

UTT/13/0386/OP - (STANSTED)

PROPOSAL: Demolition of existing livery buildings and construction of a residential development with access from Church Road and comprising circa 58 units together with flood alleviation works and landscape re-profiling. Wider proposals in the adjoining Stansted Park to improve public access and management, including: the provision of 2.55 ha of public open space, community allotments and new public footpath routes, cycleways and bridleways.

LOCATION: Elms Farm, Church Road, Stansted

APPLICANT: Knight Developments & Gemmill Bros Ltd

AGENT: Shrimplin Brown Ltd

GRID REFERENCE: TL 551-557

EXPIRY DATE: 25 April 2013

CASE OFFICER: Consultant (Alison Hutchinson)

APPLICATION TYPE: Major

1. NOTATION

1.1 Outside Development Limits, Green Belt,

2. DESCRIPTION OF SITE

- 2.1 The site comprises 13.92ha and is located on the southern side of Stansted, adjacent to the railway line and Stansted Brook. The site comprises an area of land which includes the buildings at Elms Farm and an area of parkland to the east and which rises up to the south. Vehicular access is from Church Road to the west.
- 2.2 Elms Farm is currently in use for livery and contains a mixture of traditional and more modern farm buildings and stables, many of which are run-down. A manege is located within the range of buildings and the area between the manege and the brook is currently used for external storage and provides parking for a collection of horse boxes whilst the area further east is used for storing wrapped hay/straw bales.
- 2.3 Further east, the site incorporates an area of low lying parkland which currently forms part of the flood plain of the Brook before rising to the south into open grazed parkland. A public right of way extends along the northern edge of the site between the edge of the railway line and the Stansted Brook. The site's northern and western boundaries are defined by the railway line and Church Road respectively whilst the southern and eastern boundaries are arbitrary and follow no clearly defined boundary.
- 2.4 The site includes 3 existing dwellings which are positioned on the western side of the site near to the entrance from Church Road. Bridge Cottage is located to the north of the entrance closest to the railway and is a Grade II Listed Building. To the south of the entrance is Elm House with the smaller Elms Lea House adjacent. Both occupy

higher ground than the farm buildings as does a further pair of cottages, Elms Cottages which are located to the south of the farm buildings.

3. PROPOSAL

- 3.1 The application seeks outline planning permission for the erection of 58 units (a net increase of 56) with associated parking, circulation and amenity space and with minor revisions to the existing access onto Church Road. Approval is sought for details of the access and the layout of the site with appearance, landscaping and scale reserved for later approval.
- 3.2 The submitted Masterplan shows the retention of the three existing dwellings at the western end of the site and the demolition of the pair of cottages further into the site (Elms Cottages) together with the demolition of all the farm buildings.
- 3.3 The submitted layout shows 48 dwellings located within the lower area of land that is currently occupied by the farm buildings and which extends into the floodplain alongside the railway line and the Brook. A 15m strip of open space would separate the dwellings from the Brook. These dwellings are arranged in three clusters around a central green courtyard or parking area. The fourth group is arranged around a circular cul de sac and forms the eastern end of the residential estate. Access is from Church Road and extends along the southern boundary of the residential site between the dwellings and the proposed open space to the south.
- 3.4 A further group of 10 dwellings are proposed on the rising land to the rear and south of Elm House and Elms Lea House. The layout shows six arranged either side of a square with four detached dwellings positioned to look out over the parkland. Vehicular access would be provided along the eastern side of the group before reducing into a pedestrian access linking with the allotments further to the south.
- 3.5 The development would provide a mix of dwellings and with all properties adapted to lifetime homes standard and with 5% built to specifically facilitate wheelchair accessibility. At this stage it is envisaged that the approximate mix of dwellings would be as follows: 11 x 2 Bed, 11x 3 Bed, 21x 4 Bed and 15x 5 Bed. The applicants propose 40% affordable housing but the Masterplan does not identify the specific location of these units and it is not intended to differentiate between tenures on site at this stage. No bungalows are proposed.
- 3.6 The application also proposes the provision of 2.55 ha of new public open space on the land to the south and east of the proposed dwellings. The open space will also provide access into Stansted Park with new footpaths, cycleways and bridleways extending out from the new area of open space. These new links are intended to provide a more direct link to Forest Hall Park as well as circular routes around the parkland.
- 3.7 New allotments are proposed to the south of the development site on land to the east of the dwellings on Churchfields and adjacent to Church Road. The proposals would provide some 31 full size allotments and 3 half size ones. A new vehicular access is proposed from Church Road to serve the allotments and 12 parking spaces would be provided.
- 3.8 The residential proposals will also involve the re-profiling of slopes and lowland areas of some 7ha to provide flood and drainage alleviation for the Stansted Brook. This will extend on land to the east of the dwellings.

3.9 The application site boundary has been amended to include both the area of public open space and the allotments to allow them to be included within the application proposals.

4. APPLICANT'S CASE

4.1 The applicant has submitted a Planning Statement setting out the applicants' case and a Design and Access Statement which sets out the design rationale for the development.

4.2 The applicants acknowledge that the site is located within the Metropolitan Green Belt and that when taken as whole, residential development of the identified Development Area would be viewed as inappropriate development within the Green Belt and therefore, to be approved, must be justified by a Very Special Circumstances case.

4.3 The applicants have submitted that Very Special Circumstances do apply and that both individually and in combination justify the release of the site from the Green Belt, and therefore the grant of planning permission for the proposed development. The applicants argue that each of the following represent Very Special Circumstances:

a) The absolute lack of a five year housing land supply, and the subsequent requirements of paragraph 49 of the NPPF.

4.4 The applicants have contended that the Council has accepted that there is a shortfall and can only demonstrate a 3.7 year supply. However, the applicants consider that the realistic position is much lower at 2.4 years including the NPPF 20% buffer and that the additional potential supply from 'Proposed Draft Allocations' would only marginally improve the position. The proposed development would therefore help to address the short fall in housing and is considered sufficient in its own right to justify Very Special Circumstances.

b) The ability of the site to deliver affordable housing.

4.5 The Council's most recent Housing Strategy Document sets a target of 100 affordable housing units per annum. However, the Strategic Housing Market Assessment (SHMA, 2008) indicated that 205 units per annum are required but that over the last five years an average of only 93 units per annum has been delivered. Although supply has peaked and troughed over the last ten years, the supply has been well short of the targets.

4.6 Although 142 affordable houses were delivered in 2011/12 this is still significantly below the projected needs in the SHMA and represents only 27% of the overall supply of housing in this period and there has been a history of under-delivery and acute need. The application proposals can deliver 22 units (40% of net increase in residential units).

c) The role of the site in delivering housing growth to ensure the delivery of the current Housing Targets.

4.7 The application proposals will play a significant role in maintaining momentum and delivery of new housing within the District, particularly in the context of existing deficiencies in housing delivery, historic shortfalls and the Council's own recognition that they should be identified as 'underperforming' in terms of housing delivery. Within this context the ability to deliver a high quality residential development,

combining both private and affordable accommodation, and focusing on family housing units, is required to be given appropriate weight.

d) The role of Elms Farm within the Green Belt.

- 4.8 The Elms Farm site currently makes no active contribution to the Uttlesford Green Belt, or the settlement of Stansted Mountfitchet. This is due to several reasons:
- The Green Belt does not reflect the natural edge of the settlement and urban activity associated with the existing livery use currently has no clear defined edge.
 - The current Green Belt boundary does not allow scope for the natural and logical growth of the settlement in the most sustainable part of the Settlement.
 - The site sits within the context of surrounding historic parkland. The development area has been carefully selected as being outside key view corridors and can be sensitively accommodated as part of wider proposals to enhance the landscape and strengthen the permanence of the Green Belt boundary.
 - Re-development of the site can deliver visual improvements to the setting of the village's historic core through the removal of the unsightly farm buildings and open storage.
 - The development site does not actively contribute to the setting and special character of Stansted Mountfitchet. The development of the site for housing would make more effective use of the site, enable the creation of a clearer and more defensible Green Belt edge and would facilitate wider improvements to significant areas of adjoining Green Belt and Historic Parkland which is within the joint Applicant's control.

e) The Deliverability of new housing.

- 4.9 The site is immediately available and deliverable, and there are no direct physical or land use barriers which would prevent the site coming forward at an early stage to tackle short term housing need.
- 4.10 The site is eminently suitable for residential development. The scheme has been progressed by a local house builder who has experience of delivering high quality development in the local area and wider District. Consequently, the site can be relied upon to contribute to the Borough's five year housing land supply, should consent be granted.

f) The ability to deliver significant community benefits and landscape improvements to the adjoining historic parkland which support the wider objectives of the Green Belt.

- 4.11 The development proposals can facilitate a number of significant community benefits which could only be provided through redevelopment of this site. These benefits include specific improvements and enhancements to the adjoining area of the Green Belt.
- New Community Allotments;
 - New Public Open Space extending to 2.55 hectares. This would go a significant way to addressing current open space deficiencies within the village and help define a formal edge to the development and an enhanced defensible edge to the Green Belt;
 - Improved public access to Stansted Park including new footpaths, cycleways and bridleways;

- Landscape and ecological enhancements of the parkland landscape;
 - Long term management proposals for the parkland;
 - Flood alleviation measures which will reinstate the natural topography of the landscape and which can provide a flood and drainage solution which will mitigate both the new development on the site, but also offer wider benefits to address flooding of the railway and village centre as well as ecological and landscape benefits; and
 - Management of the parkland and open spaces. Further details in the separate draft management document and a more detailed scheme could be secured by condition or a S106 requirement of any approval.
- 4.12 The applicants have also advised that in addition to the Very Special Circumstances case which is summarised above, they consider that there are also a number of other benefits which are also material when assessing the proposals. The site will provide family housing and infrastructure improvements and all units will be adapted to lifetime homes standards with 5% of units specifically designed to be wheelchair accessible. The units will have gardens space and access to the adjoining new public open space and improved access to the wider parkland. There is also immediate access to the mainline railway station and easy and quick access to the village centre.
- 4.13 The development will offer wider benefits to Stansted Mountfitchet through the delivery of housing, the potential additional investment to the area which will bring increased spending in local shops, new employment opportunities to the local community and improvements to the local transport network and community facilities.
- 4.14 The development will remove disruption of the existing livery. The site includes large areas of open storage and is generally an untidy operation which has spread out over time. The site currently causes disruption from vehicular movements (including HGV's), involves lots of activity and is a messy operation which has a generally poor relationship with the town. Relocation of the use or alternatively remote management as part of a wider strategy for the longer term maintenance of the parkland will be of clear benefit to the village.
- 4.15 The proposals will naturally mitigate against any negative ecological impact, however, the scale of the wider parkland offers potential opportunities to facilitate wider ecological enhancement.
- 4.16 Development of the existing farm site would include the permanent extinguishing of the extant office consent which has been lawfully implemented and which could technically still be completed. Removal of this lawful use would also offer the benefit of protecting the long-term setting of the grade II listed Bridge Cottage.
- 4.17 The Applicant is prepared to enter into a legal agreement to ensure that on the grant of planning permission the extant right to complete the office development would be extinguished.
- 4.18 The applicants conclude that the combination of material benefits reinforces the Very Special Circumstances case identified in support of the application proposals.
- 4.19 The applicants have provided the heads of terms for a S106 Agreement to include other measures required to mitigate against any adverse effects upon existing residential and community interests. The application is accompanied by a Design and Access Statement, Planning Statement, Noise and Vibration Assessment, Five Year

housing Supply assessment report, Sequential Test Evidence Base, Utilities Statement, Arboricultural Report, Landscape Appraisal and Strategy Report, Phase 1 Habitat Survey, Statement of Community Involvement, Flood Risk Assessment, a Transport Assessment, Heritage and Archaeological Desk Based Assessment. A Site Waste Management Plan and Phase 1 Geoenvironmental Assessment have also been submitted.

5. RELEVANT SITE HISTORY

- 5.1 UTT/0907/90 Change of use from residential to offices. Alterations and improvements to Elm Farm and erection of new offices. Improvements to access. Granted September 1990.
- 5.2 UTT/0068/06/CL Application for Certificate of Lawfulness to confirm Implementation of UTT/907/90 and UTT/908/90/LB being planning and listed building consents for some 1049.53 sq m of offices. The subsequent appeal was allowed and the certificate of lawfulness for offices was granted.

6. POLICIES

6.1 National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

Policy S6 – The Metropolitan Green Belt
Policy S7 - The Countryside
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 ENV3 – Open Space and Trees
Policy ENV9 – Historic Landscapes
Policy ENV10 – Noise Sensitive Development and Disturbance from Aircraft
Policy H9 - Affordable Housing
Policy H10 - Housing mix
Policy LC3 – Community Facilities

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 The Parish Council have responded on the amended application site and advised that it has serious concerns about three aspects of this planning application:
 - 1 Flooding – to be determined by the Environment Agency. If the EA accept the proposals then the Parish Council will not object on those grounds.
 - 2 View from Chapel Hill – the Parish Council has consistently stated that it considers the view from Chapel Hill across to Stansted Park as sacrosanct. There is dispute between the developers and the public as to whether this

view will be affected and we seek hard evidence from UDC or the developers to prove that the view will NOT be affected. Without this, the Council will not be able to support the application.

- 3 Parkland – The Parish Council seeks confirmation from the District Council and willingness from the developers that a legal agreement will be entered into to protect the remainder of the parkland from any development in perpetuity.

7.2 The Council looks favourably on the application for the following reasons:

- 1 It provides community gains by opening up the Parkland for recreation, the provision of allotments, a footpath alongside Church Road and public open space, of which Stansted has insufficient.
- 2 The design is acceptable
- 3 It provides 40% affordable housing
- 4 It would tidy what is at present, and has been for many years, an untidy site.

7.3 If the above three concerns are adequately addressed, then the Parish Council supports the application.

8. CONSULTATIONS

ECC Highways

8.1 No objections subject to conditions.

8.2 The Highway Authority has been re-consulted on the amended site plan and has confirmed that it has no objections.

Highways Agency

8.3 No objections

Environment Agency

8.4 Objection: In the absence of an acceptable Flood Risk Assessment (FRA) the EA object to the grant of planning permission and recommend refusal on the basis that the FRA submitted with this application does not comply with the requirements set out in paragraph 9 the Technical Guide to the National Planning Policy Framework. The submitted FRA does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

Thames Water

8.5 No objections to the development.

ECC Environmental

8.6 No objections.

NATS Safeguarding

- 8.7 No objections.

Airside OPS Ltd

- 8.8 The site is around 2.4km NW of the aerodrome reference point for Stansted Airport. The proposals would conflict with safeguarding criteria unless any planning permission granted is subject to conditions requiring the submission of a landscaping scheme and for the submission of a Bird Hazard Management Plan.

Natural England

- 8.9 No objections: The proposal does not appear to affect any statutorily protected sites or landscapes or have significant impacts on the conservation of soils. The proposed development is within an area that Natural England considers could benefit from enhanced green infrastructure provision.

ECC Ecology

- 8.10 No objections subject to conditions requiring the submission of a Biodiversity Mitigation Plan, protection of breeding birds and an Update of the Survey if necessary.

ECC Schools

- 8.11 There is no early years or child care provision in the ward. The development falls within the priority admissions area of both Bentfield Primary School and St Mary's CE (Fdn) School. Neither school has future capacity for the development but there is sufficient secondary capacity. ECC schools therefore require a contribution of £228,306 for the unit mix stated in the application.

ECC Archaeology

- 8.12 Requires a pre-commencement condition for trial trenching and open area excavation work due to the sites proximity to the Scheduled Monument of Stansted Mountfichet Castle.

Housing Enabling Officer

- 8.13 The affordable housing provision for this site will attract the 40% requirement which amounts to 23 units. The mix should be indistinguishable from the market housing, to be integrated well within the scheme and be predominantly houses with parking spaces. The requirement for this site is 6x1 bed, 9x2 bed, 7x3 bed and 1x4 bed which should be in a mix of tenures. In addition the Council require 4 (5%) bungalows on the site to be delivered as 1 and 2 bed units.

Access and Equalities Officer

- 8.14 Compliance with SPD on Lifetime Home and Appendix 2 Wheelchair Accessible Housing will be required. All routes to public space, community allotments etc. Will require access for wheelchair users, mobility scooter users and need to be considered.

UDC Environmental Health

- 8.15 The site is subject to noise from the railway line and a condition is required relating to noise attenuation within the design of the dwellings and gardens. Also requires a condition limiting the times and methods of demolition and construction. In addition, the submitted geoenvironmental assessment has identified a risk of potentially significant ground contamination and a condition is required to ensure that appropriate investigation and mitigation works are undertaken.

9. REPRESENTATIONS

- 9.1 Objections: 36 letters of objection have been received setting out the following planning objections.

- The site is statutory Green Belt land.
- Approval would set a precedent for further development of Green Belt land.
- It would spoil the view of Stansted Park as you come down Chapel Hill
- The site is the one remaining 'rural' area near the centre of the village and development will fundamentally change the nature of the village.
- The site forms part of an area of scenic views containing natural woodland, wetland and meadows and forms a natural green barrier between the M11 motorway and Stansted Airport.
- There is a lack of infrastructure within Stansted- healthcare facilities are woefully inadequate; Bentfield School is full and St Marys will be at capacity once Forest Hall Park is complete.
- Over development of the area.
- The site is liable to flooding and has been subject to extensive flooding over the past year. Plans do not show adequately how flooding can be properly addressed.
- The site forms part of a natural flood plain and therefore areas which are seasonally flooded would be lost. This will impact on birds such as Redwing, Field Fairs and native species.
- Danger of traffic; Church Road is a narrow road, particularly at the Elms Farm end where the road narrows over the Railway Bridge. It is not possible to get 2 vehicles through this narrow part if one of them is a bus or a lorry. The entrance to Elms Farm is within 50 yards of this narrow bridge, with limited vision. Cars do not slow down to cross this bridge, giving only seconds of visibility for another vehicle to safely pull out from Elm Farm onto Church Road.
- Inaccurate traffic data submitted. The transport Assessment records the most recent traffic flow data to be 2008. However, Forest Hall Park has been developed since 2008 and contains close to 720 dwellings. The consequence of traffic from Forest Hall Park is not included in the above data. There have been no improvements to the Highways in Stansted Mountfitchet in the past 20 years.
- Impact of construction traffic.

- Loss of farm buildings. This will remove all signs of farm buildings from Stansted Mountfitchet for ever which has been a characteristic of the village for many generations.
- Can it be guaranteed that the parkland will remain open to the public and there won't be plans in the future to build up the hill and totally spoil the views?
- The proposed footpaths are to be permissible paths and therefore permission can be withdrawn at any time. They should be made rights of way.
- Existing footpath should be upgraded and repaired.
- Impact upon the historic Parkland and no long term plans shown for the future of the rest of the park or the current livery which uses it for horse grazing.
- Not an identified site for development.
- The proposals completely ignore the setting of The Gatehouse which is a Grade II listed building. The development will have a devastating impact upon the Gatehouse.
- Concerns regarding noise disturbance, anti-social behaviour and damage of proposed public open space due to problems experienced elsewhere. Do not accept that new park would be self-policing by residents.

9.2 Amended Plans

- The allotments are not provided with a nearby water supply which is a basic requirement of an allotment holder.
- If the equestrian activities are to continue on another part of Elms Farm, possibly close to the M11, the proposed path parallel to Church Road will be used by horse riders resulting in it being unsuitable for pedestrians particularly the many mums with pushchairs who currently use the pavement adjacent to Church Road.
- The inclusion of the allotments makes the plans unacceptable as they will be untidy and generate additional traffic.

9.3 In addition to the above a 228 signature petition has been received objecting to the development.

9.4 Neutral: 3 Letters have been received that neither support nor oppose the proposed development but do raise the following concerns;

- Have concerns about the question of flooding.
- Concerns about protecting the view from Chapel Hill.
- Would like to see an area of flatter open space suitable for playing games.

9.5 Support: 8 letters of support have been received on the following basis:

- The development will provide public open space and other community benefits.
- It is a good use of the land and Stansted could do with more public open space and allotments at this end of the village. This will be a real and long lasting benefit to our community and provide a stronger buffer between the village and airport.
- The proposal supports the local community in terms of sharing the open space, cycling and allotments.
- It is highly sustainable, being well located close to the railway station/public transport corridor, local shops, nearby employment (M11 business Link), the proposed new surgery, and the town's secondary school. Access can easily be achieved from and onto the nearby main road and motorway network.
- Public access to an enhanced Stansted Park has been an aspiration of Councillors and other residents in Stansted Mountfitchet.

- The development will provide more market and affordable housing.
- This application offers a suitable alternative to the four sites that are currently subject to pre-application proposals or actual applications.
- Stansted Mountfitchet has grown in population but has a low availability of public open space. The proposals are very important to this growing community and justify its approval.

9.6 In some cases, the support is qualified on the following grounds:

- Concerns regarding the volume of traffic on Church Road and the width of the railway bridge for increased traffic generally.
- The proposals should facilitate the widening of the pavement along Church Road from the site to Lower Street.
- Further traffic calming in Church Road is required.
- Flooding proposals and proposals to redirect Stansted Brook should be evaluated and ensured if acceptable.
- The safeguarding of public open space and public access to Stansted Park should be ensured by agreement.
- Statements that the view of Stansted park from Chapel Hill will not be degraded and may even be enhanced should be evaluated and ensured.
- The provision of much needed football pitches for the village should be explored and negotiated.

10. APPRAISAL

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

- A The principle of development of this site in the Green Belt (ULP Policies S1, S6)**
- B Access to the site and parking provision (ULP Policies GEN1, GEN8; SPD: Parking Standards – Design and Good Practice; Development Management Policies)**
- C The layout of the development and residential amenity (ULP Policies GEN2, ENV10)**
- D Visual Impact (ULP Policy GEN2)**
- E Impact upon Listed Buildings (ULP Policy ENV2)**
- F Mix of Housing and Affordable Housing (ULP Policies H9 and H10)**
- G Infrastructure provision to support the development (ULP Policy GEN6)**
- H Drainage and Contamination (ULP Policies GEN3, GEN6 and ENV14))**
- I Other Material Considerations**

- A The principle of development of this site in the Green Belt (ULP Policies S1, S6)**

10.1 The site is located outside the development limits for Stansted Mountfitchet defined by Policy S1 of the Local Plan, within open countryside and within the statutory Metropolitan Green Belt and is therefore subject to both national and local policy on Green Belts. Local Plan Policy S6 identifies a limited number of sites within the Green Belt where development would be allowed. The site is excluded from these sites and therefore subject to the national policy set out in the NPPF. The NPPF largely reiterates previous advice set out in PPG2 – Green Belts and confirms that the essential characteristics of Green belts are their openness and their permanence. The NPPF confirms that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very Special Circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

- 10.2 The proposed development of 58 houses is inappropriate development and is therefore by definition, harmful to the Green Belt. The applicants accept that this is the case but have argued that Very Special Circumstances exist and that these are sufficient to justify setting aside Green Belt policy and granting planning permission. The applicants have argued on four main grounds: the lack of a five year housing land supply and the ability of the site to contribute to this and to deliver housing growth; the lack of affordable housing in the district; the limited contribution that Elms Farm makes to the Green Belt and community benefits.

Lack of a five year housing land supply and housing growth and deliverability

- 10.3 Paragraph 49 of the NPPF confirms 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.
- 10.4 The Council has accepted that it does not have a five year supply of housing land and is currently preparing the Draft Local Plan which seeks to identify additional future development sites for the period 2013 to 2028. The most recent Annual Monitoring Report (2012) records the average annual completion rate to be 334 dwellings, compared with the average annual completion rate required by the East of England plan of 430 dwellings. The current level of delivery on deliverable sites for the 5-year period is therefore 78% which equates to 3.9 years' worth of supply. If the Council was perceived as a persistent under delivering authority and an additional 20% is frontloaded to these figures as required by the NPPF, the percentage of the plan target on deliverable sites falls to 65% which is equivalent to just under 3 years' worth of supply.
- 10.5 If the proposed sites identified in the Draft Local Plan June 2012 are taken into account, the percentage of the plan Uttlesford District Council target on deliverable sites for the 5 year period is 147%, the equivalent to 7.4 years' worth of supply.
- 10.6 However, the applicants have argued that not only does Uttlesford lack a 5 year supply but that the current calculations contained in the Annual Monitoring Report and the most recent Housing Trajectory are inaccurate and do not show the true extent of the deficit. The applicants argue that the projected supply from dwellings on Committed Sites is considered to be only 1,257 units which represents a 2.9 year supply (only 2.4 years when NPPF 20% buffer applied). The position would marginally improve if the potential deliverable supply for dwellings on sites proposed in the Draft Local Plan June 2012 is included as this would increase the supply to 3.1 years (Only 2.6 years supply based on the current annual target + 20%).
- 10.7 The Council has accepted that it does not have a five year supply and this has been confirmed in various appeal decisions. There is no dispute on this point although there is a difference between the parties as to the real extent of the deficit and the deliverability of various sites. It is also not accepted that the Council's approach is incorrect or that it is contrary to the advice in the NPPF on deliverability. Nevertheless, the Council recognises in its most recent Annual Monitoring Report (2012) that it has a shortfall and that it should consider favourably applications for residential development which will make a positive contribution towards meeting housing requirements. It therefore has considered and determined planning applications in this light and in accordance with Paragraph 49 of the NPPF. As a consequence, planning permission has been granted for residential development outside development limits where appropriate.

- 10.8 The applicants have provided a Sequential Test report and have argued that there are very limited opportunities where sites can be brought forward to address the five year supply and which would bring about the same benefits as the current appraisal. There are concerns about the applicants' approach and that it is not robust. The assumptions made have limited the selection and therefore potential availability of alternative sites. It is also accepted that the range of benefits that would be provided by other sites would be different to the current proposals. Irrespective of this fact, it is not considered that the Sequential Test report demonstrates that the current application site is the only acceptable site for development.
- 10.9 It is not considered that the shortage of housing land, irrespective of the degree of deficit, represents the Very Special Circumstances necessary to justify the setting aside of Green Belt status. Uttlesford has a very limited area of Metropolitan Green Belt within its district and it is not considered appropriate for Green Belt land to be developed or that it should be necessary to contribute towards the Council's five year supply of housing land. The Council's Strategic Housing and Land Availability Assessment (SHLAA) has considered a large number of sites for future development and has discounted this and other green belts sites in favour of non-green belt sites. It is considered that the shortfall in housing is capable of being addressed without encroachment into the Green Belt as evidenced by the 2012 Consultation on Proposals for a Draft Local Plan.
- 10.10 In these circumstances, it is not considered that the issue of housing land supply and deliverability towards future housing growth justifies the setting aside of part of the small area of Green Belt within the district.

Provision of affordable housing

- 10.11 The applicants have indicated that the site would provide 40% affordable housing and would assist in addressing the current shortfall in affordable housing in the district. This is accepted and the site would contribute to a current shortfall in affordable housing which would be welcomed. It is accepted that there is a significant shortfall within the district and therefore significant weight should be attached to its provision.
- 10.12 However, the Council is seeking 40% affordable housing on all development, especially those on emerging or non-allocated sites and it is considered that the provision of 40% affordable housing on this site would not be exceptional or count as very special circumstances. The application does not propose this as a rural exception site and therefore does not offer any more affordable housing than other sites that are and will come forward. It is not accepted therefore, that the provision of 40% affordable housing on the application represents Very Special Circumstances and would not overcome the harm to the Green Belt by virtue of inappropriate development.

The role of Elms Farm within the Green Belt

- 10.13 The applicants have argued that Elms Farm makes no active contribution to the Green Belt and that the Green Belt boundary in this location does not allow Stansted to expand in the most sustainable location nor does it reflect the natural edge of the settlement and urban activity associated with the livery use.
- 10.14 It is not accepted that Elms Farm makes no contribution to the settlement. Firstly, it provides a recreational activity close to an urban population and is a use that is

appropriately sited within the Green Belt. Facilities for outdoor sport and recreation are considered to be appropriate development within the Green Belt provided that it retains the openness of the Green Belt. It is accepted that the existing livery at Elms Farm is untidy but its use is one that is entirely consistent with Green Belt policy. In contrast, the application proposal is inappropriate development and therefore harmful to the Green Belt.

- 10.15 Secondly, the land taken up by the livery buildings is relatively small and, even if the areas used for storing hay/straw are taken into account, the area of use is still significantly smaller than the proposed area of housing. The existing buildings at Elms Farm extend approximately 120m from the identified curtilage boundary of Bridge House. In contrast the development would extend an additional 190m (310m in total) eastwards from this point into the open area of Parkland. There is no logical reason for the development to be extended into the parkland for such a distance; the applicants have explained that the area of trees to the north of the railway line has been used to define the extent of development rather than any built development.
- 10.16 Further development is also proposed within the area of parkland to the rear of Elm House and Elms Lea where the land rises to the south. The proposed development would therefore result in a considerably larger area of development than exists at present. No explanation or justification has been presented to justify the considerable extent of development being proposed nor has any information been provided to explain whether the existing livery is to close or to relocate elsewhere. The proposed development would therefore be harmful to the Green Belt and would conflict with the purposes of the Green Belt through encroachment into open countryside.
- 10.17 The applicants have argued that the site provides a sustainable location for development and that the development would provide a logical and defensible boundary for the Green belt. It is accepted that the site is relatively central to Stansted but it is considered that the presence of this parkland and recreational facility close to the centre of Stansted also contributes to the character of the village. The boundaries presented by the application proposals are purely arbitrary and it is considered that the railway line and Church Road provide far more logical and clearly defined boundaries to the Green Belt and are capable of preventing encroachment into the historic parkland.

The provision of community benefits

- 10.18 The application proposes an enhancement of the community facilities for the village with the provision of some 2.55ha of open space, new footpaths, cycleways and bridleways providing enhanced public access into the parkland together with the provision of new community allotments. These facilities and benefits would be of considerable benefit to the community of Stansted and would provide an area of public open space and allotments close to the central area of the village. In addition, the applicants are proposing to carry out improvements to the rest of the parkland with additional tree planting and the re-configuration of the floodplain.
- 10.19 It is recognised that the Village Plan for Stansted Mountfichet states that negotiations should continue with the objective of enabling Stansted Park to be used as a public open space as well as providing land for junior football but the Village Plan does not indicate that part of the Green Belt should be released to achieve part of this objective. On the contrary the Village Plan states that 'The maintenance of the greenbelt is a prime objective to prevent merging with other communities.'

- 10.20 The Village Plan makes it clear that the protection of the Green Belt is the prime objective and the NPPF states that the essential characteristic of Green Belts is their openness and their permanence. Whilst, the provision of the footpaths, cycleways and bridleways and the open space and allotments would be appropriate development and would retain the openness of the Green Belt, their provision is outweighed by the harm to the Green Belt that would arise due to the scale and impact of the proposed housing development in a prominent location on the edge of the settlement. The development would conflict with the purposes of the Green Belt and it is not considered that the provision of the community benefits put forward in this application are such as to represent the very special circumstances necessary to justify the release of Green Belt land and the harm to the Green Belt through inappropriate development.
- 10.21 The applicants have also argued that the combination of the benefits put forward provide the Very Special Circumstance required to set aside Green Belt Policy. It is considered that either individually or combined, these factors do not provide Very Special Circumstances. The proposed development constitutes "inappropriate development, harmful to the Green Belt" and substantial weight should be attached to the presumption against inappropriate development.
- 10.22 The development would extend into open countryside and would significantly reduce the openness of the Green Belt when the most important attributes of Green Belts are their openness and permanence. The NPPF makes it clear that substantial weight should be given to any harm to the Green Belt and in this instance, the development would offend three out of five of the Green Belt's purposes; it would stop the Green Belt from preventing urban sprawl; it would prevent Green Belt from safeguarding the countryside, and it would represent a significant encroachment into the countryside.
- 10.23 Seen as a whole, and despite attributing significant weight to the benefits, it is considered that the totality of the harm is not clearly outweighed by the other considerations. Consequently the Very Special Circumstances necessary to justify the development do not exist and the proposed development would be contrary to local policy S6 and the NPPF.
- 10.24 The applicants have referred to a fallback situation in that the approved office development could be constructed. This is accepted as a lawful development certificate relates to those offices. The impact of the offices has been taken into account but it is considered that the harm that would be created by the implementation of the planning permission would be less than the harm that would be caused by the development within the Green Belt.

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

- 10.25 Access to the site utilises the existing access off Church Road. The proposals will incorporate improved access by the provision of a bellmouth and relocating it slightly to the south to improve visibility. In addition, a new access will be created further south on Church Road to allow access to the new allotments.
- 10.26 It is noted that many of the third party objections to the proposal relate to the current level of traffic on Church Road and the narrow bridge over the railway which affords limited visibility for traffic. However, the Highway Authority has advised that the applicants have produced comprehensive assessment of the impact of the existing

use as a livery yard and the consented but not occupied B1 office use and compared this with the proposal for up to 58 dwellings. The proposal would not generate significantly more vehicle movements than the lawful use of the site could generate and consequently the Highway Authority concludes that the proposal will not have a detrimental impact upon safety or efficiency of the road network at this location. The Highway Authority therefore has no objection to the proposals for the access to the residential development or for the allotments.

10.27 In terms of parking, the proposal would generate a requirement for some 167 parking spaces based upon the Council's 2013 adopted parking standards and the applicants' mix of dwellings. The submitted layout shows approximately 147 spaces with most arranged as on plot parking. Two parking areas within the western part of the site would serve the terraces of dwellings which are shown as facing onto the parkland and the terraces to their rear. Whilst some of the parking may be remote and not on plot for these dwellings, it is considered that the parking layout would be acceptable and that additional parking could be provided within the development to meet the Council's parking standards.

10.28 It is considered that access arrangements are acceptable and that there is scope for additional parking within the layout to satisfy Policies GEN1 and GEN8 of the Local Plan.

C The layout of the development and residential amenity (ULP Policy GEN2, ENV10)

10.29 Local Plan Policy GEN2 seeks to promote good design requiring that development should meet with the criteria set out in that policy. Regard should be had to the scale form, layout and appearance of the development and to safeguarding important environmental features in its setting to reduce the visual impact of the new buildings where appropriate. Furthermore, development should not have a materially adverse effect on the reasonable occupation and enjoyment of residential properties. Policy ENV10 seeks to protect noise sensitive development such as residential development from adverse impacts.

10.30 The application seeks approval of the layout of the site. The layout as submitted proposes two areas of residential development. The main area is located on the northern part of the site adjacent to the railway line and is served by a single access road with small cul-de-sacs off. Housing is grouped in clusters facing onto landscaped 'squares' or parking areas. Terraced properties are shown facing onto the area of public open space to the south, changing to detached properties further into the development. The eastern edge of the development extends well into the parkland and the layout shows the detached houses in this section, backing onto the public open space with garages positioned to the rear of the plots and therefore adjacent to the proposed public open space. A 15m wide landscaped buffer separates the housing from the realigned Stansted Brook to the north and allows access for the Environment Agency.

10.31 The smaller southern development extends up the hill to the rear of Elms Lea and is served by an access road between the houses and the public open space. As with the main area of the development, detached properties face onto the public open space with 6 terraced properties positioned to their rear and facing onto a further landscaped 'square'.

10.32 The layout of the dwellings is considered to be generally acceptable in terms of their relationship with each other but there are concerns regarding the eastern area where

the houses and their garages are shown backing on to the proposed public open space. Although the plan shows extensive tree planting to screen this area, it is considered that any additional planting should be required to enhance the overall landscaping of the parkland rather for screening intrusive development. It is of concern that the development will be visually intrusive until this required planting is established.

- 10.33 In terms of residential amenity, the applicants' noise report confirms that measures will be needed to ensure adequate levels of amenity and protection from noise from the railway. These would include the installation of standard thermal double glazing and appropriate ventilation and it is considered that planning conditions would ensure adequate amenity.

D Visual Impact (ULP Policy GEN2)

- 10.34 There are also concerns regarding the visual impact of the proposals. The site is currently low lying with the majority of the existing buildings being single storey which do not therefore appear unduly prominent within the landscape. The Parish Council has raised concerns regarding the views from Chapel Hill and it is agreed that this is one of the key views of the site, together with that from Mountfitchet Castle and public footpath No. 23. Elms Lea and Elms Cottages are clearly visible from the views from Chapel Hill but this is due in part to the fact that they are positioned on slightly higher ground than the majority of the buildings at Elm Farm. No details of either existing or final levels are provided for the development although it is noted that both the Flood Risk Assessment and the Landscape Appraisal refer to creating a plateau for the development area and that the excavated material from the re-contouring of the flood plain can be used to raise the development area out of the floodplain.
- 10.35 It is considered that the potential raising of the development area together with the development of two storey properties would make the new housing more prominent to views both from Chapel Hill and also from Mountfitchet Castle and surrounding areas.
- 10.36 The applicants have submitted a Chapel Hill View Corridor Analysis which shows a sequence of views when travelling down Chapel Hill with the main elements of the scheme added to the view. The Views show that the central area of open land which is to be given over as public open space and the adjacent group of trees would remain visible and that the development would not screen this view. However, the southern development area which is proposed to extend up the hill would be visible although the applicants suggest that the degree of visibility would depend upon the materials to be used. This is agreed, but the Corridor Analysis shows that there would be a closing in of the views of the open space with built development encroaching into the wider view of Stansted Park.
- 10.37 With regard to the views from Mountfitchet Castle, the elevated position of the castle means that views from the castle look straight over the existing trees along the railway line and over the roofs of the livery towards the rising ground of the parkland. The new housing will be highly visible, especially the houses proposed on the southernmost part of the site on the hillside above Elms Lea. It is considered that this view of the park will be irrevocably altered and that the development will create an urban environment and an unacceptable visual encroachment into the open countryside to the south of Stansted. Footpath 23 extends along the Stansted Brook and for part of its length it looks towards the untidy side of Elms Farm. This would be replaced by new dwellings for a significantly greater length of the footpath and the

open views of the parkland once past the livery buildings would be lost until past the residential development.

- 10.38 It is considered therefore that the development would have an adverse impact upon the visual amenities of the area and in particular the sensitive views from Chapel Hill, Mountfitchet Castle and the public footpath, contrary to Policy GEN2 of the Local Plan.

E Impact upon Listed Buildings and Historic Landscapes (ULP Policies ENV2, ENV9)

- 10.39 Policy ENV2 states that development affecting a listed building should be in keeping with its scale, character and surroundings. The site is located adjacent to Bridge House, a Grade II listed building and will extend development towards the North Lodge to Stansted Hall(the Gatehouse) to the south, another Grade II listed building.
- 10.40 The application site excludes the garden area of Bridge House and proposes development within the area containing the existing livery and farm buildings. Whilst the closest new buildings are likely to be two storey replacing the existing single storey development, it is considered that the relationship between the new housing and the listed building is acceptable and the setting of the listed building is protected. It is considered that the new housing development would be more sympathetic to the setting of the listed building than the office building which is the subject of a lawful development certificate.
- 10.41 The application site excludes the majority of the area where the offices are to be located and only includes a small area to the east of the former office site. It would appear that the proposed car parking and access road for the western most dwellings would encroach into the site of the office building and therefore implementation of this part of the current proposals should effectively prevent the office building from being constructed but that this would be more appropriately dealt with by legal agreement.
- 10.42 In terms of the impact of the development on the North Lodge the application proposes residential development close to the grade II building in an area which has formerly been parkland. The North Lodge is partially screened from this part of the parkland by trees and vegetation and a bund which extends along the private driveway serving Stansted Hall. It is not considered that the setting of the listed building would be unacceptably affected or that there would be any conflict with Policy ENV2.
- 10.43 The parkland within which the application is located is identified on the proposals Map of the Local Plan as a Historic Park and therefore subject to Policy ENV9 which seeks to protect such areas from harm from development proposals, unless the need for the proposal outweighs the historical significance of the site.
- 10.44 Stansted Park forms the wider setting for Stansted Hall and provides a rural backdrop to the village of Stansted. Whilst some development has encroached into the park to the south e.g.Churchfields, this is largely historic and the park has been protected from development in recent years. The currently proposal would extend into this historic parkland to an unacceptable extent so that the character of this part of the park would be harmed. It is accepted that the applicant proposes to enhance the rest of the park but it is considered that there is no need for the residential development to be in this location and the proposals do not outweigh the historic and visual

significance of the open parkland. As a consequence, the development is considered to be contrary to Policy ENV9 of the Local Plan.

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

- 10.45 Policy H9 requires that 40% affordable housing is provided on sites having regard to market and site conditions. In this instance, the affordable housing requirement would be some 23 units. The applicants have not provided a breakdown of future tenure but have submitted a draft heads of terms for a Section 106 Agreement in which they indicate that they would be prepared to agree the tenure of the 23 affordable housing units with the District Council.
- 10.46 The layout does not show the proposed location of the affordable units and it would be required that future details show that the properties are provided in clusters of no more than 10 units within the development. The applicants are aware of this requirement.
- 10.47 The Housing and Enabling Officer has advised that the 23 units should comprise 1, 2, 3 and 4 bed dwellings. The current proposals do not include any 1 bed units and the applicant has now confirmed that these would be included within the scheme. It is therefore considered that the scheme could provide an acceptable provision of affordable housing and would be in compliance with Policy H9 of the Local Plan.
- 10.48 The development as a whole comprises a mix of 2, 3, 4 and 5 bed roomed dwellings and is therefore in compliance with Policy H10 of the Local Plan. However, in view of the above comments regarding the need for 6x 1 bed affordable units to be provided, this mix is likely to change and your officers would be concerned if the number of smaller 2 and 3 bed units decreased as these currently represent only 38% of the total provision compared with 62% being 4 and 5 bed dwellings.

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

- 10.49 ECC Schools service has indicated that there are insufficient early years, pre-school and primary places to meet the need from the development but that there are sufficient places at the Mountfitchet Mathematics & Computing College. Additional provision will therefore be needed for early years and pre-school and at primary level and ECC schools therefore require an education contribution of £228,306 which would be provided by way of a Section 106 Agreement. The applicants have indicated their willingness to enter into a S106 Agreement to secure this provision, and have now provided Heads of Terms but no Agreement is currently in place and the proposal does not therefore make provision for infrastructure provision as required by Policy GEN6.

H Drainage and Contamination (ULP Policies GEN3, GEN6 and ENV14)

- 10.50 The proposed development site is located within Flood Zone 3, classed as high probability risk, as defined in Table 1 of the Technical Guidance to the National Planning Policy Framework (NPPF). Flood Zone 3 consists of two elements; Flood Zone 3a, which has a high probability risk and Flood Zone 3b, the functional floodplain.
- 10.51 The Technical Guidance to the NPPF classifies development types according to their vulnerability to flood risk and gives guidance on which developments are appropriate in each Flood Zone. Residential development is classed as 'More Vulnerable' and the Technical Guidance makes it clear that 'More Vulnerable' development is not

compatible with Flood Zone 3b (functional floodplain) and should not therefore be permitted.

- 10.52 The applicants have therefore submitted a Flood Risk Assessment and a Flood Modelling Report showing proposals to re-engineer the river channel and floodplain to the east of the proposed housing. This re-modelling is designed to ensure that post development flooding occurs in areas that remain open and free from development. The proposals involve the re-alignment and widening of a section of the Brook and the re-modelling and re-contouring of the land within the flood plain to provide lower areas for floodplain compensation. The flood mitigation measures are intended to ensure that the new development is not at risk of flooding and does not increase flooding elsewhere. The floodplain would be planted as a flood meadow/habitat. It should be noted that the current proposals represent part of a concept strategy intended to demonstrate that the broad proposals will not have an adverse impact upon flood levels as a result of the development and will require future detailed engineering design as well as landscape and planting strategy.
- 10.53 Paragraph 101 of the National Planning Policy Framework requires decision-makers to steer new development to areas at the lowest probability of flooding by applying a 'Sequential Test'. The applicants have submitted a Sequential Test Report addressing alternative sites and have argued that there are no sequentially preferable sites which can contribute towards addressing the current five year housing land supply shortfall and no sites would deliver, or are capable of delivering, the same substantial benefits(including improvements in terms of flood risk) which would be secured as part of the Elms Farm scheme. It is considered that the Sequential approach taken is not robust and that the assumptions made have limited the selection and therefore potential availability of alternative sites.
- 10.54 Furthermore, the EA has advised that the developer has not employed a sequential approach on site and has located the development in the area of highest flooding probability. This area is classified as Flood Zone 3b and the NPPF states that this area is only appropriate for developments classified as 'water compatible' or 'essential infrastructure' and that residential development should not be permitted.
- 10.55 However, given the proposal to re-engineer the site in order to manage the risk of flooding, the EA consider that there is the potential that the scheme could provide wider flood risk benefits for the area; this however needs to be demonstrated and agreed as part of the FRA. Having reviewed the FRA submitted, the EA is not currently satisfied that the model has adequately demonstrated that the proposed re-engineering of the river channel and floodplain is achievable without increasing flood risk elsewhere. As a consequence, the EA object to the current proposals.
- 10.56 It is understood that the submitted FRA relies upon flood modelling that has failed to pass an independent verification process and the conclusions of the FRA cannot be accepted by the EA. It is also understood that the applicants are currently working with the EA to overcome the objection and have rebuilt the model. The EA are in the process of reviewing this revised model and the EA have advised that it will make further comments once this review has taken place. No additional comments had been received at the time of writing this report and it is considered therefore at this stage that the development is contrary to Policy GEN3.
- 10.57 The Phase 1 Geoenvironmental Assessment highlights potential contamination issues arising from the operation of the farm and the location of the railway line and sidings. It is considered that these matters could be adequately addressed by condition and that the proposals comply with Policy ENV14 of the Local Plan.

I Other Material Considerations

- 10.58 An extended Phase 1 Habitat Survey has been submitted which does not identify the presence of any protected species on the site and provides mitigation and ecological enhancement measures. These are considered to be acceptable and there are no objections on biodiversity grounds.
- 10.59 The Parish Council has indicated concern about the proposal on three grounds. Visual impact and flooding have been addressed in this report. The Parish Council's third concern sought confirmation that a legal agreement will be entered into to protect the remainder of the parkland from any development in perpetuity. It is not considered that this is an agreement that the District Council could enter into or that it would be reasonable and justified to do so. The restriction on all development within the park in perpetuity would be unreasonable and disproportionate to the development proposed in this application.

11.0 CONCLUSION

- 11.1 The application site is located within the Metropolitan Green Belt and the proposals represent inappropriate development and therefore harmful to the Green Belt. No Very Special Circumstances have been advanced that warrant the setting aside of Green Belt policy or that would outweigh the harm to the Green Belt. The proposal would also represent an unacceptable layout that would extend development into the open parkland where it would be visually intrusive and unacceptable. The application also fails to address issues of potential risk from flooding and it is not considered that such matters could be conditioned. Although the applicants have indicated a willingness to enter into a S106 Agreement, none is in place at the present time and the proposals do not make provision for necessary infrastructure contributions. In view of the above, it is considered that the proposed development is unacceptable and is contrary to the policies of the Development Plan and the NPPF.

RECOMMENDATION – REFUSE

1. The site lies within the Metropolitan Green Belt where there is a presumption against inappropriate development. The proposal represents inappropriate development and no very special circumstances have been demonstrated that would outweigh the harm to the Green Belt. The proposal would cause demonstrable harm to the Green Belt and is contrary to Policy S6 of the Uttlesford Local Plan 2005 and Government guidance contained within the National Planning Policy Framework.
2. The development would provide an unacceptable layout which would extend residential development into the open countryside and into the historic Stansted Park. The development would be unduly prominent and would have an adverse impact upon the character and visual amenities of the area. The application is therefore contrary to policies GEN2 and ENV9 of the Uttlesford Local Plan 2005 and Government guidance contained within the National Planning Policy Framework.
3. The application site is located within the floodplain and is therefore subject to flooding. The Flood Risk Assessment submitted with the application does not comply with the requirements set out in paragraph 9 the Technical Guide to the National Planning Policy Framework. The submitted Flood Risk Assessment does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. The proposal is therefore contrary to Policy GEN3 of the Uttlesford Local Plan 2005 and Government guidance contained within the National Planning Policy Framework.

4. The residential development of this site would increase the pressure on local education facilities within the district. In the absence of any legal agreement to address this, the application fails to fully mitigate the impacts of the development contrary to Policy GEN6 of the Uttlesford Local Plan 2005 and Government guidance contained within the National Planning Policy Framework.