserved (NPPF and ULP Policy ENV2)

- 10.20 Brick House which is a Grade II* listed building. This is a two storey with attics red brick ouse constructed c. 1600 probably by William Bradbury with a wing added in about 1660.
- 10.21 Development affecting a listed building should be in keeping with its scale, character and surroundings. The Conservation Officer has been an integrative part of pre-application discussions related to the proposed new dwelling in relation to the setting of the listed building.
- 10.22 The location of the proposed house would ensure that is not readily visible from Brick House as the nearest listed building and nor would it compete with or distract from it.

Whether the interests of protected species would be preserved (NPPF and ULP Policy GEN7).

- 10.23 The site of the proposed house is semi-improved grassland which would not result in the loss of plant species of ecological value.
- 10.24 Protected species also have to be considered. Bats are protected and readily use trees for foraging and Great Crested Newts may use ponds. An ecology report by a qualified ecologist has therefore been submitted and recommends mitigation measures be incorporated into a scheme as appropriate in accordance with ULP Policy GEN7.
- 10.25 In particular ponds have been assessed for suitability to support great crested newts and findings concluded that all ponds have a poor or below average suitability for great crested newts and none were found.
- 10.26 The woodland edge has been identified as a suitable place for bat foraging and commute and oak trees as suitable for bat roosting. These trees would not be affected by development as they grow along the edge of the clearing and development avoids root protection zones.
- 10.27 There is a badger hole but this is more than 30 metres from the site and would be unaffected by development.

Whether satisfactory account is taken of potential contaminants (ULP Policy ENV14)

- 10.28 South west of Brick House land is identified as having been historically used for quarrying of sand and clay and this gravel pit but there is little evidence for significant infilling. A contamination assessment has been carried out. There is also evidence of some fly tipping, metallic structures and some tyres. The assessment identifies no potentially unacceptable risks and no significant sources of contamination.
- 10.29 Environmental Health advise that the submitted desk top study does not identify any significant pollutant linkages and have no objections to the application subject to a contamination condition.

Whether archaeological remains would be affected by development that requires investigation and recording (ULP Policy ENV4)

- 10.30 The Historic Environment Record shows that the proposed house lies in an area where little archaeological deposits are recorded. This view is supported by the desk based archaeological assessment submitted with the application. The lack of any known archaeological deposits means that is unlikely that significant archaeological

deposits will be impacted by this development and no archaeological recommendations are made by the archaeologist.

Whether there would be harm to neighbouring properties as a result of noise, disturbance or overlooking (ULP Policy GEN2)

- 10.31 Representations have raised concerns in relation to ground stability owing to the slope of the land and proximity of the redundant quarry. This is a matter for Building Control surveyors.
- 10.32 The siting and form of the dwelling means that it is unlikely to have any significant impact on neighbouring properties through overlooking, overshadowing or overbearing impact being secluded to a greater degree by the intervening tree copse and topography.

11.0 CONCLUSION

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

- 11.1 Villages and the countryside are not preserved in aspic but change and evolve over time. The supporting text to ULP Policy S7 itself acknowledges that the countryside needs to be protected for its own sake, but not in such a way that the plan prevents evolution of economic activity that is part of life in rural areas and is in sympathy with its character. Such change should be managed sensitively. The NPPF specifically allows for exception dwellings such as this and the nature of this dwelling means that it is wholly evident that an innovative dwelling of architectural significance that enhances its setting and responds to local characteristics would accord with ULP Policy S7 and the NPPF.
- 11.2 Members may wish to note that the applicants foresee using this scheme and the building process for the benefit of students of the University of Cambridge and Anglia Ruskin Architecture and Engineering departments as a case study for learning and observation of the construction phase. It is also envisaged that local neighbours would be invited to visit the site when the building shell is completed as a package of community involvement.

12.0 RECOMMENDATION – CONDITIONAL APPROVAL

1. The development hereby permitted shall be begun before the expiration of 3 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. If unexpected contamination is found after development has begun it must be reported immediately to the Local Planning Authority, and the development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority. An investigation and risk assessment must be undertaken by competent persons. Where remediation is necessary a remediation scheme to bring the site to a condition suitable for the intended use must be prepared subject to approval in writing by the Local Planning Authority. The approved remediation scheme must be carried out in accordance with its terms. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing by the Local Planning Authority.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

4. Before the development hereby permitted commences, an accessibility statement/drawing shall be submitted to and approved in writing by the local planning authority. The details submitted shall set out details of electrical points to allow for provision of a future stair lift between the entrance level living space and the accessible WC, kitchen and dining room. All the measures that are approved shall be incorporated in the development before occupation.

REASON: To ensure that the district's housing stock is accessible to all and to meet the requirements contained in adopted SPD Accessible Homes and Playspace Adopted November 2005.

5. 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 and boundary treatment;
 - 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. lighting scheme to ensure that bats and other wildlife are not adversely affected by the development
 - x. survey of woodland flora prior to any bulb and bluebell planting
 - xi. means of protecting existing habitat during construction
 - xii. retention and enhancement of biodiversity

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].

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).

6. If within a period of 5 years from the date of planting the tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent to any variation.

REASON: To ensure the suitable provision of landscaping within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

7. No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted to and approved in writing by the local planning authority. The scheme shall include:
 - (a) All tree work shall be carried out in accordance with British Standard BS3998 - Recommendations for Tree Work.
 - (b) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner within [1-5 years] from [the date of the occupation of the building for its permitted use], other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.
 - (c) If any retained tree is cut down, uprooted or destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and planted, in accordance with condition (), at such time as may be specified in writing by the local planning authority,.
 - (d) No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
 - (e) No equipment, machinery or structure shall be attached to or supported by a retained tree.
 - (f) No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.
 - (g) No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

The development shall be carried out in accordance with the approved details.

REASON: To ensure the protection of trees within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

8. Before development commences large scale drawings shall be submitted to and approved in writing by the Local Planning Authority. Such drawings shall indicate cross sections, elevation segments and typical details. Thereafter the development shall be carried out in accordance with the approved materials.

REASON: To ensure that the design reflects the highest standards of architecture in accordance with the NPPF.

9. Before development commences samples of materials shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved materials.

REASON: To ensure that the design reflects the highest standards of architecture in accordance with the NPPF.

10. No demolition or site clearance works or removal of hedgerows or trees shall be carried out on site between the 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the local planning authority.

REASON: To protect roosting birds which use the site in accordance with the NPPF and Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

11. The development hereby permitted shall be implemented in accordance with the schemes 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 the NPPF and Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

12. Before development commences a badger evaluation shall be carried out and recommendations submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with approved recommendations.

REASON: In the interests of protecting badgers and their habitat in accordance with the NPPF and Policy GEN7 of the Uttlesford Local Plan adopted 2005.

13. Before the development hereby permitted commences, an accessibility statement/drawing shall be submitted to and approved in writing by the local planning authority. The details submitted shall set out measures to ensure that the building is accessible to all sectors of the community. The buildings shall be designed as 'Lifetime Homes' and shall be adaptable for wheelchair use. All the measures that are approved shall be incorporated in the development before occupation.

REASON: To ensure that the district's housing stock is accessible to all and to meet the requirements contained in adopted SPD Accessible Homes and Playspace Adopted November 2005.