

UTT/1359/12/OP (QUENDON & RICKLING)

PROPOSAL: Outline application for erection of 14 dwellings with access, layout and scale to be determined.

LOCATION: Foxley House, Green Road, Rickling Green

APPLICANT: Mrs J Rich

AGENT: Donald Insall Associates

GRID REFERENCE: TL 512-299

EXPIRY DATE: 11 October 2012

CASE OFFICER: Consultant (Alison Hutchinson)

APPLICATION TYPE: Major

1. NOTATION

1.1 Outside Development Limits

2. DESCRIPTION OF SITE

2.1 The site is located adjacent to the B1383, on the southern edge of Quendon and to the east of Rickling Green. The site covers an area of 0.63ha and comprises an area of garden land associated with Foxley House. The land is covered in grass but does not have the manicured appearance of lawn. The eastern boundary of the site comprises mature hedges and vegetation. To the west the site bounds the rear gardens of properties on Rickling Green Road and to the south; it borders the playing field to Rickling Green Primary School and remaining land forming part of the garden to Foxley House. The northern boundary also adjoins land relating to Foxley House.

3. PROPOSAL

3.1 The application relates to the proposed erection of 14 dwellings. It has been submitted in outline form with the access, scale and layout to be determined but an indicative layout is submitted showing the dwellings positioned around a 'farmyard' courtyard arrangement. The proposed buildings feature a main "farmhouse" by the entrance to the site, a large "barn" building and smaller "barns" defining the farmyard on 3 sides, together with further dwellings to the rear of the main house and within the corners of the site. Each house has an attached garden running to the perimeter of the site.

3.2 It is proposed that a new access would be created onto the B1383. This would be located adjacent to the southern site boundary.

3.3 The application forms one of three applications which are all before this Planning Committee for consideration. The current application proposes 14 market dwellings whilst UTT/13/0026/FUL seeks planning permission for the change of use of an adjoining piece of land which is immediately adjacent to the primary school, for educational purposes. The third application UTT/13/0027/OP seeks planning

permission for 5 affordable houses, a public play area and a new access on land to the south of the current application site. All three applications are interlinked.

4. APPLICANT'S CASE

4.1 A comprehensive Design and Access Statement has been submitted with the application. This provides details of the site, the proposal, relevant national and local planning policies. Details of pre-application consultations that have been undertaken are set out as well as details of the characteristics of the built form within the village and traditional forms of development in surrounding villages. The Design and Access Statement highlights the main changes to the previous application which was dismissed on appeal. There are;

- The location of the 14 dwellings has been moved following discussions with officers at the Council and with the Parish Council.
- The balance of the size of the houses has been changed and now includes two semi-detached market homes without garages to be available at a lower price.
- An area of land is to be provided for the school. (separate application)
- A further area will be provided to the District Council for affordable housing and Parish Council for a play area. (separate application)

4.2 The report for an ecological scoping survey is included with the application.

5. RELEVANT SITE HISTORY

5.1 UTT/0572/06/OP

Outline application for the erection of one dwelling adjacent to Foxley House refused June 2006 and allowed at appeal November 2006.

5.3 UTT/2364/11/OP

Outline application for the erection of 14 dwellings on land to the rear of the primary school. Refused November 2011 and dismissed on appeal September 2012.

6. POLICIES

6.1 **National Planning Policy Framework**

6.2 **Uttlesford District Local Plan 2005**

Policy S7 - The Countryside

Policy GEN1 - Access

Policy GEN2 - Design

Policy GEN6 - Infrastructure Provision to Support Development

Policy GEN7 - Nature Conservation

Policy GEN8 - Vehicle Parking Standards

Policy H9 Affordable Housing

Policy H10 Housing mix

Supplementary Planning Document - "Accessible Homes and Playspace"
Essex Developers' Guide to Infrastructure Contributions (Adopted as Essex County Council Supplementary Guidance).

7. PARISH COUNCIL COMMENTS

- 7.1 There has been much debate within the Parish on this issue, and in formulating the Council's earlier response to the previous application, UTT/2364/11/OP a consultation questionnaire was circulated by the Parish Council to all dwellings in the village. The sizeable majority of responses instructed the Parish Council (the PC) to negotiate the most acceptable design and size of development possible and to achieve some advantage for the village. The result is the current application.
- 7.2 The PC support the application, but their support is conditional upon the following:
- The application offers, as a community contribution in lieu of the provision of affordable housing within the development, the gifts of two plots of land. Plot A being to the school and Plot B, initially to the Parish on which to build affordable houses and a playground, both subject to planning permission. It is noted however, that the applicant is not the owner of the land and the PC therefore requires some form of confirmation from the applicants and the landowners, confirming their intentions.
 - The timing of the development has been agreed between the PC and the applicants so that no work would start on the affordable housing or the playground until work has commenced upon the Foxley development.
 - The PC has established that there is a need for affordable housing in the village and it is the Council's intention that a housing association would be engaged to provide the housing. It is important that the Committee is of the view that this housing will satisfy the criteria of a Rural Exception Site.
- 7.3 The Council asks in addition to the above, that the following conditions be attached in the event that planning permission is granted:
- That the PC is provided at an early stage with a plan showing the dimensions of Plots A and B
 - The transfer of ownership takes place within 5 days of detailed planning permission being granted.
 - The responsibility for maintenance remains with the current owners during the transition time and that all groundworks, hedging and fencing be the responsibility of the applicant and her successors.
 - That the affordable housing should be capable of being commenced at the same time as the main Foxley development.
- 7.4 The Parish Council advise that a scenario which the Council would not accept and will not support would be one where the commencement of the development of the current proposals and the affordable housing is delayed to allow for the development of the remainder of the land associated with Foxley House.

8. CONSULTATIONS

ECC Highways

- 8.1 No objection subject to the imposition of conditions relating to the construction of the new access.

Veolia Water

- 8.2 The application is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Newport pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Veolia Water Ltd. Veolia Water requires that the construction works and operation of the proposed development site is done in accordance with the relevant British Standards and best management practices to significantly reduce the groundwater pollution risk.

Anglian Water

- 8.3 The applicants should be notified that there are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.
There is currently capacity for both the Wastewater and Foul sewerage from the development.

Environment Agency

- 8.4 No objections to the planning application. Offers advice and guidance relevant to the proposal.

ECC Schools

- 8.5 There should be sufficient early years and childcare places and primary places to serve the development. With regard to secondary provision, the site falls within the priority admissions area of Newport Free Grammar School. According to the latest forecasts, this school will be full to its Published Admission Number for the coming years and the school will fill as a result. As a consequence, additional places at the school will be required and a contribution of £43,520 will be required by way of a Section 106 Agreement towards these places.

Access and Equalities Officer

- 8.6 This site will be subject to the Supplementary Planning Document on Lifetime Homes. As there are 14 dwellings as part of this application, one dwelling will need to meet the requirements of the Wheelchair Housing Standard as set out in that document and all will be required to meet the Lifetime Homes.

Natural England

- 8.7 Natural England has previously commented on this proposal and made comments to the authority in their letter dated 1 March 2012. The advice in that earlier response still applies although they made no objection to the proposal.
Natural England's comments in respect of the earlier application stated: This application is in close proximity to Quendon Wood Site of Special Scientific Interest; given the nature and scale of this proposal, Natural England raises no objection to the proposal being carried out according to the terms and conditions of the application and submitted plans on account of the impact on designated sites.

Environmental Health

- 8.8 No objections subject to a condition to require submission of a management scheme during the construction phase to control waste, noise and dust.

ECC Ecology

- 8.9 The comments relating to the earlier application are still relevant;

Earlier comments stated: The ecological report recommends (in section 8) that a precautionary approach should be undertaken for other species including reptiles, birds and hedgehogs. The recommendations in the report should be undertaken by a suitably qualified ecologist. Opportunities for biodiversity enhancement should also be sought, as proposed in section 9 of the report.

Police Architectural Liaison Officer

- 8.10 Supports the development in general terms but has two areas of concern:
The planned footpath from the development to the Cricketers Arms. - Allowing a footpath to connect a cul-de-sac to another area creates undesirable permeability; the strength of the development is in the fact that it is enclosed and secure. A footpath, especially to a pub, can become a crime generator and allow easy access and escape for those with criminal or anti-social intentions. This footpath should be excluded (If the developers were seeking to achieve Secured By Design certification, the footpath would not be allowed.) If it is an existing public footpath, then it should be diverted around the new development if possible.

The extension to the school field: The developers should confer with the school to ensure that a suitably robust boundary treatment is provided to protect the rear of the school.

9. REPRESENTATIONS

- 9.1 5 Representations have been received.

9.2 Support:

1 Letter: The development will inject some more life into the village and the extra land for the school will benefit so many children especially now they are motivated after the Olympics.

9.3 Object:

Does not address the earlier objections.

There should be no presumption that further development on the northern part of the site at a future date will be permitted. This would not be sustainable and would further undermine the rural character of Quendon and Rickling.

Any further development would be contrary to the wishes of the majority of residents in the village.

No consideration to the wishes of the residents who live on the eastern side of Green Road whose properties will be overlooked by the repositioning of the development.

There should be a reduction in the height of the new houses, especially Nos 10 and 11. There should be a commitment not to fell the trees near the boundary.

Lack of public transport will lead to additional car usage.

The bus stops are located on the B1383 and will necessitate walking along the side of the road with no footpaths or crossing this busy road.

The site is outside the development limits of the village and near to a conservation area and site of special scientific interest.

The site is agricultural land previously used for grazing sheep and harvesting hay.

The development will be detrimental to the open aspect of Rickling Green and opens up the land to future housing development.

There is an ongoing water and sewage infrastructure issue.

There are few employment opportunities and no facilities within the village. Questions if there is any commitment to both build and maintain the playground or finance the additional building work at the school. Concerns about the speeds along Cambridge Road and the proposed new access

10. APPRAISAL

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

- A The principle of development of this site for residential development (ULP Policies S7 and GEN2)**
- B Access to the site and parking provision (ULP Policies GEN1, GEN8; SPD: Parking Standards – Design and Good Practice; Development Management Policies)**
- C The proposed scale, layout and form of the development (ULP Policy GEN2)**
- D Infrastructure provision to support the development (ULP Policy GEN6)**
- E Whether there would a detrimental impact on nature conservation and landscape features (ULP Policies GEN7 and GEN2)**
- F Mix of Housing and Affordable Housing (ULP Policies H9 and H10)**
- G Other Material Considerations**

A The principle of development of this site for residential development (ULP Policies S7 and GEN2)

- 10.1 The site is located outside the development limits for Quendon and Rickling Green and is therefore located within the Countryside where ULP Policy S7 applies. This specifies that the countryside will be protected for its own sake and planning permission will only be given for development that needs to take place there or is appropriate to a rural area. 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 However, in terms of housing delivery, the Council cannot currently demonstrate an adequate five year land supply and sites that are located in the countryside are being considered for residential development by the Council to address this shortfall.
- 10.3 The site together with a larger area covering approximately 1ha, has been assessed as part of the Strategic Housing Land Availability Assessment (site QUE5). The whole of the application site is within the SHLAA site that was previously assessed for its development potential.
- 10.4 The site performed well in the SHLAA and it was previously considered that the development of the whole SHLAA site would have the potential to constitute sustainable development as advocated in the NPPF as a larger development on QUE5 would bring benefits to the village in the form of affordable housing as well as the potential for community benefits such as a new village hall. The current application involves part of the QUE5 site and, as with the previous 2011 planning application, also proposes 14 dwellings albeit on a slightly different site. The 2011 application was the subject of an appeal against non-determination and was dismissed in September 2012. The Inspector concluded that *'Because of a combination of its scale, limited accessibility, the harm to the character and appearance of the area and the absence of affordable housing the proposals would not be a sustainable form of development. There is no 5 year housing land supply but when assessed against the policies in the Framework taken as a whole these adverse impacts would significantly and demonstrably outweigh the benefits in terms of additional provision.'*

- 10.5 The current application is similar in many respects to the appeal proposal and similar considerations may therefore apply. However, the applicants have sought to address some of the objections to the earlier proposal and have been in discussion and negotiation with officers and with the Parish Council. The current proposals are a result of those negotiations and involve a modification in the siting and layout of the dwellings. The applicants have also submitted two further applications (UTT/13/0026/FUL and UTT/13/0027/OP) which make provision for land for 5 affordable houses with a public playground and footpath and for additional land at the rear of Rickling Primary School for educational purposes. These additional aspects of the development would provide some benefits for the village and would help to offset some of the objections in relation to unsustainability raised by the Inspector. Both of these applications are also before Members for determination at this meeting.
- 10.6 The additional land for education, affordable housing and the playground are not included within the current application, and their provision cannot be conditioned. The delivery of the benefits offered by all three applications would therefore need to be tied by way of a Section 106 Obligation. It is considered that, on balance, the provision of the affordable housing, education land and playground together with the contribution that the development would make to the Council's 5 year housing land supply, would mitigate against the adverse impacts highlighted by the Inspector in the previous appeal and would provide sufficient community benefits to the village to outweigh the objections relating to unsustainability. It is considered that in this instance, an exception could be made and subject to the deliverability of the community benefits offered by the other two applications, the current application could be approved contrary to Policy S7 of the Uttlesford Local Plan. However, in the event that the community facilities and benefits provided by UTT/13/0026/FUL and UTT/13/0027/OP are not forthcoming, it is considered that the current application is unacceptable for the same reasons as the previous appeal proposal and should be refused.

B Access to the site and parking provision (ULP Policies GEN1, GEN8; SPD: Parking Standards – Design and Good Practice; Development Management Policies)

- 10.7 The local highways authority has no objection to the proposal and the new access onto the B1383. Furthermore, the site is close to the bus stops on both Cambridge Road and Rickling Green Road, allowing residents to have access to bus services and therefore to means of transport other than the motor car, in accordance with Policy GEN1 of the Local Plan.
- 10.8 The current application provides the access into the site and would facilitate the development of the affordable housing contained in UTT/13/0027/OP. It is considered that a condition should be imposed to ensure that the detailed design of the new roadway makes appropriate access for the affordable housing.
- 10.9 The pedestrian link to the school and the pub shown on the proposed layout does not fall within the application site area outlined in red. This footpath is required to allow access to the playground at the rear of the school. It is noted that the Police Architectural Liaison Officer considers that the provision of this footpath link could, because of its position and layout, could become a crime generator and considers that it should be deleted. Whilst the Police's concerns are noted, Officers disagree and it is considered that this footpath link is important and would assist in linking the development to The Green and to the rest of the village, allowing children to access the playground. If the footpath is not provided, the only access into the development and to the playground and housing is via the access from the B1383. This is unsuitable.

and there are no footpaths on the western side of the road and none proposed by the development. In this instance, therefore, it is considered that the Police Architectural Liaison Officer's advice should be set aside and the Section 106 be required to make provision for the footpath in the location shown on the plans.

10.10 The application is in outline and it is considered that the site contains adequate land for the provision of parking and could be conditioned. It is considered that the application would comply with Policy GEN8 of the Local Plan and the SPD.

C The proposed scale, layout and form of the development (ULP Policy GEN2)

10.11 The design and access statement provides details of the rationale behind the proposed development. This indicates that the character, size and materials of properties in the village and neighbouring villages were assessed, in addition to residential conversions of former agricultural buildings.

10.12 The proposals are in outline and only indicative proposals are submitted of the dwellings. These show a range of buildings that include a larger 'farmhouse' type building at the entrance into the site together with a terrace of six dwellings along the south side of the site. A pair of semi-detached dwellings would be positioned on the northern side of the site with a further linked pair of dwellings are located along the western boundary. It is considered that the layout as proposed is acceptable and will allow an attractive form of development which will complement the surrounding area and the village as a whole.

10.13 It is considered that whilst the application would involve the development of a currently undeveloped site outside the village development limits, the site is within an area that is situated close to the village and would allow development to form part of the village. It is positioned adjacent to existing development along Green Road and is close to the school and the public house, the two main facilities within the village. In this respect, it is considered that the proposal would comply with criteria a) of ULP Policy GEN2.

10.14 The layout of the development would be unlikely to have a detrimental impact on the occupiers of neighbouring residential properties as a result of the distances which exist between the site and those properties.

10.15 It is considered that the scale, layout and form of the development is in keeping with the character of the village and the surrounding development and that the application is in accordance with Policy GEN2 of the Local Plan.

D Infrastructure provision to support the development (ULP Policy GEN6)

10.16 ECC Schools service has indicated there is sufficient early years, childcare and primary school places to serve the development but that Newport Free Grammar School will be full to its Published Admission Number for the coming years. A contribution of £43,520 will be required from the developers to meet the need generated by the proposal. Subject to the developer entering into a S106 obligation to provide the above contribution, the proposal would comply with the requirements of ULP Policy GEN6.

E Whether there would a detrimental impact on nature conservation and landscape features (ULP Policies GEN7 and GEN2)

10.17 An ecological assessment of the site has been undertaken and submitted with the application. This information has been considered by the ECC Ecologists who have

not raised any concerns regarding protected species on the site and recommend that the ecologist's recommendations in sections 8 and 9 of the report are carried out. The proposal would therefore comply with the requirements of ULP Policy GEN7.

10.18 The site is located adjacent to the B1383 and is separated from the road by a grass verge and ditch together with mature trees and vegetation extending along the road frontage. This vegetation provides an important visual feature along this section of road and will help to screen much of the development from the road. Although the proposed access will form a gap through the trees, it is considered that the remainder should be retained as far as possible to protect the street scene. Appropriate conditions would ensure that the trees and hedgerows are retained as far as possible in accordance with Policy GEN2 (b) of the Local Plan.

F Mix of Housing and Affordable Housing (ULP Policies H9 and H10)

10.19 The application includes no affordable housing provision and all of the dwellings are indicated to be market housing. The site covers an area exceeding 0.5ha and therefore there is a requirement for 40% affordable housing as part of the development. As stated previously, the applicants have submitted a further application (UTT/13/0027/OP) to provide land for 5 affordable units adjacent to the current application site. Whilst this would not provide the total Policy requirement, it is considered that the combined benefits of the affordable housing, playground and land for education purposes could allow a lower provision to be sought in this instance. The 5 affordable units would meet the local needs identified for the village and, as it is located outside the village development limits, can be regarded as a rural exception site. It is considered that, subject to a Section 106 Obligation requiring the provision of the affordable units, an exception to the requirements of ULP Policy H9 can be made in this instance.

10.20 No floor plans have been submitted for consideration as part of this proposal. However the supporting information indicates that a mix of 2, 3, 4, 4/5 and one x 6 bedroom dwellings would be provided. There is a requirement for small 2 and 3 bedroom properties to be provided to ensure that there is a mix of units including smaller properties provided for market housing. The previous proposals were designed to enable the roof space to be converted to provide an additional bedroom accommodation but the applicant has advised that the current proposals would remove this ability. It is considered that the current mix of dwellings is acceptable and in accordance with ULP Policy H10.

G Other Material Considerations

10.21 The Parish Council has requested that various conditions be attached in the event that planning permission is granted. These conditions would require the submission of plans showing the dimensions of Plots A and B, that the transfer of ownership takes place within 5 days of detailed planning permission being granted and that the responsibility for maintenance remains with the current owners during the transition time and that all groundworks, hedging and fencing be the responsibility of the applicant and her successors. Furthermore, that the affordable housing should be capable of being commenced at the same time as the main Foxley development.

10.22 Consideration has been given to these requests but it is considered that they cannot and should not be conditioned. The requirement for plans will be largely resolved by the Section 106 as it will be necessary to establish the exact areas that are to be transferred. However it is considered that it would be unreasonable to expect the transfer of the land to take place within 5 days of the grant of planning permission due

to the legal process. An appropriate timescale will be included within the S106. With regard to the responsibility for maintenance, this would normally be the responsibility of the owners of the respective land and it is considered that it would be unreasonable to expect the current owners to continue to be responsible for hedges and fencing which is no longer in their ownership and which they may have no access to.

10.23 The commencement of affordable housing is reliant upon the provision of the access into the site. The access is shown within the current application site boundary and not within that of the affordable housing site. It is proposed that a condition should be attached to any planning permission which requires that the details of the access should be submitted to ensure that it makes provision for the affordable housing and further that it is provided before any of the dwellings on the current site are commenced. This would ensure that the access is provided within the site for both parts of the development and would allow the affordable housing and the market housing to be started.

10.24 It is considered that there are no other material considerations.

11.0 CONCLUSION

11.1 Although the application site is located outside the development limits of Rickling Green, it is considered that, in view of the Council's lack of a 5 year housing land supply and the contribution that this application and the proposals for the adjoining land under Refs: UTT/13/0026/FUL and UTT/13/0027/OP would provide by way of affordable housing, playspace and access and additional land for educational purposes, an exception can be made in this instance in respect of Policy S7 of the 2005 Local Plan and that planning permission should be granted. The proposed development is acceptable in all other respects and accords with the policies of the Development Plan and the NPPF.

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 within 3 months of being invited to do so 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:

- (i) Pro-rata uplift in the community payment for education of £43,520 to provide secondary school places.
- (ii) Development not to commence on site until transfer of land for affordable housing, playground and education has taken place.
- (iii) Pay Council's reasonable costs

(II) In the event of such an amended agreement being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set out below.

(III) If the freehold owner shall fail to enter into such an Agreement, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:

- (a) No uplifted community payment
- (b) No provision of affordable housing

CONDITIONS

1. Approval of the details of the 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. (A) 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. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

3. Prior to the erection of the development hereby approved (not including footings and foundations) samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 and ENV1 of the Uttlesford Local Plan (adopted 2005).

4. The details of the landscaping of the site required to be submitted shall include details of both hard and soft landscape works and these works shall be carried out as approved. These details shall include:
 - i. means of enclosure and boundary treatments;
 - ii. hard surfacing materials;
 - iii. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, Street Lighting, etc.);
 - iv. proposed and existing functional services above and below ground (e.g. drainage power),
 - v. communications cables, pipelines etc. indicating lines, manholes, supports.);

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).

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

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

6. The plans and particulars submitted in accordance with condition 4 above shall include:
 - (a) a plan, to a scale and level of accuracy appropriate to the proposal, showing the position of every tree on the site and on land adjacent to the site (including street trees) that could influence or be affected by the development, indicating which trees are to be removed;
 - (b) and in relation to every tree identified a schedule listing:
 - i. information as specified in paragraph 4.2.6 of British Standard BS5837 - Trees in Relation to Construction - Recommendations);
 - ii. any proposed pruning, felling or other work;
 - (c) and in relation to every existing tree identified to be retained on the plan referred to in (a) above, details of:
 - i. any proposed alterations to existing ground levels, and of the position of any proposed excavation, that might affect the root protection area (see paragraph 5.2.2 of BS5837)
 - ii. all appropriate tree protection measures required before and during the course of development (in accordance with Clause 7 of BS5837)
 - (d) areas of existing landscaping to be protected from construction operations and the method of protection.

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).

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. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v. wheel washing facilities
 - vi. measures to control the emission of dust and dirt during construction
 - vii. a scheme for recycling/disposing of waste resulting from construction works.

REASON: In the interests of the amenity of surrounding residential premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

9. The dwellings shall achieve Level 3 of the 'Code for Sustainable Homes'. No dwelling shall be occupied until the final Code Certificate has been issued for it certifying that Code Level 3 has been achieved.

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

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

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

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

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

11. No building shall be occupied until works for the drainage/ sewage disposal works have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the local planning authority.

REASON: To ensure suitable drainage for the development, in accordance with Policy GEN2 Uttlesford Local Plan (adopted 2005).

12. Before development of the dwellings commences, details of the location and design of the refuse bin and recycling materials storage areas and collection points shall be submitted to and approved in writing by the local planning authority. This should include provision for the storage of three standard sized wheeled bins for each new property with a collection point no further than 25 metres from the public highway. Where the refuse collection vehicle is required to go onto any road that road shall be constructed to take a load of 26 tonnes. The refuse storage and collection facilities and vehicular access where required shall be provided prior to the first occupation of the units to which they relate and shall be retained thereafter.

REASON: To meet the requirements for recycling, to prevent the unsightly storage of refuse containers and in the interests of amenity and sustainability, in accordance with Policies GEN1, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005)

13. No development will commence on site nor any site clearance or on- site investigation works shall take place until the scheme of mitigation/enhancement contained at Section 8 and 9 of the Ecological Scoping Survey Report dated November 2011 submitted with the application has been implemented in full or to a stage that is agreed in writing with the local planning authority.

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).

14. If the development hereby approved is not commenced within one year of the date of this consent a further wildlife survey of the site shall be carried out to update the information on the species and the impact of development and the survey, together with an amended mitigation strategy as appropriate, shall be submitted to and be approved in writing by the local planning authority and implemented as agreed.

REASON: To comply with the requirements of the Habitats Regulations and to protect species of conservation concern in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

15. Development shall not begin until the detailed design of the access road into the site from the B1383 has been submitted to and approved in writing by the local planning authority. The road will be constructed in accordance with the approved details prior to the commencement of any construction works on the dwellings hereby approved.

REASON; to ensure that an appropriate means of access is provided to the development and to ensure roads/footways are constructed to an appropriate standard in the interests of highways safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

16. The vehicular access to the site shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 5.5 metres and shall be provide with 8 metre kerb radius kerbs.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005)

17. Prior to the commencement of development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

REASON: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).