

UTT/13/0989/OP - (FELSTED)

PROPOSAL: Outline application for up to 25 dwellings complete with infrastructure, play area and landscaping with some matters reserved except access

LOCATION: Land East Of Braintree Road Braintree Road Felsted Great Dunmow

APPLICANT: Mr David Warn

AGENT: Mr C Loon

EXPIRY DATE: 16.07.2013

CASE OFFICER: Mrs Madeleine Jones

1. NOTATION

1.1 Outside Development Limits.

2. DESCRIPTION OF SITE

- 2.1 The site lies on the eastern side of the Braintree Road and adjoins existing residential development located along the southern boundary.
- 2.2 There is further residential development on the western side of the Braintree Road at this point.
- 2.3 The site is grassland and is predominantly flat with a slight fall from east to west.
- 2.4 It has a maximum length of around 190m in a north/south direction and a maximum width of around 170m in an east/west direction. It measures 2.02 hectares in total.
- 2.5 There is an existing vehicular access point into the site from the Braintree Road and the northern edge of the site.
- 2.6 The site is heavily screened along the road frontage with dense planting. Within the site there is an earth bund around the majority of the site with coniferous trees planted along the top.
- 2.7 In front of the bund there is some native planting which is still very immature.
- 2.8 The site is sub-divided by a ditch with contains extensive planting including 3 mature trees.
- 2.9 At the southern end of the site is a pond within a very deep depression.

3. PROPOSAL

- 3.1 The proposal is an outline application for up to 25 dwellings, related infrastructure, play area and landscaping. All matters are reserved with the exception of access. The indicative layout shows a mix of semi-detached and detached properties. The indicative proposed mix is 7 x 4 bed, 6 x 3 bed, 2 x 2 bed within the private development. Forty per cent affordable housing is proposed and this is shown indicatively to be 1 x 4 bed, 2 x 3 bed, 5 x 2 bed and 2 x 1 bed apartments. The proposed dwellings would have spans ranging from 5.4m to 11.6m and depths of 8m to 12m. Ridge heights are shown to range between 6.5m and 9.5m. Double garages are shown to be 6.6m x 7.5m

with ridge heights between 4.5m and 5.5m, or between 6.7m and 8.7m where studio/workspace is shown above the garage.

- 3.2 It is proposed that part of the site would form public open space and this would incorporate the existing pond and it is proposed an equipped area of play would be provided.
- 3.3 The drawings indicate a potential to create a footpath link to FP15 at the south eastern side of the site. A cross point is proposed at the south western point of the site. This would enable residents to cross the road and join the footpath on the western side of the Braintree Road

4. APPLICANT'S CASE

- 4.1 The application is accompanied by the following documents:

Planning Statement
Design and Access Statement
Arboricultural Report and Landscape Assessment
Extended Phase 1 Habitat Survey
Transport Accessibility Statement
Phase One Desk Study Report (Contamination Report)
Site Specific Flood Risk Assessment
Foul Sewage and Utilities Assessment
Bat Survey and a Badger Survey
Reptile and Great Crested Newt and Mitigation Strategy

Summary: Development of the site would be a logical extension to the east of the village and bring some balance to the settlement pattern. Development will bring added vitality to support local shops and services. The proposal seeks to address the inadequate housing supply in Uttlesford. Importantly, the development will deliver the affordable housing that is so desperately needed. Without the delivery of this site, there appear to be no immediate or alternative plans to deliver affordable housing. This market led scheme provides a suitable mechanism to deliver affordable housing at the earliest opportunity. The local bus stops and primary school provide weight for considering the location as being sustainable. The indicative layout shows a development which takes account of local characteristics and landscape constraints and opportunities. There is scope for ecological enhancement and mitigation. The proposal has the ability to deliver infrastructure benefits, including contributions to open space, play equipment and education as well as the provision of affordable housing. Whilst beyond the village envelope set in the now dated Local Plan, the clear housing need and the NPPF's presumption in favour of sustainable development provide powerful arguments to approve this planning application.

The applicants wish to propose the following heads of terms for inclusion within a section 106 agreement. These are largely based on the information and discussions held in relation to the previous application. We have provided details and an explanation under each heading.

1. Financial Contribution to Local Educational Facilities

Based on the previous consultation response from Essex County Council dated 18th October 2012, educational infrastructure contributions were sought to mitigate for the actual or anticipated shortfall in permanent school places at

Felsted Primary School and Helena Romanes Secondary School in Great Dunmow. Having spoken to Essex CC, it is understood they will re-confirm this week their position to the LPA as part of the consultation on the current application.

Financial Contributions would be made pursuant to Local Plan Policy GEN6 and the Essex County Council Developers' Guide to Infrastructure Contributions.

Because the application is in outline and proposes "up to" 25 dwellings, the final number, type and size of units is unknown at this stage. This will be agreed via reserved matters.

Accordingly, we suggest that the agreement incorporates a formula to calculate the number of primary and secondary school pupils that would be generated from the eventual development. This is derived by multiplying the relevant number and type of dwellings by the 'factor' ratio. The relevant formula is contained within the Essex County Council Developers' Guide to Infrastructure Contributions 2010 Edition. By way of an example, pupil place factors are stated below:

Primary Education

Unit Type	Factor
One bed	0.0
Flats	0.15
Houses	0.3

Secondary Education

Unit Type	Factor
One bed	0.0
Flats	0.1
Houses	0.2

Once the number of pupils generated is calculated, this would then be multiplied by the cost per pupil place to arrive at a financial contribution. Essex CC have advised that the up to date (April 2013) costs per place are:

Primary School - £10,426 per pupil place
Secondary School - £15,839 per pupil place

The contribution would be index linked from April 2013. It is understood that UDC prefer to use RPI Indexation.

As an example, based on the indicative housing mix within the application, the total contribution (prior to any indexation) would amount to £144,798.80. This would be broken down as follows:

£71,939.40 contribution towards providing permanent capacity at Felsted Primary School, for 6.9 new pupils @ £10,426 per pupil place

£72,859.40 contribution towards providing permanent capacity at Helena Romanes Secondary School for 4.6 new pupils @ £15,839 per pupil place

The agreement needs to specify how these contributions would be utilised. We suggest that the agreement provides a definition which relates to the provision of educational infrastructure to improve permanent pupil capacity. It is understood that the contribution will be made to Uttlesford DC direct, such that Essex CC will not need to be a party to the agreement.

The financial payments will need to be spent within a due timescale, or otherwise returned with interest. We would suggest 7 years is appropriate.

2. Provision of 40% Affordable Housing

We have set out details of affordable housing provision in the 'Affordable Housing Statement' attached to the application covering letter.

On the basis that the maximum number of dwellings (25 no. in total) are constructed, the applicants are willing to provide the following precise mix of affordable housing units:

- 2 no. 1 bed dwellings
- 5 no. 2 bed dwellings
- 2 no. 3 bed dwellings
- 1 no. 4 bed dwelling
- Total = 10 no. affordable dwellings (= 40% of 25 units)

This mix was agreed with the council's previous housing officer, Sophie Robinson. Seven of the units precisely reflect the unit requirements from the Felsted Housing Needs Study. The remaining three units were tacitly agreed as 2 bed dwellings.

In the event that less than 25 units in total are constructed (as agreed under reserved matters or other detailed application), we suggest that a clause is inserted in to the agreement which obligates the applicant/developer to agree an alternative mix with the LPA, based on a 40% affordable housing provision. The relevant affordable dwellings should only be chosen from those detailed on the schedule, such that the final provision remains as true as possible to the requirements arising from the Felsted Housing Needs Study.

All units would be "affordable rent" tenure.

They would all be offered to an approved Registered Provider as completed units ready for occupation by an appropriate trigger. We suggest that this handover should happen prior to completion of the 13th market dwelling.

3. Creation of Open Space including Local Area for Play (Play Equipment)

Precise details of the location of publicly accessible open space areas will be confirmed as part of reserved matters.

There are four potential areas shown on the indicative layout, including:

1. The greensward adjacent Braintree Road
2. Central tree and hedgerow belt which bisects the site

3. Open Space, including play area to south-east part of the site
4. Landscaped corridor adjacent the spine road.

At this stage we would suggest that the agreement merely requires details of the precise location and nature (including any play equipment) of all publicly accessible open space areas to be identified and agreed. Compliance with this proposed clause would be possible once those areas have been agreed under reserved matters.

Further landscaping details will be required to be submitted and agreed under reserved matters conditions. Details of a) parking provision, b) play equipment to be erected and c) hard surfaces, footways, etc can all be subject of agreement via planning conditions instead of via the section 106.

4. Management and Maintenance of Open Space areas

Within the public open space areas that are to be identified as part of reserved matters pursuant to the agreement at 3 above, such areas will need to be subject to an agreed scheme of management and maintenance. It is understood that Uttlesford DC would not adopt these areas.

It is probable that a management company (with funding raised through service charges) will maintain and manage the public open space. It is suggested that the applicants are obligated to provide details of the mechanism for such maintenance and management, this to be provided and agreed prior to first occupation.

In terms of the schedule of management and maintenance eg grass cutting regime, inspection of any play equipment, etc, this might potentially be controlled under planning conditions instead of via the s106 agreement.

5. RELEVANT SITE HISTORY

- 5.1 UTT/12/5213/OP – Outline application for up to 25 dwellings refused 2012.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework (2012)

6.2 Uttlesford District Local Plan 2005

- Policy S7: The Countryside
 - Policy H10: Housing Mix
 - Policy GEN3: Flood Protection
 - Policy H9: Affordable Housing
 - Policy GEN1: Access
 - Policy GEN2: Design
 - Policy GEN6: Infrastructure Provision
 - Policy GEN7: Nature Conservation
 - Policy GEN8: Vehicle Parking Standards
 - Policy ENV8: Other Landscape Elements of Importance for Nature Conservation
 - Policy ENV4: Ancient Monuments and sites of Archaeological Importance

- SPD: Energy Efficiency and Renewable Energy
- SPD: Accessible Homes and Playspace
- SPD Parking Standards: Design and Good Practice Guide

7. PARISH/TOWN COUNCIL COMMENTS

- 7.1 As part of the current preparation of a Village Plan for Felsted, every household has been invited to complete a survey which included questions on planning and housing. 81% of the respondents agreed or strongly agreed with the statement 'No more new housing development should be approved in Felsted Village or the outlying hamlets'. The large number of members of the public who attended the Parish Council's Planning Committee meeting at which the previous application for this site was discussed also indicated strong local opposition to the development.

The land is not located in or adjacent to one of the Key Rural Settlements defined in the current Local Plan, nor in a Key Village as proposed in the emerging Local Plan. It is instead in open countryside adjacent to one of the fifteen hamlets which constitute a rural village with well-defined development boundaries. Local Plan Policy S7 precludes market-led development outside development boundaries and to override this Policy would create a precedent after which it would be impossible to enforce development limits elsewhere in the Village. The reasons given for refusing the previous application were inadequate in that they did not mention this policy.

In addition, the proposed access to the site is adjacent to a blind bend on a busy road subject only to the national speed limit and close to the access to a business.

8. CONSULTATIONS

Education & Highways (Education)

- 8.1 Requests a financial contribution of £144,798 index linked to April 2013 costs using the PUBSEC index for primary and secondary provision within Felsted and Great Dunmow at Felsted Primary School and Helena Romanes as the development will add to the need for additional provision at those schools.

Natural England

- 8.2 This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. The supporting letter submitted with this application states "the relevant ecology surveys are now underway and a final report is anticipated to be available by early May 2013". Without these detailed reports relating to great crested newts Natural England are unable to make a specific comment on the proposals impact and mitigation for the site. The reptile and great crested newt survey has been forwarded to Natural England for their comments and will be reported at the meeting.

UDC Internal Housing (Dwelling) - Housing Strategy

- 8.3 The affordable housing provision on this site will attract the 40% policy requirement which amounts to **10** units and it is expected that these

properties will be delivered by one of the Council's preferred Registered Providers.

The suggested mix and tenure split of the properties are given below; this mix should be indistinguishable from the market housing, to be integrated well within the scheme and be predominately houses with parking spaces.

Braintree RD. Watch House Green. Felsted.

S106 Figures					
Tenure mix	1 bed	2 bed	3 bed	4 bed	
affordable Rent non bungalows	1	3	2	0	6
affordable Rent bungalows	1		0		1
SUB TOTAL A/R	2	3	2	0	7
shared ownership non bungalows	0	3	0	0	3
shared ownership bungalows	0	0	0		0
SUB TOTALS/O	0	3	0	0	3
GRAND TOTAL AFFORDABLE UNITS	2	6	2	0	10
MARKET BUNGALOWS		0			

In addition, the Council require 5% of all units to be bungalows delivered as 1 and 2 bedroom units, across all tenures. This would amount to 1 bungalow across the site.

I understand specific details are agreed at the reserved matters stage, but have included size and tenure mix for your information.

Anglian Water Services Ltd

8.4 Please note we have no comment to make on this planning application.

Environment Agency

8.5 We have reviewed the application – we understand this is a re-submission of the earlier application under reference UTT/12/5213/OP – and whilst we have no objection to the development proposal, the following comments should be noted.

Flood Risk

Surface Water Drainage

The proposed development lies within Flood Zone 1, the low risk zone, as defined in Table D.1 of the Technical Guidance to the National Planning Policy Framework (NPPF) and illustrated by our Flood Zone maps. Whilst the site is outside the floodplain, development in this category i.e. operational development greater than 1 ha, can generate significant volumes of surface water. The impact and risk posed by this will vary according to both the type of

development and the characteristics of the catchment and needs to be addressed by a Flood Risk Assessment (FRA).

We refer to the Flood Risk Assessment (FRA), dated September 2012, reference 44254, prepared by Richard Jackson Plc, which has been submitted in support of the application. Given that there does not appear to be any material change to the development proposal since submission of the earlier application, we consider that the findings of the FRA are equally applicable to the latest application. This being the case we recommend conditions should be appended to any planning permission granted.

Although we are satisfied at this stage that the proposed development could be allowed in principle, the applicant will need to provide further information to ensure that the proposed development can go ahead without posing an unacceptable flood risk to provide information on the scale and magnitude of risk wherever possible. Surface Water Drainage - Explanation We can confirm based on the submitted surface water calculations that the new ditch and SuDS devices within the scheme will have enough capacity to attenuate and manage flows up to and including the 1 in 100 year rainfall event inclusive of climate change – 346 cubic metres. The analysis has highlighted that the discharge rates off site will be managed for all rainfall events between the 1 in 1 year to the 1 in 100 year rainfall event inclusive of climate change of agreed 19.7 l/sec/ha . The scheme has indicated some permeable paving and underground tanks, swales and ditches which need to apply the overall drainage scheme applied the central design concept of the SuDS “management train” as part of the overall surface water drainage design. We recommend the SuDS "management train" as it uses a variety of drainage techniques in series to incrementally reduce pollution, flow rates, volumes and frequency of runoff. Run-off prevention and source control ensures that flows are managed and silt is removed at the beginning of the drainage system. As water moves through the site, dividing drainage areas into small sub-catchments makes it easier to intercept pollution and manage storm volumes at source. A hierarchy of storage and flow management provides opportunities for day-to-day rainfall to be controlled at source, with larger infrequent volumes stored elsewhere in the development or in public open space where necessary or convenient. An important and early part of the drainage strategy for a site will be flow routes at times of extreme events. SuDS Approval Board We recommend that if your authority grants planning permission for the above application, then prior to the final drainage scheme being submitted that it is fully assessed by the SuDS Approval Board (SAB). The Flood & Water Management Act 2010 places a duty on Lead Local Flood Authorities (LLFA) to approve, adopt and maintain Sustainable Drainage Systems. The LLFA is required to establish a SUDS Approval Board to approve all developments that have drainage implications. If the drainage is sustainable, serves more than one property and is approved, the SUDS Approval Board must adopt it. The approval process will run parallel with any planning application that may also be required for the development and development may not commence without drainage approval from the SUDS Approval Board. Advice to Applicant:

Any culverting or works affecting the flow of a watercourse requires the prior written Consent of the Lead Local Flood Authority (LLFA) under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Lead Local Flood Authority (LLFA) should seek to avoid culverting, and its Consent for such works will not normally be granted except as a means of access.

Foul Water Disposal

It is proposed to dispose of foul water into the main sewer network. It is important for developers to identify which waste water treatment works will receive waste water from the development, and whether there will be issues with the capacity of the network or of the receiving waste water treatment works, or with the effluent quality from the treatment works. Developments should not be occupied until effective wastewater treatment capacity for the development is in place and operational.

We refer to the Foul Sewage & Utilities Assessment, prepared by Richard Jackson Plc, dated September 2012, and the correspondence provided by Anglian Water Services Ltd in Appendix F of the Assessment.

It is proposed to discharge the foul water to Felsted Sewage Treatment Works. From Anglian Water's correspondence (28 August 2012) there is sufficient capacity at the sewage treatment works for the proposed development.

Furthermore, it has been confirmed by Anglian Water that the sewer network also has available capacity for the proposal.

Sustainable Design and Construction

Climate change is one of the biggest threats to the economy, environment and society. New development should therefore be designed with a view to improving resilience and adapting to the effects of climate change, particularly with regards to already stretched environmental resources and infrastructure such as water supply and treatment, water quality and waste disposal facilities. We also need to limit the contribution of new development to climate change and minimise the consumption of natural resources.

Opportunities should therefore be taken in the planning system, no matter the scale of the development, to contribute to tackling these problems. In particular we recommend the following issues are considered at the determination stage and incorporated into suitable planning conditions:

- Overall sustainability: a pre-assessment under the appropriate Code/BREEAM standard should be submitted with the application. We recommend that design Stage and Post-Construction certificates (issued by the Building Research Establishment or equivalent authorising body) are sought through planning conditions.
- Resource efficiency: a reduction in the use of resources (including water, energy, waste and materials) should be encouraged to a level which is sustainable in the long term. As well as helping the environment, Defra have advised that making simple changes resulting in the more efficient use of resources could save UK businesses around £23bn per year.
- Net gains for nature: opportunities should be taken to ensure the development is conserving and enhancing habitats to improve the biodiversity value of the immediate and surrounding area.
- Sustainable energy use: the development should be designed to minimise energy demand and have decentralised and renewable energy technologies (as appropriate) incorporated, while ensuring that adverse impacts are satisfactorily addressed.

Ideas can be obtained from the various Communities and Local Government publications associated with the "Code for Sustainable Homes". This initiative introduces minimum requirements for both water and energy efficiency for every different rating, as well as minimum requirements for materials, surface water run-off and waste. The Code is designed to assist in achieving Government's objectives for achieving zero carbon emission developments by 2016. For more information please see:

<http://www.communities.gov.uk/planningandbuilding/buildingregulations/legislation/codesustainable/>

Increased water efficiency will directly reduce consumer water and energy bills and reduce carbon dioxide emissions. Measures such as spray taps, water efficient showers and appliances, low flush toilets and outdoor water butts can achieve the water efficiency levels specified above. Water meters should also be installed by water companies. In addition, all developments should aspire to incorporate community water harvesting and reuse systems; these are needed to achieve water use of less than 95l/head/day.

These measures are in line with the objectives of the NPPF as set out in paragraphs 7 and 93-108.

We recommend that conditions be appended to any planning permission granted.

Any submitted scheme should include detailed information (capacities, consumption rates, etc) on proposed water saving measures. Where rainwater recycling or greywater recycling is proposed, this should be indicated on site plans. Applicants are also advised to refer to the following for further guidance: <http://www.environment-agency.gov.uk/homeandleisure/drought/38527.aspx>; <http://www.water-efficient-buildings.org.uk/>;

Sustainable Drainage

- 8.6 Until we become the SuDS Approval Body (SAB), likely in April 2014, we are providing informal comments on SuDS schemes, which are given without prejudice to any future application under the Flood and Water Management Act. We would ideally look for SuDS to comply with Defra's draft National Standards and our emerging SuDS Design and Adoption Guide to keep open the possibility of ECC as the future SAB being able to adopt it. The Environment Agency remains the statutory consultee on surface water.

My comments on the proposed surface water drainage strategy are as follows:

- In principle, the strategy appears satisfactory with sufficient attenuation storage being provided on site
- 5.4 & 5.6- we would seek clarification about the arrangements for maintenance of the central ditch, the ditch alongside Braintree Road and the 'adoptable' cellular storage system
- 5.7- the ditches should ideally have more of a gentle profile with maximum 1 in 3 side slopes so outfalls should be designed to be as shallow as possible to avoid excessive widths

County Planner - Archaeology Section (ECC)

- 8.7 The Historic Environment Record shows that the proposed development area contains a moated enclosure (HER 9562). The record states that the moated enclosure is shown on the tithe map. The Chapman and Andre maps of 1777 also show the presence of a property in the area of the moated site. The application proposes residential development in the area of the moat and it may well be worth considering alterations to the proposed development layout. Many of the moats within north-west Essex have their origins in the 12th and 13th century. An Archaeological Programme of Trial Trenching followed by Open Area Excavation is recommended.

The archaeological work would comprise a phased approach with initial trial trenching to be undertaken as soon as possible followed by open area

archaeological excavation of all deposits threatened by the development. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office. The trial trenching should be undertaken prior to any detailed application being submitted.

Education & Highways Essex County Council - Highways

- 8.8 All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway. The proposal is using an existing access previously granted for leisure facilities which were not developed. The visibility splays will increase the forward visibility for vehicles travelling north on Braintree Road and therefore highway safety will be improved. The highway authority is satisfied that the applicant has provided a robust assessment which indicates that there will be no detrimental impact on the highway network in terms of highway safety, capacity and efficiency and also the location is accessible by more sustainable modes of transport than the private car. The Highway Authority would not wish to raise an objection to the above application as shown in principle on Drawing No. OC047-002 Revision D dated September 2012 subject to conditions:

Informative:

A. All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made to Essex County Council on 0845 603 7631.

B. The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.

C. Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.

The parking provision for cars, cycles and powered two wheelers should be in accordance with the Parking Standards Design and Good Practice September 2009.

Essex County Council Ecology

- 8.9 No Objection subject to the imposition of appropriately worded conditions to address the following:

With regard to the 'Biodiversity Mitigation and Enhancement Plan' - associated with the creation and long-term delivery of mitigation and enhancement measures - a Section 106 agreement may be more appropriate than a planning

condition (See NPPF paragraph's 203 to 206 and NPPF Technical Guidance paragraph's 49 to 51).

The site supports legally protected species including reptiles and Great Crested Newt and has the potential to support mammals, bats and breeding birds. The hedgerows and pond on site are Priority (Habitats of Principal Importance under section 41 of the Nerc Act 2006) and Essex BAP habitats. Conditions are recommended to comply with Natural England Standing Advice and the NPPF.

9. REPRESENTATIONS

- 9.1 This application has been advertised and 13 letters of representation have been received. Notification period expired 29th May 2013

Littledown:

1. The land subject to the planning application to the east of Watch House Green is outside the village development boundary. Protecting this boundary should override all other considerations. Approval of this Application would set a dangerous precedent hence this application must be refused to protect the rural nature of the village.
2. Felsted (which includes Watch House Green) is not identified in the current UDC local plan as an area for Key Rural Settlements.
3. Local plan Policy S7 precludes market led development outside development boundaries. Should this policy be overridden it would create a precedent after which it would be impossible to enforce development limits elsewhere in Felsted Parish.
4. The Transport Accessibility Statement Project No 44254 dated Sep 12 submitted by Richard Jackson Intelligent Engineering contains incorrect data. The information provided could not have been compiled by actually visiting the site during a peak traffic time and therefore contains inaccurate information such as:-.2.4 States on street parking is not apparent along Braintree Road during a daytime site visit. See8 below, in addition some of these vehicles are left parked along Braintree Road for many hours.2.10 States it is apparent the current access pavement material and associated kerbing are in a poor state of condition. This is incorrect there is no pavement on either side of Braintree Road for75 mtrs south of the proposed site access.
- 5 The traffic congestion at Watch House Green has reached a dangerous level on a week day during school term time. Vehicles are parked on one side of Braintree Road Effectively reducing the B1417 to a single lane in the following areas. Braintree Road running south-north from the junction adjacent to the triangular village green outside Felsted Primary School for approximately 400 mtrs Braintree Road east to west from the junction adjacent to the triangular village green outside Felsted Primary School for approximately 500 mtrs Rayne Road west to east from the junction adjacent to the triangular village green outside Felsted Primary School for approximately 100 mtrs Vehicles are parked on both sides of Ravens Crescent for approximately 50 mtrs. Submission of photographic evidence is provided in the postal objection
- 6 Publication of Felsted Parish Plan is imminent. Felsted residents have been surveyed and expressed their views regarding further development in Felsted. 81.8% of residents disagree or strongly disagree there should be any more new housing development being approved in Felsted or the outlying hamlets. To disregard this overwhelming view of Felsted residents would be undemocratic.
- 7 The design and Access Statement Document compiled by Springfields Planning and Development Para 2.25 implies Felsted Parish School has

vacancies. The school currently has three places available, and hence will be oversubscribed should this application be approved

8 The Design and Access Statement Document compiled by Springfields Planning and Development Para 2.20 to 2.24 implies there is a need for 14 affordable houses. This is out of date information. The survey carried to compile Felsted Parish Plan indicates 63.7% of Felsted residents disagree or strongly disagree there is a requirement for more affordable housing in the outlying hamlets of Felsted Parish. To ignore this fact would be contrary to the current views of Felsted Parish residents.

9 The documents compiled by the various organisations on behalf of the applicant that are referenced in the application do not correctly define the amenities in Felsted village. The doctor's surgery is oversubscribed; there is only one small village shop. There is an existing children's playground in Bannister Green approximately 400 mtrs from the proposed site. Public transport is infrequent to places that the ordinary person needs to access. The timetable appears to present a frequent service, but only if one needs to go to Stansted Airport. Some of the amenities listed do not exist and the documents provide a false impression of the village's infrastructure. The previous application UTT/12/5213/OP was refused, however the reasons given show the Council did not undertake sufficient due diligence and checking the content and accuracy of the documents submitted in support of the application.

7 Bannister Green Villas

I'm objecting to this development for the reasons stated below:

Primary school is already oversubscribed; The roads around Watch House Green are becoming very congested and dangerous, particularly at the start and finish of the school day; The exit of the new development is close to Whippersnappers Nursery; This is setting a unfortunate precedent if development was allowed beyond the village and its outlying hamlets. This would be development in the countryside which is an infringement on current guidelines; Felsted is not one of the Key villages for development named in the Uttlesford Local development Framework; Felsted is actively drawing up a village plan. Felsted has already grown enormously with the Flitch Green development. Further substantial development would mean the loss of the village amenity.

Stanmer House:

This application has already been turned down and there are no material differences to it now, so all the previous reasons for refusal still stand. The development is outside the development boundary and would detract from the rural nature of the hamlet. The local school is already over-subscribed.

There is no immediate employment in the area. The public transport is infrequent and often unreliable. Development here would set an undesirable precedent for other green areas currently outside the boundary, but adjacent to Felsted. Felsted has already received a development of over 800 dwellings on its western side. This has led to the doctor's surgery being over-subscribed and new patients having to go to Dunmow.

There is traffic congestion at Watch House Green twice a day when children are dropped off and collected from the primary school

Merryworth House:

We write in connection with regards to the above planning application and state that we still strongly object to the erection of 25 dwellings along the Braintree Road. We have listed below reasons for our objection.

- Schools in the surrounding areas are oversubscribed and traffic during drop off and collection is very busy and congested and at times, very dangerous. Therefore having more housing will create more traffic and nowhere for the children to attend school. There is already very little or no parking at all three schools.
- There is already a big housing development on the Flitch including affordable housing.
- The doctor's surgery is almost impossible to get an appointment the same day sometimes not even the same week.
- There is already a village park which children do use – this area doesn't warrant the need for another one.
- The land in connection with this application is outside the village envelope and is home to many wildlife animals.
- We feel more housing will lose the village feel we have within Felsted. We moved here because we wanted to live in a village and not to feel we are surrounded by a housing development.

Oak Apples:

Watch House Green is a tiny Hamlet with no facilities of any kind to support this size of development, no school, rudimentary electricity supply, no shop, pub etc. The proposed density of development is not in keeping with the type of housing already in the area. It will damage the view/aspect from the local Flitch Way park which is next door. It will create a road exit to the main road on a blind bend with a extra traffic through the hamlet. This is not a hamlet picked for development; this specific area north of the hamlet is not picked for development.

Harewood House:

The primary school remains full. Congestion in Watch House Green is heading towards being out of control. The site is still designated as countryside and remains outside the village envelope. The Great Crested Newts are still in residence along with Badgers, Barn, Little and Tawney Owls, Sparrow Hawks and Kestrels.

Watch House Farm:

I write in connection with the above application. I know the site well and wish to object strongly to the development of these houses in this location.

Watch House Green is a dispersed settlement where development proposals should be considered very carefully, Infilling would ruin the character of the area while estate development would overwhelm it. The protection of this area is also supported by policy S7 as it is outside development limits and would encroach into the countryside. The proposed site is a haven for wildlife having Owls Newts Badgers and Deer in abundance. I understand that the site is also of archaeological interest.

The road that would be used for this development could not accommodate even a small increase in traffic as it becomes blocked at school times and a number of accidents have recently occurred, the local school would not be able to cope with the influx of 25 families as children who attend now are taught in temporary buildings. Public transport in the village is poor and would limit the opportunity of residents of the proposed site to use public transport. I understand that the parish council share my concerns.

Tudor Cottage:

We originally commented on this application in October 2012. We still feel that the site is unsuitable for a number of basic reasons as well as more generic ones and the application still does not address fundamental local concerns. Local wildlife in residence such as crested newts, badgers, owls and kestrels are only one level of the concern of residents in and around the area. Local employment opportunities are still sadly limited, access to local towns using public transport is difficult due to infrequent services, use of cars will unfortunately add further to the volume of local traffic which already causes problems for local residents as well as parents of children at the local schools (especially at peak hours), local schools already being oversubscribed, local doctors surgery also being fully subscribed. Additionally we have grave concerns that granting of this application, whilst in any event being unacceptable given the above comments, could also signal further, far more serious issues in the future as we would be concerned about additional housing being built on the remainder of the site. Local residents, resources and infrastructure are illequipped to cope with additional residential burden, and scaling up of the existing infrastructure in an attempt to cope with new housing would irrevocably undermine the current style and character of the area as well as adversely impacting on the lives of existing local residents. Both of these things have been identified in the recent environmental planning document circulated as being worthy of serious protection. We applaud the efforts of the local authority to protect and enhance the local environment (indeed to the extent they intend to request certain existing residents bring property up to scratch, and impose additional pseudo listed property constraints on unlisted applications in order to restore the original character of the area. This strong message about the future handling of planning in the Felsted area is at complete odds with granting an application for additional housing of the nature proposed by this particular application.

74 Finchams Close:

The Design and Access Statement recognises the need for all houses to meet Lifetime Homes Standard but does not refer to provision of Wheelchair Accessible Housing. The inclusion of 2 bungalows in the development would be a way of providing units that could be readily adapted to suit this requirement. It is noted that disabled parking will be provided to the play space area but there is no mention that the play equipment will allow for inclusive use.

Chatsworth House:

This re-application adds nothing new. My original comments outlined below still apply. I can see no reason why the act of re-submission should make any difference to the decision of the Council to refuse the development. The proposed development is part of a parcel of land of some 14 hectares. This approximately 2 hectare part was subject to an aged and presumably lapsed planning application for leisure facilities and not for housing. The land is outside of the village envelope. Development here would open the door to the widespread and wholly inappropriate over development of Felsted and its constituent Greens. An approval of this application would no doubt result in further applications for the development of the rest of the site. This could result in over a hundred houses being eventually built which would be totally inappropriate in the context of Watch House Green as a community. The future development of Felsted is subject to on-going appraisal in both Felsted Conservation Area Appraisal as well as the proposed Village Plan. It would be inappropriate to approve such a large development prior to these appraisals being published. Future developments need to be carefully judged in order that the character of the Village and its Greens is maintained. A large

development at Watch House Green would do nothing but detract from the character and context of Felsted. More specifically, access to the site will be via the B1417 very close to the Wippersnappers daycare nursery and Felsted Primary School. At peak times this road, like much of Felsted in the vicinity of its various schools, is grid-locked and potentially dangerous. The additional of a further burden of vehicles emerging from this site would make the whole area impassable and potentially hazardous especially to children.

Felsted is already over populated for its infrastructure. The addition of the massive Oakwood Park and its proposed further expansion has stretched services particularly at the Primary School and Doctors Surgery. A large development at Watch House Green could not be supported. I very much doubt if any of the proposed resident's children would be able to attend either Felsted Primary School or the Doctors Surgery. The land in question has been left for some time having previously been used for grazing. Clearly this is too short a period for any significant biodiversity to have occurred. However, it has been extensively colonised and I have photographic evidence of protected predatory mammals and birds, especially raptors (Barn, Tawny and Little Owl, Sparrow Hawk, Kestrel and Buzzard). This would be indicative of a strong food source which would be eliminated should the land be developed. The land owner has commissioned an environmental report which seems to belittle the importance of such an open space which has been left for a number of years. We have regularly seen the above mentioned raptors, badgers and foxes as well as three species of deer. As this land is designated countryside and is outside the village envelope it would only benefit by being left to further diversify. This proposal falls down on the basis of underlying need, context of a village environment, road safety, lack of supporting infrastructure and destruction of a natural habitat. The application should therefore be refused.

Ms H Lambert:

This planning application does not address the issues of schooling, wildlife and countryside, traffic congestion and village infrastructure that were pertinent to the former application and were the reasons for refusal last time.

Felsted Primary school is at capacity level for pupils and the situation currently is that local pupils are being refused a school place at Felsted and instead have to be transported to Rayne Village Primary school. Transporting more pupils out of the village would add to the noise and traffic pollution already at high levels.

The site is a haven for wildlife and we should conserve this natural habitat for the future. The damage to the eco system by developing this site would be absolutely devastating for the wildlife.

The application states that it would be viable for the migration of the great crested newt. This is totally unrealistic for such a large area.

Clearly the development has a total disregard for the natural environment.

The infrastructure of Felsted would not be sufficient to cope with the demands from this development. The doctor's surgery is under constant threat of closure. It only provides a part time surgery serving the local community, surrounding villages and the large independent school Felsted; additional families coming into the area would add to the already over stretched service.

The list of village amenities is inaccurate, for example the dispensary is located within the surgery, the post office is located within the shop.

In conclusion the application is not in keeping with the village environment and its existing countryside. The application should once again be refused.

Little Grandcourts:

This resubmission for planning does not address the refusal reasons that were made last time. The primary school at Watch House Green is at capacity.

Furthermore parents in this location are already being forced to send their children to Rayne Primary school so a new development of houses will only exacerbate the problem. Transport to Rayne Primary school will only add to the already severely congested Braintree Road and cause even more pollution for local residents.

The proposed planning application makes light of the natural environment and wildlife conservation. Wildlife creatures are creatures of habit and always return to their original habitats. Essex County needs to retain its valuable wildlife sites for the future, more needs to be done for conservation not less.

The planning application does not correctly list the amenities of Felsted village, this should be checked with the planning officer as amenities are listed which do not exist, thus painting a false impression of the village's infrastructure. This planning application once again shows a total disregard of the Council's previous reasons for refusal and should again be refused.

10. APPRAISAL

The main issues are whether

- A The development of this site for residential purposes is appropriate (NPPF, ULP Policies S7, GEN2, GEN3, H9, H10);
- B The access to the site would be appropriate (ULP Policy GEN1);
- C There would be a detrimental impact on protected species (ULP Policy GEN7);
- D Other material planning considerations.
- E The previous reasons for refusal under (UTT/ 12/5213/OP) have been overcome.

A The development of this site for residential purposes is appropriate (NPPF & ULP Policies S7, GEN2, GEN3, H9, H10);

10.1. The site is located outside the development limits and is therefore located within an area where there is a presumption against development except for that which needs to take place there. Residential development would not normally be permitted outside developments for market housing, although an exception to policy can be made for proposals for Affordable Housing when submitted by a Registered Provider. This scheme is for 25 residential units of which 10 would be affordable and the remainder would be market housing. There is no Registered Provider involved in the application and it is intended that the market housing would deliver the affordable provision in line with the requirements of Policy H9.

10.2 The NPPF sets a presumption in favour of sustainable development which means approving development which accords with the development plan; and where the relevant policies in the development plan are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in the NPPF indicated development should be restricted. The NPPF retains the requirement to have a 5-year worth of housing against their housing requirement but with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. The buffer is increased to 20% where there is a record of persistent under delivery. It is considered that the Council would fall within the category where a 20% buffer would be applied. The 2012 5-year land supply statement demonstrates that the council has 78% (3.9 years) worth of housing supply when compared to the RSS annual

requirement. This falls to 65% (3.2 years) when a 20% buffer is included as required by the NPPF. Para 49 requires housing applications to be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the Council cannot demonstrate a 5-year supply of deliverable housing sites.

- 10.3 With the requirements of the NPPF in mind consideration must be given as to the suitability of the site for development and whether the location can be considered sustainable. The site has existing residential properties to the southern boundary and there is additional residential development on the western side of the Braintree Road. The development of this site for residential purposes would not be unduly out of character with the area. The local primary school is within easy walking distance of the site and there are bus stops in the locality with access to bus routes to Great Dunmow, Chelmsford, Braintree and Colchester. Watch House Green is located approximately 1km to the west of the main core of the village of Felsted where there are a few shops and other limited facilities including a branch doctor's surgery. As such it is considered that this site is a sustainable location for development.
- 10.4 This application is an outline application with all matters, except access, reserved. Therefore there are no specific details in relation to dwelling types. Policy H10 has a requirement for sites of 0.1 hectares and above to include a significant proportion of market housing comprising small properties. The indicative drawing shows a mix of semi-detached and detached dwellings ranging from 2 to 4 bedroom properties. The proposals, in principle, comply with the requirements of Policy H10.
- 10.5 Policy H9 seeks the provision of 40% affordable housing on windfall sites. The scheme includes such provision with the mix and tenure to be agreed. The Council's Affordable Housing Policy currently outlines that 30% should be of intermediate tenure, with 70% being rented. This translates to 3 intermediate units and 7 rented units. The indicative plans indicate that there would be a mix of 1, 2, 3 and 4 bedroom properties. The proposals, in principle, comply with the requirements of Policy H9.

The application has been submitted with a Flood Risk Assessment and this indicates that the site can be developed in such a manner that flooding would not result. The Environment Agency is satisfied with the contents of the Flood Risk Assessment subject to conditions being imposed if the application is granted. Therefore the proposals comply with the requirements of Policy GEN3.

B The access to the site would be appropriate (ULP Policy GEN1)

- 10.6 The application site is served by an existing access point which was created to serve development granted consent in 1990. To date the approved development of leisure facilities has not been carried out. The access currently has limited visibility due to the dense hedgerow along the boundary with the highway to the southwest. The development proposals indicate that this dense hedging and the largely self-seeded saplings adjacent would be removed. There is a secondary hedge approximately 20m into the site and this would be retained. This would provide screening to the new development whilst ensuring good visibility and sight lines to the access. ECC Highways raise no objections to the proposals subject to conditions.

10.7 In order to facilitate walking or cycling journeys a new footpath link is proposed from the site and a crossing point installed to enable pedestrians to use the footpath on the western side of the Braintree Road. This would enable safe access to the school and bus stop and also to the wider village facilities. The proposals comply with the requirements of Policy GEN1.

C There would be a detrimental impact on protected species (ULP Policy GEN7);

10.8 The application has been submitted with an ecological survey. This identified that there was potential for the development to have an impact on bats, birds, badgers and reptiles. Mitigation for birds would be site clearance outside of the nesting season and this is considered appropriate. Further surveys in respect of bats, badgers, great crested newts and reptiles have been undertaken.

10.9 In relation to badgers, the setts identified are disused outlier setts and appropriate mitigation measures can be put in place and secured by condition. In relation to bats, the site has the potential to offer good foraging and ranging habitat and appropriate mitigation measures are proposed. A survey has been undertaken and it has been established that at the time of the survey no roosting bats were present on the site and no crevices showed any evidence of roosting at other times. Therefore it is considered that the mitigation measures proposed in relation to the foraging and ranging habitat would be appropriate.

10.10 The Reptile and Great Crested Newt Survey and Mitigation Report states that low levels of Great Crested Newts were recorded in three of the four ponds that were surveyed, these are the pond on site and two others located approximately 110m to the south of the site. It also states that the pond on the site could also be used for a breeding pond (although no eggs were found) Low numbers of common lizards were recorded on the earth banks along the northern site boundary. Mitigation will be required for the GCN population. Ecology advice is that as the site supports legally protected species including reptiles and Great Crested Newt and has the potential to support mammals, bats and breeding bird. The hedgerows and pond on site are Priority (Habitats of Principal Importance under section 41 of the NERC Act 2006) and Essex BAP habitats conditions are recommended to comply with Natural England Standing Advice and the NPPF.

D Other material planning considerations.

10.11 Concerns have been raised in representations about the increased pressure the development would put on the local surgery and the local primary school. The ECC Education Department has considered the proposals and would require a financial contribution towards the provision of additional school places should the development proceed. This could be secured by the way of a S106 Agreement if planning permission was to be granted.

10.12 Appearance, landscaping, layout and scale are all matters to be reserved should outline planning permission be granted. The indicative drawings indicate a range and scale of dwellings which would appear to be appropriate in this location. The landscaping concept would provide for a green approach to the village and development set back into the site with a hedgerow to the

highway frontage. The mature trees in the ditch which separates the site into two sections would be retained.

- 10.13 The site is laid out with a lower density adjacent to the existing properties and a higher density to the north of the site. This in principle would appear to be acceptable in terms of layout. The affordable units would be located within the higher density section of the development. The indicative layout has regard to the guidance set out in the Essex Design Guide and the current parking standards have been complied with.
- 10.14 The site is not classified as an exception site and as such any affordable housing delivered by the development would have to go to meeting the general housing need of the district. The applicant has expressed a desire that there should be a cascade system in place ensuring that local people would have priority. This system is considered acceptable and appropriate and can be secured by a S106 Agreement.
- 10.15 The Parish Council's comments have been noted, however it is considered that (as explained earlier) greater weight should be given to the lack of five year land supply of deliverable sites for residential development. In such circumstances the NPPF specifies that "Housing applications should be considered in the context of the presumption in favour of sustainable development. 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 housing sites".

E Whether the previous reasons for refusal of application UTT/12/5213/OP have been overcome.

The reasons for refusal of the previous application were:

1. The application does not provide sufficient information or evidence to demonstrate that the proposals would not adversely affect protected species, namely reptiles and great crested newts. Therefore it is not possible to fully assess the potential impacts of the development under the statutory duties contained in the 2010 Habitats Regulations. As such the proposals are contrary to Policy GEN7 and section 11 of the NPPF.
2. There are insufficient primary school places in Felsted and secondary school places locally to accommodate this level of development and the application provides no mechanism for addressing or mitigating the shortfall in the provision in the locality. It therefore fails to comply with Policy GEN6 of the Uttlesford Local Plan and the Essex Developers' Guide to Infrastructure Contributions (Adopted as County Supplementary Guidance).

Adequate information has now been submitted with this application and Essex County Council Ecologist has no objection to the proposal subject to the imposition of appropriately worded conditions.

The shortfall of the provision of education provision locally can be mitigated through the payment of education contributions which can be secured via a section 106 agreement.

11. CONCLUSION

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

- A The application now provides sufficient information and evidence to demonstrate that the proposals (subject to conditions and S106 requirements) would not adversely affect protected species, namely reptiles and great crested newts. As such the proposals comply with Policy GEN7 and section 11 of the NPPF.
- B It is considered that the weight to be given to the requirement to provide a 5 year land supply and the housing provision which could be delivered by the proposal would outweigh the harm identified in relation to rural restraint set out in ULP Policy S7. Therefore, in balancing planning merits, it is considered that planning permission should be granted for the development.

RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO A S106 LEGAL OBLIGATION

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 12th July 2013 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 an agreement to secure the following:
 - (i) Payment of contributions towards Education provision
 - (ii) Provision of 40% Affordable Housing
 - (iii) Creation of Open Space including Local Area for Play (Play Equipment) and appropriate management
 - (iv) Creation and long term delivery of mitigation and enhancement measures for relocation of Reptiles and Great Crested Newts
 - (v) Pay Councils reasonable costs
- (II) 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
- (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:
 - 1) No contributions towards Education provision
 - (ii) No affordable housing provision
 - (iii) No provision of open space
 - (iv) Failure to provide adequate mitigation for protected species
- 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. 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.

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

3. The development hereby permitted shall be begun not 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.

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

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

5. 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 by the applicant, and approved by the 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 view of the historic importance of the site, in accordance with Uttlesford District Local Plan Policy Local plan policy ENV4

6. 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: To enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation in accordance with Uttlesford District Council Local Plan Policy ENV4

7. 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 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 view of the historic importance of the site, in accordance with Uttlesford District Local Plan Policy Local plan policy ENV4

8. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year inclusive of climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme should be based on drainage plan 44254/C/02 which includes SuDS devices such as geocellular storage, permeable paving and surface water ditches. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. In accordance with Policies GEN2 and GEN3 of Uttlesford Local Plan adopted 2005

- 9 No development shall take place until a Wildlife Protection Plan for the site has been submitted to and approved in writing by the Uttlesford Planning Authority. The details shall include how mitigation measures for Legally Protected Species will be implemented prior to and during construction of the development in accordance with appropriate wildlife legislation. This shall include Method Statements where appropriate. Should pre-construction inspections identify the presence of Legally Protected Species not previously recorded, construction works shall cease immediately until such time as further surveys have been completed (during the appropriate season) and mitigation measures have been agreed in writing with the Uttlesford Planning Authority and Natural England where necessary.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with local plan policies. In accordance with Policies GEN7 of Uttlesford Local Plan adopted 2005

- 10 Biodiversity Mitigation and Enhancement Plan
No development shall take place until a Biodiversity Mitigation and Enhancement Plan has been submitted to and approved in writing by the Uttlesford Planning Authority. The Plan shall include provision for habitat creation and management during the life of the development hereby permitted, as outlined in the Extended Phase 1 Habitat Survey (dated August 2012), Bat Roost Inspection Report (dated October 2012) and Reptile and Great Crested Newt Survey & Mitigation Strategy (dated May 2013) and shall, without prejudice to the foregoing, include:
- (i) Aims and objectives of mitigation and enhancement;
 - (ii) Extent and location of proposed works;
 - (iii) A description and evaluation of the features to be managed;
 - (iv) Sources of habitat materials;
 - (v) Timing of the works;
 - (vi) The personnel responsible for the work;

- (vii) Disposal of wastes arising from the works;
- (viii) Selection of specific techniques and practices for preparing the site and/or creating/establishing vegetation;
- (ix) Appropriate management options for achieving aims and objectives;
- (x) Prescriptions for management actions;
- (xi) Ecological trends and constraints on site that may influence mitigation and enhancement measures;
- (xii) Personnel responsible for implementation of the Plan;
- (xiii) The Plan shall include demonstration of the feasibility of the implementation of biodiversity mitigation and enhancement plan for the period specified in the Plan;
- (xiv) Monitoring and remedial / contingencies measures triggered by monitoring to ensure that the proposed biodiversity gains are realised in full. Monitoring shall review agreed targets at five year intervals and allow for remedial action to be agreed with the Uttlesford Planning Authority.

The development hereby permitted shall be implemented in accordance with the approved plan.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance In accordance with Policies GEN7 of Uttlesford Local Plan adopted 2005

11. Prior to occupation of the development the access arrangements with visibility splays of 90 metres x 4.5 metres x 160 metres and pedestrian crossing point, as shown in principle on Drawing No. 44254/P/01 dated 22 August 2012, shall be implemented.

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

12. No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Planning Authority. The details shall ensure the lighting is designed in such a way to minimise any potential impacts upon nocturnally mobile animals. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with local plan policies. In accordance with Policies GEN7 of Uttlesford Local Plan adopted 2005