

UTT/13/0177/OP (ELSENHAM)

PROPOSAL: Erection of up to 130 dwellings with associated green space, play areas, land for educational use and other ancillary works. All matters reserved except for access.

LOCATION: Land West of Hall Road, Elsenham

APPLICANT: Canton Limited

AGENT: Woods Hardwick Planning

GRID REFERENCE:

EXPIRY DATE: 2 May 2013

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 on the southern side of Elsenham and forms an area of agricultural land bounded by Hall Road to the east and wraps around The Old Vicarage which is excluded from the application site. The railway line, which is in cutting, forms the western boundary and the Elsenham Church of England Primary School forms the northern boundary. The southern boundary of the site is bounded by the Stansted Brook. The land slopes in a southerly direction down to the Brook and contains a number of mature trees, mainly to the south east and along the Brook. An existing access from Hall Road into the site extends along the northern boundary of The Old Vicarage between that property and Old Vicarage Cottage. A public footpath extends from this access in a south-westerly direction across the site.

3. PROPOSAL

3.1 The proposal is for up to 130 dwellings and is in outline with all matters reserved apart from access. The application is accompanied by an indicative layout which illustrates how the application could be developed and shows the provision of :

- Up to 130 dwellings including 40% affordable housing provision;
- 1 hectare of land to be given over to Elsenham Church of England Primary School
- Three Local Areas of Play (LAPs) and one Locally Equipped Area for Play (LEAP);
- Informal areas of open space;
- New landscaping and the retention of existing planting where possible; and
- Two balancing ponds on the southern boundary and south west corner of the site respectively.

- 3.2 The access into the site from Hall Road forms part of the detailed considerations. The plans propose a T-junction with Hall Road between The Old Vicarage and Vicarage Cottage and will comprise a 5.5m wide carriageway with a 2m wide footpath either side.
- 3.3 The application is supported by a number of technical reports and includes a Design and Access Statement, Landscape and Visual Impact Assessment, Transport Assessment and Green Travel Plan, Flood Risk Assessment, Heritage Asset Assessment, Phase 1 Ecological Report and Protected Species Survey, Noise Assessment, Tree Survey, Ground Conditions Survey, Foul Sewerage and Utilities Assessment.

4. APPLICANT'S CASE

- 4.1 The Draft Uttlesford Local Plan 2012 proposes to allocate the site for residential development, contributing to its requirement to deliver 9,870 homes between 2001 and 2028. Elsenham is identified as a key Village and is identified to accommodate some 400 dwellings. Following publication of the site within the Draft Local Plan, discussions were held with officers at the Council and as a result, the applicant was encouraged to bring forward the site as a formal planning application. The Council does not currently have an identified 5 year housing land supply and this site will help meet that requirement. The Council has been the subject of a number of 'hostile' applications with planning permission being granted on appeal on the basis of the lack of housing land supply. The application site has been fully assessed by the Council and determined to be an appropriate location for residential development. Therefore, bringing forward this site, which is acceptable to the Council, is submitted as being acceptable in principle.
- 4.2 The site also delivers a key infrastructure requirement for Elsenham in respect of 1 hectare of land to allow for the expansion of the adjoining school. The school is at capacity and the development will make provision for the transfer of the land at nil value to Essex County Council as the Local Education Authority.
- 4.3 In the light of the above considerations, it is firmly submitted that the principle of developing this site is acceptable. It will deliver housing and land to allow for the much needed expansion of the school.
- 4.4 Whilst the application is in outline form, an illustrative layout has been prepared along with a parameter plan indicating storey heights.
- 4.5 The development will incorporate 1,2,3 4 and 5 bedroom properties of open market housing with the precise mix being determined as part of the reserved matter application. The development will provide 40% affordable housing arranged in 4 clusters of 10 and 1 group of 12 as previously agreed with officers. The tenure will be split 50/50 between intermediate tenure and social rented and will provide 17 x 1 bed, 18 x 2 bed, 15 x 3 bed and 2 x 4 bed properties.
- 4.6 The site is within the Countryside Protection Zone and a Landscape and Visual Impact Assessment has been prepared. This concludes that the site is deemed to be of low landscape value, being pastoral land with the main feature being the enclosing woodland on the river to the south. This forms both a physical and visual buffer to the site. The proposed development would have limited adverse impact upon the surrounding area with existing boundary vegetation to be retained and reinforced where possible.

- 4.7 The scope of the Transport Assessment was agreed with Essex County Council. The report concludes that no capacity issues are anticipated at the nearby junctions as a result of the development. A Green Travel Plan has also been prepared setting out measures and initiative to promote sustainable modes of transport and encourage modal shift away from single occupancy car use.
- 4.8 A Flood Risk Assessment has been submitted and a more detailed flood level plan has been prepared which takes into account the topography of the site. The proposed strategy is to discharge surface water from the site into the Stansted Brook as a Ground Investigation Report has concluded that soakaways are not suitable. Attenuation ponds are to be provided which will accommodate a 1 in 100 year storm event with an additional 30% allowance for climactic change and will be located outside of the floodplain.
- 4.9 A Phase 1 Ecological Assessment has been undertaken and followed by site surveys for reptiles, bats and badgers. The site accommodates a medium sized slow worm population and potential bat roosts. The presence of protected species does not present any overriding constraints to development and subject to appropriate mitigation measures; the proposed development would not adversely affect the ecological interests at the site.
- 4.10 A noise assessment has been carried out which considered both the adjacent railway line and the airport. The report concludes that noise does not represent overriding constraint and through mitigation measures this can be addressed.
- 4.11 The proposal involves the diversion of the current 225mm diameter public foul sewer that crosses the site to suit the layout. Foul water will be discharged into this sewer and Thames Water have confirmed that there is sufficient capacity within their network to accommodate the proposed scale of development.

5. RELEVANT SITE HISTORY

- 5.1 No relevant site history.

6. POLICIES

6.1 National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

Policy S7 - The Countryside

Policy S8 – Countryside Protection Zone

Policy GEN1 - Access

Policy GEN2 – Design

Policy GEN3 – Flood Protection

Policy GEN6 - Infrastructure Provision to Support Development

Policy GEN7 - Nature Conservation

Policy GEN8 - Vehicle Parking Standards

Policy ENV2 – Development affecting Listed Buildings

Policy ENV10 – Noise Sensitive Development and Disturbance from Aircraft

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 Elsenham Parish Council has significant concerns regarding this planning application and would like to make the following comments and objections.

Housing Mix

- 7.2 The application does not present clear details of the overall property numbers that will form the proposed mix of housing, only those relating to Affordable Housing. The Parish Council considers that it is important that the developer should provide information of the total housing mix proposed to allow a more comprehensive assessment to be made of the overall housing mix being considered and allow the Parish Council and local residents to comment appropriately and give the District Council a more complete picture of the development and its housing.

- 7.3 Insufficient consideration has been given to the local housing needs within Elsenham. In particular, the issue of housing numbers at the lower end (1-bedroom properties and flats) and upper end (larger 4- and 5-bedroom properties) of the housing market. At present, the current mix of housing in Elsenham greatly inhibits first-time buyers and families already living in the village and wishing to move to larger homes from obtaining properties within Elsenham. The Parish Council cannot determine whether this proposed development will better address the current problems of inadequate housing availability for 1-bedroom properties and flats and larger 4- and 5-bedroom properties. Given the current pressures and demands within Elsenham for private and affordable housing, the Council considers that the developer must do more to offer suitable types of housing/properties that address the shortfall in the lower-end and upper-end properties.

Sewerage

- 7.4 The submitted Foul Sewage and Utilities Assessment document (paragraph 4.6) states that Thames Water (TWU) are satisfied that foul water flows which will be generated by the proposed development can be accommodated within the existing sewage network. However, the Uttlesford District Water Cycle Study, Stage 2 : Detailed Strategy Final Report in its Conclusions and Recommendations (Section 13), reached a completely opposite conclusion stating that whilst TWU predict that the existing sewage network and WwTW at Stansted Mountfitchet can accommodate the flows from the sites within the town itself, any development at Elsenham will require the provision of additional WwTW capacity and significant network upgrades.
- 7.5 Furthermore, the Study Report states (in Section 13.3, Guidance for UDC and developers) that UDC should look to include the availability of water and wastewater infrastructure as a planning condition, so that planning permission is not granted until developers have consulted with VWC and TWU / AWS regarding network capacity and possible strategic solutions. Contributions towards the costs of such infrastructure can be collected through the forthcoming Community Infrastructure Levy, although this will depend on local implementation guidelines.
- 7.6 It is therefore clear that the ability of the existing Stansted Mountfitchet WwTW is incapable of accommodating any further capacity coming from new developments in Elsenham.

- 7.7 There appears to be no evidence that the current developer has consulted with Thames Water over the matter of network capacity and/or upgrades to the sewage network and the Parish Council is strongly of the opinion that there is a lack of existing capacity in the Stansted Waste Water Treatment Works to deal with any further housing built in Elsenham. The District Council must adopt and follow the recommendations and guidance given in the Water Cycle Study report.

Surface Water Run-Off

- 7.8 There is significant concern regarding the surface water that will be generated from the proposed development and that all of this water will be channelled into the Stansted Brook. It is noted that the developer proposes to provide a Sustainable Urban Drainage Strategy for the site, which will include surface water attenuation areas to control the flow of surface water into the Brook.
- 7.9 The Parish Council and local residents are well aware that water levels in the Stansted Brook, both upstream and downstream of the site, are significantly heightened during periods of either heavy or prolonged rainfall. When this occurs, water levels in the Stansted Brook overflow the road at the Abbotsford Bridge just upstream of the site and also further downstream in Stansted Mountfitchet, where meadowland close to the Brook near to the railway station, floods regularly and severely due to the Brook overflowing its banks. The additional water from the new development can only exacerbate these problems further.
- 7.10 In addition, the Uttlesford District Water Cycle Study, Stage 2: Detailed Strategy (21 November 2012) highlights in Section 7.2, Table 7-3 Flood Risk Constraints that part of this development site (approximately 3%) is within the 1 in 20 year Flood Extent, and that development in this flood zone is not permitted and should be avoided.
- 7.11 Given the foregoing, the Council is unconvinced that the SUDS scheme currently proposed by the developer sufficiently addresses the heightened levels of surface water run-off into the Brook and/or the flood risk constraints contained within the Water Cycle Study. It must also be borne in mind that a further large development (Elsenham Policy 3 – Land South of Stansted Road) is downstream of the Hall Road development site and is also included in the New Local Plan. This other development site will also be discharging its surface water run-off into the Stansted Brook. Given this situation, it is essential that the Environment Agency be requested to carry out an integrated study that includes both new development sites, to determine the overall effects of combined surface water run-off and flood risk, to ensure that both sites have SUDS systems that can properly manage and control the surface water run-offs.

Countryside Protection Zone

- 7.12 The application site falls within the designated Countryside Protection Zone and is subject to the constraints imposed by Policy S8 of the Local Plan 2005. The proposed new development is located on the eastern edge of the village on land that is open countryside that overlooks the Stansted Brook valley.
- 7.13 The New Local Plan also makes provision under Policy C2 for the Protection of Landscape Character in relation to cross-valley views in river valleys and maintaining panoramic and open views, especially to historic buildings and landmarks – in this case the historic Grade-I listed St. Mary's Church.

- 7.14 The Parish Council and residents have significant concerns regarding the proposed development, both its size and design, and the fact that it will be in direct conflict with the nature of the surrounding open countryside and historic landscape.

Local Roads and Traffic

- 7.15 Given the nature of Hall Road, a narrow, C-class road with both width restrictions and areas of poor driver visibility at various points close to the village, the Parish Council considers that the road is presently incapable of safely carrying the increased levels of traffic generated by the existing traffic and the additional traffic produced by the new development. The road is already designated as the obligatory route for large vehicles, lorries and HGVs to enter and exit the village, there being vehicle width and vehicle weight restrictions imposed on the roads from Ugley Green and Stansted Mountfitchet (Grove Hill) respectively. In addition, the access to/from the new development is to be sited less than 100 metres from the Hall Road/High Street/Henham Road T-junction (Elsenham Cross), and also approximately 150 metres from the Abbotsford Bridge bend.
- 7.16 If the proposed development is to be considered for acceptance, Hall Road must to be made wider, from the Elsenham Cross junction to the Abbotsford Bridge, at the very least, and ideally as far as the right-angle bend at the top of the hill.
- 7.17 A further safety measure that should be introduced is the moving of the 30mph signs from their existing locations, to the other side of the right-angled bend, near to the entrance into Elsenham Quarry and Elsenham Golf & Leisure.

Pedestrian Footpaths

- 7.18 The illustrative layout shows a potential pedestrian and emergency vehicle access at the south-eastern corner of the site, close to the Abbotsford Bridge. If this access proposal be considered, it is important that it be combined with the construction of a new pavement that links to the existing pedestrian footpath that runs from Elsenham Cross to The Old Vicarage, where the footpath currently finishes. This will allow residents using this pedestrian access to safely walk into the village.

Pedestrian Railway Cross – Fullers End

- 7.19 The pedestrian crossing over the railway line at Fuller's End is the type which uses unlocked pedestrian gates, visual warning lights and audible alarms. Tragically, this type of pedestrian crossing was found to be inadequate, at Fullers End and at Elsenham Station where at both locations fatalities have occurred in the past. At Elsenham Station, the unlocked pedestrian gates were replaced by an automatic lockable gates system. If this development were to go ahead, the Fullers End railway line crossing will be used regularly by school-children from the new development as a short-cut to Elsenham Station. To prevent any further fatalities, this crossing must be fitted with a system similar/identical to that used at Elsenham Station.

Public Rights of Way through the Site

- 7.20 The Parish Council is strongly of the view that existing public footpath routes through the site must be maintained.

Vehicle Parking

- 7.21 It is essential that any new housing developments within Elsenham fully conform to the Uttlesford Local Residential Parking Standards (December 2012) and in particular, include the parking requirements for 3+ bedroom properties.
- 7.22 School Drop-Off Facilities – As a part of the original proposals for this development, the inclusion for a drop-off and parent parking facility to allow parents to drop-off and collect their children from the primary school was presented as a positive benefit to be gained from a development behind the primary school. The inclusion of a school drop-off facility is no longer shown on the plans, only a roadway labelled “access to school land”.
- 7.23 At present, parents dropping off or collecting their children from school by car, park either in the High Street and Hailes Wood, close to the school premises. This parking is already causing congestion problems, particularly as the primary school is very close to the busy Elsenham Cross road junction. Unless a suitable drop-off and parent parking facility is included within the overall development plan, the increased numbers of children attending the primary school (from this development and the other two new developments proposed in the New Local Plan) will lead to unacceptable levels of parking and congestion, close to a busy road junction.
- 7.24 It is possible that it is the developer’s intention that the 1 hectare of land to be transferred to the school would include the drop-off/parent parking facility and it would be the school’s responsibility to finance and construct it. This is considered unreasonable, and it is considered that the developer either include the school drop-off and parking facilities in development plans, or that monies should be made available to the school.

Children’s Play Spaces and Amenity Green Open Spaces

- 7.25 It is understood that it is current District Council policy that areas of amenity open space and children’s play area facilities within new developments should be transferred to the relevant town or parish council under a Section 106 Agreement (as opposed to a management company being set up in perpetuity).
- 7.26 Elsenham Parish Council considers it essential that if the District Council is considering the transfer of these areas to the Parish Council, it liaises closely with the Parish Council before concluding a Section 106 Agreement with the developer. This will ensure that any conditions negotiated by the District Council are also acceptable to the Parish Council.
- 7.27 Elsenham Parish Council would prefer that only a small amount of children’s play equipment is provided with this application and that a lump sum of money be given to Elsenham Parish Council to spend on improving and adding to children’s play equipment at the village’s main children’s play area, located on the Playing Field/Recreation Ground. In addition, a further lump sum payment should be made towards the future upkeep and maintenance of the development’s own open spaces and children’s play equipment.

Trees

- 7.28 Although the planning application is outline in nature, the Parish Council wishes to see that the District Council in granting any planning approval will make every effort to ensure that all of the trees on the site are retained and properly protected.

The Elsenham Primary School

- 7.29 As a part of the agreement to transfer land (1.0 hectares) to Elsenham Primary School, the developer should be responsible for all necessary works to separate the school from the development, including the provision and erection of all boundary fencing.

Public Exhibition and Consultation

- 7.30 The developer refers to a presentation made to the Parish Council and the Public at a recent Council meeting. It must be emphasized that this was only a very short presentation, which allowed only a minimal amount of information to be given by the developer's representatives and that questions from both Council members and the Public were limited due to the natural time constraints of a parish council meeting.
- 7.31 It is unfortunate that the developer has not come forward with a public exhibition to allow residents the opportunity to properly understand the proposed development scheme or to receive answers to the numerous questions that are likely to arise from such an exhibition. This point was made during the presentation to the Parish Council and to date, the developer has not responded with an offer of an exhibition and a more detailed consultation with residents.
- 7.32 Given the size of this development (130+ homes) it would be expected that a public exhibition would be an integral part of the developer's preparations to making a planning application. The Parish Council is both disappointed and concerned that the developer does not wish to fully engage with the village and its residents over this significant new development.

Neighbouring Parish Council: Takeley Parish Council

- 7.33 Takeley Parish Council concurs with the views of Elsenham PC: Given the nature of Hall Road, a narrow, C-class road with both width restrictions and areas of poor driver visibility at various points close to the village, the Parish Council considers that the road is presently incapable of safely carrying the increased levels of traffic generated by the existing traffic and the additional traffic produced by the new development. The road is already designated as the obligatory route for large vehicles, lorries and HGVs to enter and exit the village, there being vehicle width and vehicle weight restrictions imposed on the roads from Ugley Green and Stansted Mountfitchet (Grove Hill) respectively. In addition, the access to/from the new development is to be sited less than 100 metres from the Hall Road/High Street/Henham Road T junction (Elsenham Cross), and also approximately 150 metres from the Abbotsford Bridge bend. If the proposed development is to be considered for acceptance, Hall Road must to be made wider.

8. CONSULTATIONS

ECC Highways:

- 8.1 In light of further information received the Local Highway have no objections. Formal comments to the reported verbally to the meeting.

Thames Water

- 8.2 No comments received.

Environment Agency

- 8.3 No objections subject to the imposition of a condition relating to Surface Water Management.

ECC Schools

- 8.4 No comments received.

Access and Equalities Officer

- 8.5 The Design and Access Statement makes no reference to the Supplementary Planning Document on Lifetime Homes and wheelchair Accessible Housing and how or if the dwellings will meet those criteria. There is reference to provision of 5% of older persons bungalows across all tenures and this should be available for any resident not those 55 plus.

Environmental Health

- 8.6 No objections subject to a condition to require a scheme for mitigation to be submitted and approved prior to the commencement of developments which should include such details as glazing, ventilation and screening to achieve a reduction of at least 27 dB to achieve the WHO good standard for noise levels within a bedroom. Also requires the submission of a comprehensive construction method statement.

Natural England

- 8.7 The protected species survey has identified that bats, a European protected species may be affected by this application and therefore NE provide advice on survey and mitigation requirements.

ECC Ecology

- 8.8 No objections subject to the imposition of appropriately worded conditions to address ecological requirements which include an Ecological Mitigation Plan, lighting plan and the protection of breeding birds together with an updated Badger Survey.

ECC Archaeology

- 8.9 The desk top based assessment stated that there are no known archaeological deposits located within the specific study area. However, when the wider area is studied it shows that there is a high potential for previously unknown archaeological deposits to survive within the development area. It is therefore recommended that conditions be imposed requiring an archaeological programme of trial trenching followed by open area excavation.

9 REPRESENTATIONS

- 9.1 13 Representations have been received; 1 letter makes a comment that the Design and Access Statement does not indicate that all homes will meet Lifetime Homes Standards or that 5% of houses will be constructed in accordance with Wheelchair Housing Criteria.
- 9.2 12 Letters of Objection:

There is a pattern of piecemeal planning applications being submitted which impact the whole village but only residents local to the development are being made aware of the applications.

Building on a green field site so close to the existing airport is short-sighted in view of suggestions to turn Stansted into a four-runway super-airport.

The developments would promote coalescence between the airport and existing development in the surrounding countryside.

The site is within the Countryside Protection Zone and therefore ineligible for development.

The development would result in the loss of an attractive field and views from properties in Robin Hood Road.

There are no footpaths or street-lighting on Hall Road after the Old Vicarage and the path between there and Elsenham Cross is narrow. Overhanging trees and bushes cause pedestrians to walk in the road. The main route to Elsenham is through Grove Hill in Stansted Mountfitchet which cannot be widened and causes traffic to back up at either side of the lights. The addition of 200+ vehicles will strain this already over-loaded junction.

Vehicles travel at speed to and from the airport along Hall Road. The road bends sharply where it crosses Stansted Brook and there are frequent near-misses because of speeding vehicles. This is a dangerous position for a new access point.

The junction at Elsenham Cross is dangerous and very busy, especially at school times.

New residents will use their cars to access services and work as the train and bus services are limited and slower.

Cycling along Hall Road would be dangerous because of speed and numbers of vehicles.

A new footbridge over the railway at Fuller's End is essential.

The area is rich in wildlife with deer, badger, foxes, bats owls and a large variety of breeding birds as well as lizard and slow-worm colonies. The application site is green field and so would have unacceptable adverse effects on the local flora and fauna by reducing their ability to feed and breed.

The results of the flood risk assessment are not representative of the reality as Stansted Brook flash-floods on a regular basis with water over the road. There is frequently a strong smell of sewage at the Brook. Overflowing water is causing the tarmac to break up. These problems are getting worse with the recent weather extremes.

Elsenham is a small community and wishes to stay that way.

The planning application does not give sufficient detail on the size and height of the homes, the roofs or colours, so it is not possible to comment on the visual impact.

The development proposes to place the highest structures on the west boundary.

The proposed site is self-contained and does not encourage integration into the village.

There is no opportunity for work in Elsenham, and new residents would have to seek work in London, Cambridge and the surrounding area and so would not integrate or contribute fully to village life. Teenagers would also have to travel to school further away.

The development will place additional strain on existing facilities such as the doctors' surgery and school.

The development of Elsenham should be planned in a comprehensive manner to avoid incompatible, unplanned and unsympathetic development such as this proposal.

The developers have failed to provide a public exhibition.

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, S8 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 and the impact of the development on residential amenity and the setting of Listed Buildings (ULP Policy GEN2 & ENV2)**
- 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 Drainage (ULP Policies GEN3 and GEN6)**

- A The principle of development of this site for residential development (ULP Policies S7, S8 and GEN2)**

- 10.2 The application site is located outside the development limits of Elsenham within open countryside 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. It is not considered that the development would meet the requirements of Policy S7 of the Local Plan and that, as a consequence, the proposal is contrary to Policy S7 of the 2005 Local Plan.
- 10.3 In addition to the above, the site is located within the Countryside Protection Zone (SPZ) and is subject to Policy S8 which applies strict control to new development, particularly where new buildings would promote coalescence between airport and existing development in the countryside or it would adversely affect the open characteristics of the zone.

- 10.4 The applicants have argued that Uttlesford cannot demonstrate an adequate 5 year supply of housing land. This is acknowledged by the District Council in its Annual Monitoring Report (2012) which set the current level of delivery on deliverable sites for the 5-year period at 3.9 years' worth of supply. This rate drops to just 3 years if an additional 20% is frontloaded to these figures as required by the NPPF for under delivering authorities. As a consequence, sites that are located in the countryside are being considered for residential development by the Council to address this shortfall.
- 10.5 The Council is preparing the Draft Local Plan which was published for consultation in June 2012 and which seeks to identify additional future development sites for the period 2013 to 2026. The application site is identified as a proposed development site in the Draft Local Plan 2012 under Elsenham Policy 2 – Land west of Hall Road. The proposed allocation is for a minimum of 115 residential dwellings to provide for a mixed and balanced community although this number has been increased in the recently adopted Position Statement March 2013 to 130 dwellings and the area increased in size from 6 to 6.5ha to reflect ownership.
- 10.6 The Draft Local Plan is at an early stage in its preparation. The consultation on proposals took place in June 2012 with a further pre-submission consultation yet to take place in Spring 2013 with the aim of having the plan adopted early 2014. As a consequence, the sites identified have not yet been through the full consultation process and approval of sites identified in the Draft Local Plan may be regarded as being premature. Government advice in the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development and that relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five year supply of deliverable sites.
- 10.7 The current application site has been assessed as part of the Strategic Housing Land Availability Assessment (site ELS9) and was initially not considered suitable due largely the site being separated from village services by the railway line and with a relatively long journey around Hall Road and the High Street to reach them.
- 10.8 However, in response to the consultation on the Role of Settlements in January 2012, Elsenham Parish Council supported this site for limited development and the acceptability of the site was reviewed. It was concluded that because of its location on the eastern side of the village, the site would offer a more equal balance to other new housing at Elsenham. It was also considered that the site's location behind the primary school could contribute to the relief/solution to the ongoing traffic problems caused by children being delivered to/collected from school, by the introduction of a dedicated drop off point within the development. The site was also supported by the County Council as it could provide additional land for the school. Whilst it was acknowledged that there is a potential flood risk on part of the site, it was considered that this could be overcome by reducing the number of homes on the site and concentrating open space in the south of the site, the area most likely to be subject to flood risk. It was concluded therefore that the benefits to the village that the development of this site could bring outweighed the impact of development on the landscape which could be mitigated through design and landscaping.
- 10.9 Bearing in mind that the District Council cannot show a five year supply of housing land and that the application site performed relatively well in the Strategic Housing Land Availability Assessment (SHLAA) and is being proposed for development in the emerging Local Plan, it is considered that the bringing forward of this site at this stage would be in accordance with the guidance contained in the NPPF and would contribute towards the Council's 5 year housing land supply.

- 10.10 In terms of sustainability, the Transport Statement demonstrates that the site is located near to existing public bus stops and is served by existing bus routes that give access to Stansted Airport and Bishops Stortford, Stansted Mountfitchet and Saffron Walden. The site also provides access to Elsenham railway station and the main line service between Cambridge and London. The village of Elsenham is also relatively well served with facilities, many of which are within walking distance of the application site and development of the site would allow residents to access facilities by means other than the motor car.
- 10.11 In these circumstances and in view of the Council's lack of a 5 year housing land supply, it is considered that 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 and the site brought forward for development in advance of the adoption of the future Local Plan.

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

- 10.12 The application includes the details of the proposed access onto Hall Road for consideration at this stage. The Local Highway Authority has objected to the proposal on the grounds that the proposal would lead to the creation of an access on a stretch of secondary distributor highway, the principal function of which is to carry traffic between centres of population. The Authority is concerned that the new access would lead to conflict and interference with the passage of through vehicles to the detriment of highway safety. The Local Highway Authority is also concerned that the applicants have not demonstrated that the appropriate visibility standards can be achieved in accordance with the appropriate Design Manual and in relation to the speed of traffic on Hall Road resulting in a substandard access onto the highway network with restricted visibility.
- 10.13 However, the Local Highway Authority has confirmed that if the applicant provides a speed survey and revised drawings which demonstrate the maximum achievable visibility and the Local Planning Authority wishes to grant planning permission, then the Highway Authority would not pursue its objection and would require conditions to be attached to any grant of planning permission to ensure that appropriate access is provided for the development.
- 10.14 The applicants have recently carried out a speed survey along Hall Road and have submitted it for approval to the Local Highway Authority. It is understood that the survey has demonstrated that the 85th% speed of vehicles travelling in either direction confirm that the parameters set out within Manual for Streets are acceptable. The applicants have advised that as the 85th% speeds are slightly higher than the 30mph speed limit which is in place along this section of Hall Road, the plans for the proposed access have been revised to demonstrate that the required visibility can be provided within the limits of the publically maintained highway. They maintain that subject to the revised drawing (16821/2000A), there is no reason in terms of highways or transportation why the planning application should not be fully supported through the planning process. The Local Highway Authority's comments on this matter are awaited and will be reported orally to the Committee.
- 10.15 The illustrative layout shows that an emergency access would be provided onto Hall Road from the part of the application site that extends to the south of The Old Vicarage. The initial layout showed the internal road extending up to the boundary

and your officers were concerned that this would encourage pedestrian access onto Hall Road where there was no footpath. The applicants have therefore amended the layout so that there is no road access up to Hall Road from within the development but that a barrier would be positioned on the road frontage which would allow only emergency vehicles access into the development.

- 10.16 The Parish Council and many of the third party objections made in respect of the application cite issues of traffic and the capacity of the surrounding road network to accommodate the additional traffic generated. However, although the Local Highway Authority has objected to the application, the objection relates to the configuration of the access onto Hall Lane and the need to demonstrate that the visibility splays shown on the plans are acceptable in terms of traffic speed. There are no concerns relating to the capacity of the road network to accommodate the development as this was one of the issues investigated during the consideration of the site for inclusion within the emerging Local Plan. It is considered therefore that the road network can accommodate the traffic generated by the current proposals and there would be no conflict with Policy GEN1 on this aspect.
- 10.17 The proposals involves the transfer of 1 ha of land to the primary school and the submitted illustrative layout shows a road link from the development into the new school land which would facilitate pedestrian access for children living in the new houses as well as a maintenance access. The Parish Council has raised the issue of a new drop off area within the school grounds but this is a matter which is awaiting feedback from Essex Education Authority. At this stage, it is not considered that it would be appropriate for any drop off point to be placed within the (new) school grounds as this would lead to congestion within the area and the school as well as safety issues and would limit the options for expansion of the school.
- 10.18 The application is in outline and it is considered that the site contains adequate land for the provision of parking in accordance with the District Council's approved standards and would be a matter for the detailed design of the development at the reserved matters stage. 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 and the impact of the development on residential amenity and the setting of Listed Buildings (ULP Policy GEN2 & ENV2)

- 10.19 The design and access statement provides details of the rationale behind the proposed development. This follows an assessment of the constraints of the site which include the single point of access, the railway, the existing public footpath that goes through the site, the protection of residential amenity of nearby residents and the setting of the nearby Listed Building at the Old Vicarage together with the trees and Stansted Brook.
- 10.20 The proposals are in outline with only an indicative layout submitted and illustrative proposals which show the likely heights of the dwellings. These show a range of single storey and two and two and a half storey dwellings throughout the development. Whilst the layout of the houses is likely to change to ensure that the garage courts currently shown on the illustrative plans are removed, the principles used in the overall layout is likely to remain. This utilises the single access point onto Hall Road and the proposed housing is essentially in two blocks with an area of open space between the areas which follows the route of the Public Footpath and incorporates a LEAP towards the northern part of the site. Three LAPs are located within the development and the proposed open space extends along the southern

edge of the development along the Stansted Brook. This incorporates the 2 balancing ponds and some of the trees that are the subject of the Tree Preservation Order. The majority of the TPO trees lie outside the red line to the south.

- 10.21 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. As such, it is considered that the proposal would comply with criteria a) of ULP Policy GEN2.
- 10.22 There are few existing residential properties that would be directly affected by the proposed development. The main property would be Vicarage Cottage which is located on the northern side of the proposed access into the site and The Old Vicarage to the south. The new access road would be positioned towards the southern side of this access strip with a landscaped verge extending along the northern side, between the road and Vicarage Cottage. It is considered that the amenities of Vicarage Cottage would be reduced as a result but that the development would not have a materially adverse effect upon the reasonable occupation and enjoyment of the property. The Old Vicarage to the south is set within a large curtilage and the impact upon that property will be very limited.
- 10.23 The proposed housing is separated from the residential properties along the High Street by the existing and proposed school land whilst the railway line separates the site from properties in Robin Hood Road. As a consequence, although the proposed development would affect the views of the residents in Robin Hood Road as letters of representations have suggested, there would be no issues of overlooking or loss of amenity and the proposal is in accordance with Policy GEN2.
- 10.24 In terms of the amenities of future residents, the application site is located close to the main line railway and also close to the airport. Both have the potential to have an adverse impact upon the amenities of future residents and measures will need to be put in place for mitigation against noise. The applicants have provided outline mitigation measures to overcome these issues but it is considered that a scheme of mitigation should be submitted prior to the commencement of development to address noise issues.
- 10.25 The development wraps around the curtilage of The Old Vicarage, a grade II Listed Property. However, the layout of the development would be unlikely to have a detrimental impact on the setting of this listed building. The listed building sits within a large curtilage which is well screened from outside views. The location of the proposed dwellings will not materially affect this setting therefore and is considered that there is no conflict with Policy ENV2 of the Local Plan.

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

- 10.26 Elsenham Policy 2 – Land west of Hall Road contained in the Draft Local Plan 2012 – Consultation on Proposals, sets out a number of criteria which are to be met by development of the application site. These involve a list of community benefits which include provision for public transport contributions (to include rail station improvements); provide both informal and informal recreational open space; contribution towards the provision of a Community Centre; provision of 1 hectare of land for the school for pre/primary education purposes and other contributions towards wider and longer term planning benefits for the community as may be required.

- 10.27 The application involves the provision of 1 ha of land along the northern part of the site which is to be transferred to the Elsenham Church of England Primary School. It is envisaged that this land will allow the school to be expanded to provide pre – school and a further form of entry for the primary years. The application as proposed will enable both pedestrian access and an emergency/maintenance vehicular access into the school from the development. A revised plan is to be submitted which regularises the boundary between the proposed school land and the rest of the development to remove the ‘hidden’ corners.
- 10.28 The applicants have advised that they have sought advice from both the ECC Schools service and Elsenham Church of England Primary School to clarify the requirements for the future needs of the school and for this land but to date, have received no response. They are therefore preparing an illustrative block plan to demonstrate that the school can be expanded and that the land to be given over is appropriate. This follows concerns by your officers that because the school buildings currently occupy a narrow area of the existing school land, there are potential constraints on future growth and development. The provision of a block plan would therefore show how the school can be expanded in the future and ensure that there would be no constraints imposed by the additional land.
- 10.29 Elsenham Policy 2 states that the land forms part of the education contributions and it is expected therefore that a financial contribution towards education needs would be required as part of this application. However, the amount required by Essex CC is still awaited and it is anticipated that this will be reported orally to Members at the meeting.
- 10.30 Elsenham Policy 2 also seeks provision for public transport contributions. However, subject to the withdrawal of its objection, the Highway Authority has not sought any public transport contributions in its recommendation for this site. Network Rail has been approached by the Local Planning Authority to establish what level of contribution would be required from this and other sites, but have not responded. Although it is noted that residents and the Parish Council commented on the safety issues of the crossing at Fullers End and would like to see that crossing fitted with a system similar/identical to that used at Elsenham Station, it is not part of these proposals nor was it envisaged that this development would provide the level of infrastructure contribution that would be required for such works. It is considered that there would be a limited requirement for improvement works as a direct result of this development and that it would be unreasonable to expect this development to make provision for works that are already required and are the responsibility of Network Rail. In view of the lack of feedback from Network Rail, it is not intended to seek any public transport contribution from the applicants.
- 10.31 The application provides open space as required by Elsenham Policy 2 and as set out the earlier sections. The transfer of this land together with the level of maintenance funding will be subject to a Section 106 Agreement. The application will also be expected to make a contribution towards the provision of the new community centre as part of Elsenham Policy 1. A contribution of approximately 31% towards the costs of the centre which would be proportional to the numbers of dwellings proposed within the application up to a maximum of £31K is therefore being sought.
- 10.32 The above requirements will be the subject of a Section 106 Agreement and a draft has been sent to the applicants to expedite matters. It is considered that, subject to the developer entering into a S106 obligation to provide the above contributions, the proposal would comply with the requirements of ULP Policy GEN6 and draft Elsenham Policy 2.

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

- 10.33 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 conditions be attached relating to the submission of an Ecological Mitigation Plan, lighting plan and the protection of breeding birds together with an updated Badger Survey if development is delayed. The proposal would therefore comply with the requirements of ULP Policy GEN7.
- 10.34 The site is pastoral and contains a number of trees with the majority located along the southern boundary. The illustrative layout shows that the majority of the trees on the site would be retained and incorporated into the development. The trees subject to a TPO are outside the application site boundary but within the ownership of the applicant. The illustrative layout shows that those trees together with the other trees along Stansted Brook would remain and form a valuable visual and physical separation from the land to the south of the Brook as well as contributing to the biodiversity of the site. Appropriate conditions would ensure that the trees within the site 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)

- 10.35 Policy H9 requires that 40% affordable housing is provided on sites having regard to market and site conditions. The applicants have confirmed that the development would provide 40% affordable housing. The Planning Statement confirms that 52 affordable units would be provided which comprise 17 x 1 bed, 18 x 2 bed, 15 x 3 bed dwellings and 2 x 4 bed houses. The affordable units are to be arranged in clusters of 4 groups of 10 units and one group of twelve units, with the final disposition within the site to be decided at the reserved matters stage.
- 10.36 The amount and grouping of the affordable units within the development is acceptable and in accordance with Policy H9 of the Local Plan. Their provision would be subject to a Section 106 Agreement.
- 10.37 The development as a whole comprises a mix of 1, 2, 3, 4 and 5 bed roomed dwellings. These will be a mixture of heights with 5% being single storey. The Parish Council's comments on the final numbers of the units are noted but it is considered that the final mix of units is more appropriately addressed at the reserved matters stage. The applicants have indicated that the dwellings would be built to lifetime standards and wheelchair compliant and these can be conditioned. It is considered that the application will provide an acceptable mix of dwellings on this site and that the proposals comply with Policy H10 of the Local Plan.

G Drainage (ULP Policies GEN3 and GEN6)

- 10.38 The Parish Council and residents have raised the issue of drainage from the site and have queried the findings of the Flood Risk Assessment and the Utilities Statement in terms of the flooding of the Stansted Brook and the capacity of the foul drainage system to accommodate the additional flows from the development.
- 10.39 The proposals have defined the 1 in 100 year flood level and incorporated an additional 30% to allow for climate change. Two areas are shown within the

development site as balancing ponds to slow the discharge of surface water into the Brook. The Environment Agency has confirmed that it has no objections to the proposals or to the findings and recommendations of the Flood Risk Assessment and it is considered that there is no objection therefore on the flooding issues.

- 10.40 With regard to foul drainage, the applicants have confirmed that they intend to divert part of the foul sewer that runs through the site to a more acceptable position. This would simply relocate the sewer to the south of its current position and within the area of open space to ensure easy access if required. The applicants have consulted Thames Water who have confirmed that the proposals would be acceptable and also that there is sufficient capacity within the foul drainage system to accommodate the flows from the proposed development. In these circumstances, it is considered that there are no objections to the proposed development on drainage grounds and the development is in accordance with Policies GEN3 and GEN6 of the 2005 Local Plan.

11.0 CONCLUSION

- 11.1 Although the application site is located outside the current development limits of Elsenham, it is considered that, in view of the Council's lack of a 5 year housing land supply and the contribution that this application would provide by way of affordable housing, additional land for educational purposes and community benefits, 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 11 unless before 30 April 2013 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 an appropriate and agreed sum for education purposes
- (ii) Contribution of 31% of cost of community facility up to a maximum of £310,000.
- (iii) Development not to commence on site until transfer of land for affordable housing, open space including LEAP and LAPs, and education has taken place.
- (iv) Pay Council's reasonable costs
- (v) In the event of such an agreement being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set out below.
- (vi) 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 payments
 - (b) No provision of affordable housing or education land.

CONDITIONS

1. Approval of the details of the layout, 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. (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 control of noise from construction including the hours of working
 - v. wheel washing facilities
 - vi. measures to control the emission of dust and dirt during construction

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. No development shall be commenced until a scheme of noise mitigation measures shall be submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the approved scheme has been implemented in full for the dwelling in question.

REASON: In the interests of the amenity of the future residents and in accordance with Policies GEN2 of the Uttlesford Local Plan (adopted 2005).

10. 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.

11. 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.

12. 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).

13. 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)

14. No development will commence on site nor any site clearance or on- site investigation works shall take place until an Ecological Mitigation Plan has been submitted to and approved in writing by the Local Planning Authority. The mitigation measures set out in the Plan shall be implemented prior to any development or site clearance or on- site investigation works taking place or in accordance with a timetable set out within the approved Plan.

REASON: To comply with the requirements of the Habitats Regulations and in the interest of the protection of the wildlife value of the site in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

15. 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 Ecological Mitigation Plan 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).

16. No development shall take place until a Lighting Plan is submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved plans.

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).

17. No development or preliminary groundworks can commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted to and approved in writing

by the local planning authority. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.

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

18. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

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

19. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

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

20. Prior to commencement of the development, details of the estate roads and footways to accord with the Essex Design Guide (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and agreed in writing by the Local Planning Authority.

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).

21. Prior to occupation of any dwelling, the provision of an access formed at right angles to Hall Road as shown in principle on Drawing No. 16821-2000 dated January 2013 to include the maximum visibility splays achievable, as measured from and along the nearside edge of the carriageway, such visibility splays shall be retained free of any obstruction in perpetuity. Details to be submitted to and agreed in writing with the Local Planning Authority in consultation with the Highway Authority, prior to commencement of development.

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).

22. Prior to occupation of any dwelling, a scheme for the provision of bus stop improvements to the bus stops in the vicinity of The Crown PH in Henham Road shall be submitted to and agreed in writing by the Local Planning Authority.

REASON: In the interests of sustainability and accessibility.