

UTT/13/1790/OP (ELSENHAM)

(MAJOR APPLICATION)

PROPOSAL: Outline application for a development of up to 165 homes, open space and allotments. All matters reserved except for access

LOCATION: Land South Of Stansted Road Elsenham

APPLICANT: Gleeson Developments Ltd

AGENT: Teal Planning Ltd

EXPIRY DATE: 4 October 2013

CASE OFFICER: Alison Hutchinson

1. NOTATION

1.1 Outside Development Limits. Countryside Protection Zone (CPZ). Elsenham Policy 3 – Land south of Stansted Road.

2. DESCRIPTION OF SITE

2.1 The site, located on the southern side of Stansted Road, totals 12.46ha and is currently in agricultural use. It is located on the western edge of Elsenham. The application site is bounded by Stansted Road, Old Mill Farm and residential properties along its northern edge, with further residential properties on the north side of Stansted Road; some of which overlook the site. To the east the site is bounded by the public footpath and an established boundary of hedgerows with the residential properties in Gilbey Cottages, Rush Lane and Mill Close beyond.

2.2 A further established hedgerow/tree boundary extends along the southern boundary together with the continuation of the public footpath and the Stansted Brook. Beyond the application site boundary is Mill House, a residential property, located on the southern side of the Brook and the Cambridge-London railway line. Trees and hedgerows and the M11 Motorway corridor form the western boundary.

2.3 The Old Mill Farm complex extends into the centre of the site and is occupied by an engineering company (Globe Engineering Ltd), comprising offices and industrial space, and two residential properties. Access to these properties is from Stansted Road.

2.4 The application site slopes down in a general north to south direction towards the southern footpath and Stansted Brook. The difference in site levels is more marked within the western part of the site.

3. PROPOSAL

3.1 The proposed development is for up to 165 dwellings with site access, open space and additional land set aside for community allotments. The application is in outline with all matters reserved except for access.

3.2 The application is accompanied by an indicative masterplan which is intended to set the developed area of the site and the maximum number of new homes that will be provided within it.

- 3.3 The master plan demonstrates how the site can be laid out based around the proposed site access from Stansted Road. This is proposed on the eastern side of the development with further footpath links to the west onto Stansted Road. The development is shown extending from the existing development limits of the village and wrapping around the properties at Old Mill Close. Land to the south extending towards the Stansted Brook and to the west up to the M11 is shown as public open space and will contain the attenuation pond and the allotments. The allotments are shown located at the south west corner of the housing area with a small car park and would be accessed through the estate.
- 3.4 The accompanying documentation confirms that the development will provide 40% (up to 66) affordable housing and that the 165 units will comprise a mix of 1, 2, 3, 4 and 5 bedroom houses with 1 bedroom maisonettes and 2 bed bungalows. Provision of car parking will be in accordance with the Standards. Two Local Areas of Play (LAP) and one Locally Equipped Area of Play (LEAP) are also to be provided.

4. APPLICANT'S CASE

- 4.1 The development is outside the current development limits of Elsenham and within the current Countryside Protection Zone designation. It is however proposed to be allocated for development in the emerging Local Plan and is set out within the Council's current Five Year Housing Trajectory as contributing towards the district's short term housing supply.
- 4.2 The justification for bringing the site forward for outline approval ahead of the new Local Plan's adoption is clearly set out within the Council's own most recent Housing Trajectory (June 2013). In accordance with the requirements of the NPPF, this sets out how the District's immediate 5 year housing supply can be met. This includes the assumed delivery of 140 new homes on the application site, with completions spread over years 3, 4 and 5 of the short-term trajectory. To achieve this, planning permission must be granted now.
- 4.3 Whilst the application proposes that up to 25 units will be provided in addition to that which UDC is reliant upon coming forward within the next 5 years as part of its short-term trajectory, this will contribute to the District's windfall allowance and / or to its medium term supply; e.g. allowing for the completion of the site in year 6 of the current trajectory. This small over-supply when assessed against the Council's own delivery assumptions will also provide an enhanced buffer should other sites in UDC's short-term supply fail to come forward or come forward more slowly.
- 4.4 The development fully accords with a design and environmental-led approach to the proposed setting out and definition of this new extension to Elsenham Village. Where this varies from the emerging policy for the site, this follows from other design consideration being considered to take priority in order to achieve a high quality development and follows from the more detailed testing of the site that emerging policy designations have not had the benefit of. The proposed community package also accords with draft guidance for the site and with pre-application discussions with UDC and ECC Highways.
- 4.5 The proposal will provide a valuable contribution to meeting local housing requirements. It will deliver a mixed, integrated community with a range of housing; the affordable and accessible housing elements of which have been agreed with UDC.

- 4.6 The development will also provide a range of benefits and facilities that will benefit not only the new residents of the site but also the existing residents of the village.

5. RELEVANT SITE HISTORY

UTT/1883/88: Outline application for residential development (142 dwellings) and construction of new access. Planning permission refused January 1988.

UTT/0253/88: Outline application for residential development on 5.9 ha for 142 dwellings and construction of new access. Planning permission refused April 1988.

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy S3 – Other Development Limits
- Policy S7 – Countryside
- Policy S8 - Countryside Protection Zone
- Policy GEN1 – Access, Policy GEN2 – Design,
- Policy GEN4 – Good Neighbourliness,
- Policy GEN5 – Light Pollution,
- Policy GEN7 – Nature Conservation,
- Policy GEN8 – Vehicle Parking,
- Policy ENV5 – Protection of Agricultural Land,
- Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation
- Policy ENV10 – Noise Sensitive Development and Disturbance from Aircraft
- Policy ENV12 – Protection of Water Resources,
- Policy ENV15 – Renewable Energy,
- Policy H1 – Housing Development,
- Policy H3 – New Houses within Development Limits,
- Policy H9 – Affordable Housing,
- Policy H10 – Housing Mix

Supplementary Planning Documents:

- ECC Parking Standards (September 2009);
- Uttlesford Local Residential Parking Standards (February 2013)
- Energy Efficiency and Renewable Energy (October 2007)

6.3 Uttlesford District DRAFT Local Plan

- Elsenham Policy 3 – Land South of Stansted Road

7. PARISH/TOWN COUNCIL COMMENTS

- 7.1 Elsenham Parish Council objects in the strongest terms to this planning application and makes the following comments, submissions and objections.
- 7.2 As its main submission and evidence against the proposed planning application, the Parish Council has submitted a document by Hives Planning Ltd that details the

evidence to justify fully, the refusal of this planning application and requests that the Planning Department gives full consideration to its content.

- 7.3 Should the District Council choose to disregard the Parish Council's strong objections and be minded to grant outline permission for this proposed development, the Parish Council wishes to make the following requests regarding certain specific proposals contained within the developer's application, which it hopes will be accepted and implemented

Children's Play Spaces and Amenity Green Open Spaces

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

Community Allotments

- 7.7 In its Planning Statement (Draft Heads of Terms) and Design and Access Statement, the developer proposes to provide one hectare of land for community allotments and has suggested that this allotment land be transferred to the Parish Council for the benefit of local residents.
- 7.8 As stated previously, Elsenham Parish Council considers it essential that if the District Council is considering the transfer of these areas to the Parish Council, it liaises closely with the Parish Council before concluding a Section 106 Agreement with the developer. In particular, the Parish Council considers that it is essential, when establishing a new allotment area, that the site is properly planned and set up, with all of the necessary basic facilities and services needed. To achieve this, the Parish Council requests that the developer, in liaison with the Parish Council, be required to undertake the responsibility for establishing the community allotments area, together with its accompanying facilities and services. As an alternative, an appropriate lump sum payment could be made by the developer, to the Parish Council, as part of the S106 Agreement.

Summary of Hives Planning Report for Elsenham Parish Council

- 7.9 Elsenham has accommodated significant development in recent years, including the 53 dwellings at the Orchard now under construction. The Emerging Local Plan seeks to allocate a further 425 dwellings. Elsenham is a relatively small village of around 900 existing dwelling and just does not need and cannot support such an increase.

- 7.10 This is an opportunistic planning application which is contrary to the Development Plan and is being submitted on the eve of the production of the Emerging Local Plan in a clear attempt to bypass the 'plan-led' system. UDC have already implicitly endorsed the strategy of rejecting major applications in advance of the ELP process in refusing permission for an application for 140 dwellings at Bentfield Green, Stansted Mountfichet July 2013.
- 7.11 The primacy of the Development Plan is recognised by statute, in the Framework and in the Application Planning Statement, which rightly says 'all applications to be determined against the development plan unless material considerations indicate otherwise'. The APS indicates that the development is contrary to the following policies of the Adopted Local Plan S3 (development limits), S7 (protection of the countryside), S8 (countryside protection zone) and ENV5 (protection of agricultural land).
- 7.12 Moreover, the Emerging Local Plan process cannot be lightly set aside. The site may be included in the Consultation on Proposals for a Draft Local Plan (amounting to a proposed allocation of some 425 additional dwellings) but this needs to be carefully and comprehensively assessed through the Hearing process. In addition there are pending applications (excluding this application) for 830 dwellings in Elsenham which should also be comprehensively examined through the Plan process.
- 7.13 There is no adequate reason to consider the site outside the Framework's proper 'plan-led' system which 'empower(s) local people to shape their surroundings'. Indeed this important principle seems to be ignored in the planning application documents. Although hampered by the tortuous process of the East of England revocation, UDC are making progress on preparation of the new Local Plan and there is a trail of public expectation through consultation that this site should be rejected.
- 7.14 The main justification put forward for this application to be permitted is the allegation that there is no 5 year housing land supply. On only a very narrow definition (sites with planning permission), but by taking the Framework's definition of deliverable housing within 5 years the supply is in excess of the 5 year requirement even if the 5% additional requirement is included and this excludes the application site.
- 7.15 The provision of 40% affordable housing may be an illusion. No viability assessment has been submitted, contrary to advice in the Framework to show how (or if) this would be achieved.
- 7.16 The claim that the site is 'sustainable' because of its proximity to the village could apply to any site adjoining the existing urban area.
- 7.17 The proposal would result in the loss of valuable open landscape in traditional agricultural use which surrounds the village and not only provides its setting but also is highly regarded by local residents. At the very least this is another issue which should be examined through the Local Plan process.
- 7.18 The inadequacies of the Gleeson and Fairview TA's highlight the need for all the development proposals to be properly assessed on a cumulative basis as part of the evidence for the ELP, and for proper examination at the Hearing.
- 7.19 The application should be refused planning permission because
- It is contrary to the development plan thus failing the first test of the legislation,

- Proposals such as those in this application should be individually and cumulatively examined as part of the Emerging Local Plan process
- There are inadequate 'material considerations' to set aside these principal considerations.

8. CONSULTATIONS

Henham Parish Council

- 8.1 Object on the grounds that the existing infrastructure is already overloaded, the road network is fragile and will be unable to take any more traffic. Elsenham has already been allocated over 300 homes and this extra 165 homes is a step too far. The Local Plan does not include the site.

ECC Highways

- 8.2 No objections subject to conditions.

ECC Education

- 8.3 There is insufficient provision for Early Years and Childcare in the area and there will be insufficient capacity at both Elsenham Church of England (VC) Primary School and Mountfichet Maths and Computing College School. As a consequence additional provision will be required and the County Council requires a total contribution of £1,279,319.

- 8.4 The County Council has been asked for a breakdown of these contributions and has advised that £176,195 is required for Early Years and Childcare, £516,087 for Primary School provision and £522,687 for secondary school provision.

ECC Ecology

- 8.5 No objection subject to conditions.

Natural England

- 8.6 No objection.

ECC Archaeology

- 8.7 Requires a condition be imposed on any planning permission requiring archaeological trial trenching followed by Open Area Excavation.

ECC Environment

- 8.8 No objections.

Aerodrome Safeguarding

- 8.9 No objections subject to the imposition of conditions relating to Landscaping, SUDs and the submission of a bird Hazard Management Plan and a Renewable Energy Scheme.

NATS

- 8.10 No Objections

London Stansted Airport

- 8.11 Considers that applications for medium and large scale developments, such as the current proposal, should analyse the effects of the proposed development on the future operation of J8 taking into account the other planned development as well as the consented development of Stansted Airport to serve 35mppa so that the overall cumulative effects on the performance of the junction can be properly understood.

Highways Agency

- 8.12 No objection.

Network Rail

- 8.13 The development is increasing the potential usage of Fullers End pedestrian crossing. Currently the crossing is a Miniature Warning light (with audible warning) that provides access from the village to a small number of houses and a country lane. The concern is that crossing will see increased usage by the building 138 houses to the east and the outline application for 165 houses to the west of the crossing. This increase is seen as a huge risk to the safe usage of this crossing. It is proposed that as part of the planning application the current public right of way be diverted to utilise a nearby under bridge to the south of the crossing.

GPSS

- 8.14 No Comments on the application.

Sport England

- 8.15 No objections

Thames Water

- 8.16 No objections.

Environment Agency

- 8.17 No objections subject to conditions.

NHS Property Services Ltd

- 8.18 Holding Objection. There is a capacity deficit in the catchment surgeries and a developer contribution of £52,800 would be required to mitigate the 'capital cost' to the NHS for the provision of additional healthcare service arising directly as a result of the development proposal.

UDC Housing Enabling Officer

- 8.19 The affordable housing provision on this site will attract the 40% policy requirement as the site is for 165 (net) units. This amounts to 66 affordable housing units and it is expected that these properties will be delivered by one of the Council's preferred Registered Providers.

- 8.20 The affordable housing should provide 16 x 1 bed, 29 x 2 bed, 19 x 3 bed and 2 x 4 bed units with the tenure split as provided; this mix should be indistinguishable from the market housing, in clusters of no more than 10 with good integration within the scheme and be predominately houses with parking spaces.

UDC Environmental Health

- 8.21 Condition is recommended to require scheme of mitigation to be submitted relating to construction and including a Site Waste Management Plan.
- 8.22 Air Quality: At the operational stage, additional residential development in Elsenham will add to road traffic through Stansted Mountfichet and the risk of congestion. UDC commenced monitoring of NO₂ at the lower end of Chapel Hill Stansted in 2012. The annual mean value was 60% below the annual objective. Whilst the impact from the proposed development alone has been assessed by the applicant as negligible, the development will add to the cumulative increase in road traffic, leading to a greater risk that the annual mean will approach the objective unless mitigation measures are taken.
- 8.23 Noise: The development will be subject to noticeable road noise and a scheme detailing the measures must be submitted at the detailed stage and approved prior to commencement of development.

UDC Access and Equalities Officer

- 8.24 The new dwellings will need to meet the requirements of the SPD on Accessible Homes and Playspace and 5% of the units must meet the Wheelchair Housing Standard. It is suggested that four affordable and four open market dwellings would be the way to meet this requirement.

WARD COUNCILLOR – COUNCILLOR ELIZABETH PARR

- 8.25 Cannot support this application. Elsenham is currently being besieged with developments with 400 homes being allocation to the village in Uttlesford District Council's Draft Local Plan and a further 800 homes being proposed by Fairfield.
- 8.26 Elsenham does not need that many homes. The adopted local plan is against urban expansion into open countryside, which is actually what this proposal is going to do. Not only is this site open countryside, it may also contain artefacts from the Bronze Age, Iron Age and Roman periods.
- 8.27 If the houses were to be built, new residents would be plagued from noise from the M11. I live on Broom Farm Road with double glazing and I am still able to hear the M11 at times, my house is significantly further away than the proposed development from the M11.
- 8.28 On the proposed site locally protected reptile species have been on the site.
- 8.29 The village infrastructure and facilities are already becoming overloaded, any new housing will only exacerbate the problems further. For example, there is currently no preschool in Elsenham.
- 8.30 The new proposed site access road will increase traffic congestion on a busy road during peak periods and on a road of limited size.

9. REPRESENTATIONS

9.1 118 letters of objection have been received and the objections are summarised below:

- The transport assessment is completely wrong. The B1051 is already at capacity especially at Grove Hill, where vehicles have to wait sometimes up to 30 minutes. This is before the increased traffic that will come from the Orchard development along Station Rd and the other application sites in Elsenham.
- The data used in the transport assessment does not properly or fully represent the local traffic conditions, in and around Elsenham.
- Other 'local' traffic flow anomalies also do not appear to have been fully understood or modelled.
- Road access into Elsenham for large, heavy HGVs is restricted; the only allowable route being via the B1256 Takeley, the Dunmow Road/Parsonage Road junction and Hall Road, Elsenham. Other access routes into Elsenham are the subject of weight or width restrictions. As a result, all heavy construction vehicles will, by necessity, be required to travel through the length of the village, which will include passing the busy Hall Road junction and the primary school in the centre of the village.
- HGV's ignore the agreed access route into the village and sue Grove Hill. No enforcement has been taken to prevent them.
- Stansted Road is 30mph which drivers often ignore. No traffic calming measures are proposed.
- The proposed site access road will exit onto an already busy narrow road. A westerly direction takes the traffic to Stansted via a single file traffic system on Grove Hill. The easterly exit will bring traffic into the heart of Elsenham village and the only way out is then via winding country lanes with inadequate widths, height restrictions and junctions.
- There are no jobs in the village or infrastructure and there will be significant movement of people into and out of the village for both work and leisure.
- Elsenham has already been allocated over 300 homes which is a 30% increase to its existing size. This extra housing would increase that to over 45%.
- This site is identified in the new Local Plan, but it should be considered as part of the 'plan led' system advocated in the Government's Planning Framework, not as an ad hoc planning application.
- This is yet another opportunistic application being made in an attempt to bypass the proper process and deny the legitimate involvement of the local community in the planning of its surroundings.
- This site has been identified in the draft New Local Plan; however, this Plan is in draft form only and a final pre-submission public consultation has yet to take place. The application should be considered as part of a 'plan led' system - as advocated in the Government's Planning Framework - and not as an ad hoc planning application
- Why are new homes proposed when empty and derelict houses are not being used. There are also homes at the Forresthall site in Stansted that are not selling.
- Elsenham should not have to take any more houses. The 'housing land supply' has been miscalculated by UDC and the applications, there is an adequate supply, this application is not urgent and is not needed either in Elsenham or Uttlesford.
- The site is now identified to be smaller in UDC's Position Statement' and the housing number identified at 140 but 165 has been applied for.
- Locally protected reptile species have been found on this site and it may well contain artefacts from the Bronze Age, Iron Age and Roman periods.
- Impact upon the quality of the countryside
- The infrastructure cannot cope with more development.
- The village school is already full so any new child moving into the village will need to look for schooling elsewhere which will entail additional car movement.

- The doctors' surgery is currently oversubscribed by 1600 patients.
- Concerns regarding healthcare provision, particularly maternity services.
- Inappropriate place for affordable housing as you need to be able to afford to run cars to get anywhere or do anything - it is expensive to live here as it costs to travel. Not enough schools and shops and facilities means it is required to travel.
- There is also the matter of fresh water and waste disposal. The water pressure in Elsenham is currently appalling as there are too many homes connected to the old pipework and the waste system struggles to cope.
- The site is a greenfield one and would result in the loss of agricultural land.
- This urban extension into open countryside is contrary to the adopted Local Plan
- This proposed development site is in breach of Policy S8 - The Countryside Protection Zone, of the Adopted Local Plan, as it is entirely located within the designated protection area.
- Impact upon the character of the village
- Concerns relating to the impact on existing residential properties and residential amenity.
- The application makes no reference to the two footpaths which border the site. In the past this has resulted in the paths being incorporated into the building site during the construction and not reinstated.
- Impact upon protected species and other wildlife.
- The site has a high reptile population.
- The noise and pollution from the M11 will impact severely on the new residents, especially if the M11 is widened; both extra lanes are to be built this side of the motorway.
- Concerns at the location of housing near to an existing B2 engineering enterprise at Globe Engineering. The application noise assessment does not take proper account of the use.
- The conclusions of The Uttlesford Water Cycle Study - Final Report state that the new housing developments proposed for Elsenham under the draft New Local Plan will exceed the existing capacity of the Stansted Water Treatment Works. Anglian Water Services / Environment Agency position statement in relation to the 800 dwelling Fairfield proposal confirmed that "... there is insufficient capacity to accept ultimate development flows to the local treatment works at Stansted Mountfitchet for the proposed development at the Fairfield, Elsenham site."
- The existing sewage network is already causing problems in parts of the village and will be further overloaded. There appear to be no proposals coming forward from the water companies to expand and upgrade the public foul sewer network to cope with the new housing provisions for Elsenham.

10. APPRAISAL

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

- A The principle of development of this site for residential development (ULP Policies S7, S8 and GEN2)
- B Access to the site and parking provision (ULP Policies GEN1, GEN8; SPD: Parking Standards – Design and Good Practice; Development Management Policies)
- C The proposed scale, layout and form of the development and the impact of the development on residential amenity (ULP Policy GEN2)
- D Infrastructure provision to support the development (ULP Policy GEN6)
- E Whether there would a detrimental impact on nature conservation and landscape features and loss of agricultural land (ULP Policies GEN7, GEN2 and ENV5)
- F Mix of Housing and Affordable Housing (ULP Policies H9 and H10)
- G Other Material Considerations

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

- 10.1 The application site is located outside the development limits of Elsenham within open countryside and is therefore located within the Countryside where ULP Policy S7 applies. It is not considered that the development would meet the requirements of Policy S7 of the Local Plan and that, as a consequence, the proposal is contrary to Policy S7 of the 2005 Local Plan.
- 10.2 In addition to the above, the site is located within the Countryside Protection Zone (SPZ) and is subject to Policy S8 which applies strict control to new development, particularly where new buildings would promote coalescence between airport and existing development in the countryside or it would adversely affect the open characteristics of the zone.
- 10.3 The Council has commissioned a Compatibility Assessment which confirms that the NPPF has no implications for Policy S8 but that Policy S7 is only partly consistent with the Framework in that the protection and enhancement of the natural environment is an important part of the environmental dimension of sustainable development. The NPPF takes a positive approach, rather than a protective one and therefore, whilst Policy S7 is still relevant to the consideration of this application, there is also a presumption in favour of sustainable development as set out in Paragraph 14 of the NPPF.
- 10.4 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.
- 10.5 The applicants have argued that Uttlesford cannot demonstrate an adequate 5 year supply of housing land and that the site is one which is identified for development within the emerging Uttlesford Local Plan.
- 10.6 The 2012 Annual Monitoring Report 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.
- 10.7 A report on Uttlesford's Housing Trajectory and 5-Year Land Supply 2013 was referred to the LDF Working Group on 14 June 2013 and stated that: 'The 5-year land supply statement shows that the Council has 74% or 3.7 years supply of committed sites against the annual requirement of 415 dwellings based on an economic scenario where the annual growth in jobs acts as a constraint on population and household growth.
- 10.8 The Council therefore recognises in its most recent Annual Monitoring Report 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 in accordance with the guidance set out in Paragraph 49 of the National Planning Policy Framework.
- 10.9 The application site is identified as a proposed development site in the Draft Local Plan 2012 under Elsenham Policy 3 – Land south of Stansted Road. The proposed

allocation is for a minimum of 130 residential dwellings to provide for a mixed and balanced community although this number has been increased in the recently adopted Position Statement March 2013 to a minimum of 140 dwellings with the developable area being reduced from 12ha to 6.5ha.

10.10 The Draft Local Plan is at an early stage in its preparation. The consultation on proposals took place in June 2012 with the further pre-submission consultation due to take place in Spring 2013 delayed to allow further studies to be completed and considered in full. As a consequence, the sites identified have not yet been through the full consultation process and approval of sites identified in the Draft Local Plan may be regarded as being premature.

10.11 The site in question was identified in the Strategic Housing Land Availability Assessment (SHLAA) under Site ELS1 and performed well although initial concerns were raised about the proximity to the motorway. It was considered however that this could be overcome by design within the scheme. It was also commented that the site is open and visible from Fuller's End but that this should not be an impediment to good design. In terms of environmental impact it was suggested that it could be more sensitive than some of the other Elsenham sites but the recommendation was for its overall inclusion and that the CPZ boundary would be changed to accommodate the development.

10.12 It is considered that bringing forward this site for development at this stage would contribute towards the Council's 5 year housing land and would be in accordance with Government advice, as contained in the NPPF, that housing applications should be considered in the context of the presumption in favour of sustainable development.

10.13 The Parish Council's objections to the development are noted. These stem largely from the concerns that Elsenham is identified for considerable development which the village infrastructure cannot cope with. The Parish Council also submits that the development is not needed to contribute towards the District's five year supply. The Parish Council's Report refers to sites within the emerging local plan and other speculative applications on non-identified sites, many of which have been refused planning permission, and suggests that as they are available, they should be considered as part of the 5 year supply. It is not considered that these sites can be counted towards the 5 year supply. This methodology has not been accepted by Inspectors at appeal and sites in emerging local plans have not been allowed to be included within the five year land supply due to the fact that they do not have planning permission and are not considered to be available in NPPF terms. The Parish Council's Report also suggests that sites which have been submitted for pre-application discussions should be considered. Again, these sites have no status and should be discounted. They are similar to sites in the emerging local plan in that they cannot be considered to be available at the present time nor can it be assumed that they will obtain planning permission.

10.14 The approach of the Parish Council with this application varies to their original consultation response when considering the inclusion of the site in 2009. The Parish Council's comments as set out in the SHLAA related more towards how the site could be developed and advised that:

- Western Boundary MUST have open spaces, due to poor air quality.
- Need for adequate Space between Motorway Boundary and development.
- Need to ensure good design as open and visible from Fullers End.
- Grove Hill access must be assessed by Highways.
- Possible site for 150 units

10.15 It is acknowledged that Elsenham is proposed for a sizable allocation of houses and that two of the three proposed allocations have already come forward and been approved by Committee; the Crown Estates site (Elsenham Policy 1 - Land west of Station Road) and the land west of Hall Road (Elsenham Policy 2 - Land west of Hall Road). The current application represents the third of the sites identified in the emerging Local Plan and in view of the ongoing inability of the Council to demonstrate a 5 year supply, it is considered that the presumption in favour of sustainable development as set out in the NPPF, must also apply in this instance.

10.16 In terms of sustainability, the Transport Statement demonstrates that the site is located near to existing public bus stops and is served by existing bus routes that give access to Stansted Airport and Bishops Stortford, Stansted Mountfitchet and Saffron Walden. The site also provides access to Elsenham railway station and the main line service between Cambridge and London. The village of Elsenham is also relatively well served with facilities, many of which are within walking distance of the application site and development of the site would allow residents to access facilities by means other than the motor car.

10.17 In these circumstances and in view of the Council's lack of a 5 year housing land supply, it is considered that it is appropriate to bring forward the development of this site in advance of the adoption of the future Local Plan.

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

10.18 The application includes the details of the proposed single access onto Stansted Road for consideration at this stage. This is located towards the eastern edge of the development and involves a new priority junction approximately 50m from the approved Crown Estates access to the west.

10.19 The illustrative layout shows that an emergency access would be provided onto Stansted Road to the west of Old Mill Farm. A 2.0m wide footway is to be provided on the southern side of Stansted Road along the site frontage to the east of Old Mill Farm. A 3.0m wide footway/cycleway will also be provided to the west of Old Mill Farm to provide pedestrian access to and from the site to the west. A footway connection on the southern side of Stansted Road linking to the emergency access to the west of Old Mill Farm will also be provided in order to accommodate existing residents in the village walking to the proposed allotments on the site. Additional pedestrian/cycle links will be provided to the existing footpath located along the eastern boundary of the site as well as connecting to the existing Public Right of Way on Rush Lane in the south-east corner of the site.

10.20 Additional information has been submitted to the Local Highway Authority. The applicants maintain that the most recent results show that the junction at Grove Hill operates with ample spare capacity in the morning and evening peak hour periods under current traffic conditions, with negligible queuing and delay. Also that the results show when allowing for the modifications to the model, the B1051 Grove Hill / Lower Street junction is still forecast to retain sufficient capacity during the morning and evening peak hour periods in the 2018 design year.

10.21 The majority of the representations received by third parties have related to concerns about additional traffic generation on the narrow rural roads leading to and from Elsenham and in particular, the capacity of the Grove Hill junction to cope with additional traffic.

10.22 However, the Local Highway Authority has not raised any objections to the development and considers that there is sufficient capacity within the highway network to accommodate the traffic from this development. The additional information submitted by the applicants included the detailed design of the access, and a re-run of the modelling of the signalised junction at Grove Hill, Stansted. The Local Highway Authority has agreed the findings of the applicants and that improvements can be made to the signals at Grove Hill to maximise efficiency. A contribution is therefore required to fund this work. The local highway authority also require the provision of a traffic management scheme on Stansted Road and Elsenham High Street and additional bus stops on Stansted Road, together with contributions for cycle provision at Elsenham High Street and Elsenham Station. These matters would be the subject of a Section 106. The application is considered to be acceptable in highway terms and in accordance with Local Plan Policy GEN1, subject to appropriate conditions and a Section 106 in relation to contributions.

10.23 In terms of parking, the applicants have confirmed that this will be provided in accordance with Uttlesford's parking standards and that parking will be provided within curtilage of individual dwellings and within discrete parking courts. The illustrative Masterplan shows that parking can be achieved on plot and that despite the statement in the Transport Assessment, no parking courts are shown. It is considered that the site provides sufficient space to accommodate parking on plot but this will be a matter for later approval at the reserved matters stage. At this stage, it is considered that adequate parking can be provided in accordance with the Council's standards and that the application would comply with Local Plan Policy GEN8.

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

10.24 The design and access statement provides details of the rationale behind the proposed development. This follows an assessment of the constraints and opportunities of the site which include the single point of access, the landscape setting, the M11 and the protection of residential amenity of nearby residents.

10.25 The proposals are in outline with only a Masterplan submitted showing an indicative layout of the site. The submitted application does not include details or illustrations of the style and character of the new houses, which will be submitted under reserved matters. However, the Design and Access Statement advises that the design of the new dwellings will be in keeping with the local character of Elsenham and with the principles of the Essex Design Guide, alongside meeting specific housing requirements. They advise that the development is expected to include frontages facing onto open spaces or open views and the predominance of 2 but also some limited 2.5 storey homes in keeping with Elsenham's traditional house types. A small number of 2 storey maisonette units will be incorporated to address local needs for small dwellings with carports, as set out by the latest UDC's housing market analysis (SHMAA) whilst bungalow units will be provided to meet the policy requirements and to minimise the visual impact from existing properties on Stansted Road and within Old Mill Farm. The building materials will be based on the historical local palette Elsenham.

10.26 The development will be served by a primary loop road which will have a network of shared surfaces and private drives connecting the outer properties. Both the loop road and side routes allow for refuse vehicles to access the whole of the development. Access to the allotments will be provided to form a 4.8m wide carriageway, which can form a track access constructed using either NetPave or Grasscrete.

- 10.27 The Masterplan shows the new housing adjoining the main existing edges of Elsenham village and allowing significant areas of open space to be created to the west and south thereby creating a wide buffer between the housing and the M11 corridor. The Masterplan also shows open spaces around the periphery of the development but the Design and Access Statement confirms that there will be four designated formal play areas, all of which will be within convenient locations to the housing and will be overlooked to ensure safety and security. In addition, the southern margins of the site will be a semi-managed open space, providing opportunities for natural colonisation of native plant species and wildlife.
- 10.28 The proposal includes allotments of 1ha as required by draft Elsenham Policy 3 – Land south of Stansted Road. This is shown on the west/south-west edge of the development and to be accessed via the primary road. The applicants have confirmed that the allotments will be provided with dedicated parking and water points. At this stage, there is no fixed location for the allotments and the applicants have advised that this will be determined at the reserved matters stage in consultation with the Parish Council.
- 10.29 Play spaces totalling 0.07ha are to be provided and located within convenient walking distance from the properties and accessible through the pedestrian pavements and cycle routes. The emerging Local Plan Elsenham Policy 3 requires the provision of LEAPs and NEAPs to serve the development but the applicants have indicated that only LEAPs and LAPs are to be provided. However, the Parish Council has advised that, should the local planning authority grant planning permission for the development, it would prefer that the developer provides only a small amount of children's play equipment on the site and that a lump sum of money be given to Elsenham Parish Council to spend on improving and adding to children's play equipment at the village's main children's play area, located on the Playing Field/Recreation Ground. This would allow a greater community benefit within the village and it is considered that such a request, together with the need for maintenance contributions, is reasonable.
- 10.30 A water balancing pond is shown located to the south of the developed area as part of the drainage strategy for the site and will provide an additional ecological, visual amenity and recreation area and will total 2700sq.m.
- 10.31 It is considered that the principles of the layout as shown on the Masterplan are acceptable but that there are matters of detail that will need to be addressed at the reserved matter stage. These centre on the relationship of the new development with the existing properties at Old Mill Farm. The existing residential and commercial premises (Globe) extend to the south of the dwellings along Stansted Road and would be surrounded by the new dwellings on three sides. The existing residential properties are orientated east/west and have limited garden depth between them and the development site. Care will be needed with the siting and design of the new dwellings to ensure that they do not have an overbearing effect on the existing ones.
- 10.32 Globe engineering is a B2 use which has recently been extended. Restrictions have been attached to the new extension but the main part of the premises has no restrictions on noise or hours of operation. Although the applicants have submitted a noise assessment, this failed to take proper account of the engineering premises and further noise readings have been taken to ascertain the potential impact of the B2 use on the proposed housing. The noise readings have shown that a small area of the development adjacent to Globe will be affected by noise from the B2 use and will require an adjustment to the layout. The Council's Environmental Health Officer has agreed the findings and confirmed that revisions of layout should be sought to avoid residential land being subject to levels above 55dB. The applicants have confirmed that

this can be achieved and it is considered that there is sufficient flexibility in the illustrative Masterplan to allow this to take place.

- 10.33 There are few other existing residential properties that would be directly affected by the proposed development. Some of the existing dwellings along the southern side of Stansted Road will back on to the development. However, these have rear gardens of between 22m and 25m and it is considered that the development would not have a materially adverse effect upon the reasonable occupation and enjoyment of the existing dwellings. Some properties to the north of Stansted Road would look towards the development and as a consequence the proposed development would affect the views of those residents but there would be no issues of overlooking or loss of amenity. It is considered therefore that the proposal is in accordance with Policy GEN2.
- 10.34 In terms of the amenities of future residents, the application site is located close to the M11 corridor, the main line railway and is also close to the airport. All three have the potential to have an adverse impact upon the amenities of future residents and measures will need to be put in place for mitigation against noise. The applicants' noise survey has concluded that road traffic on the M11 is the dominant noise source at the site and that both Aircraft noise and railway noise is much less significant.
- 10.35 Two options have been considered for noise mitigation on the site. One is to install a 2-metre high close boarded fence along parts of the western and northern boundaries of the site. The other is to also install a 2-metre high close boarded fence along parts of the same boundaries but to also construct a 4 metre high bund along the middle section of the western boundary with a 2-metre close-boarded fence located on the top. Both options would result in noise levels across the vast majority of the site being reduced to within NEC B and all the dwellings are located well within this area within the NEC B levels. Only a thin strip along the edge of Stansted Road, and an area in the southwest corner of the site would fall within NEC C but no dwellings would be located here and the area affected is limited.
- 10.36 Although both options would ensure that all the housing would fall within NECB, it is anticipated that there would still need to be further mitigation through double glazing. Detailed noise modelling will be required therefore once the site layout has been finalised to determine the glazing requirements for each individual property. As a consequence, it is envisaged that an acceptable noise attenuation strategy can be put in place to protect the amenities of future residents in compliance with ULP Policy ENV10.

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

- 10.37 Draft Elsenham Policy 3 – Land south of Stansted Road contained in the Draft Local Plan 2012 – Consultation on Proposals, sets out a number of criteria which are to be met by development of the application site. These involve a list of community benefits which include provision for public transport contributions (to include rail station improvements); provide both informal and informal recreational open space; contribution towards the provision of a Community Centre; and to contribute towards wider and longer term planning benefits reasonably associated with the alleviation of any such impact.
- 10.38 Essex Education has advised that some £1.2million is required in education contributions. This is to cover the provision of early years and child care and also the provision of additional primary and secondary school places. The applicants have confirmed that they are prepared to enter into a Section 106 to provide appropriate contributions but have challenged the figure requested. This figure appears to be

considerably higher than that requested on other similar sites in Elsenham and elsewhere and therefore, your officers have also requested an explanation and justification. This is currently awaited at the time of writing this report.

- 10.39 The site in question forms one of three identified sites in Elsenham and therefore it would be expected that the Education Authority would be able to ascertain the likely impacts of all three developments and to require proportionate contributions. That does not appear to have happened and applications are being treated on a first come first served basis by Essex Education. The education contribution will be required to be provided by a Section 106 Agreement but the sum will also need to be justified and to be shown that it is reasonable and required to address the impacts that would arise as a direct consequence of the development of the site.
- 10.40 Both draft policies for the Elsenham Policy 2 and 3 sites state that provision for public transport contributions will be sought which will include rail station improvements. Network Rail has commented that the development is increasing the potential usage of Fullers End pedestrian crossing. They raise concern that the crossing will see increased usage by the building 138 houses to the east and the outline application for 165 houses to the west of the crossing. This increase is seen as a huge risk to the safe usage of this crossing. It is proposed that as part of the planning application the current public right of way be diverted to utilise a nearby under bridge to the south of the crossing. The applicants have advised that they do not own or control the land in question and therefore would not be able to divert the footpath as required by Network Rail.
- 10.41 Network Rail has been approached by the Local Planning Authority to establish the level of contributions that would be required from this and other sites, but have not responded and no contribution was therefore sought from the applicants in respect of the land west of Hall Road (UTT/0142/12/OP). Improvements to Fullers End do not form part of the current proposals nor was it envisaged that this development would provide the level of infrastructure contribution that would be required for such works. It is considered that there would be a limited requirement for improvement works as a direct result of this development and that it would be unreasonable to expect this development to make provision for works that are already required and are the responsibility of Network Rail. In view of the lack of feedback from Network Rail, it is not intended to seek any public transport contribution from the applicants.
- 10.42 The application provides open space as required by Elsenham Policy 3 and as set out the earlier sections. The transfer of this land together with the level of maintenance funding will be subject to a Section 106 Agreement. The application will also be expected to make a contribution towards the provision of the new community centre as part of Elsenham Policy 1. A contribution of approximately 31% towards the costs of the centre which would be proportional to the numbers of dwellings proposed within the application up to a maximum of £33K is therefore being sought.
- 10.43 NHS Property Services has raised a holding objection to the proposed development on the grounds that the applicant has not proven that the application fully delivers sustainable development, as it does not assess the likely healthcare impacts of the development or provide for the necessary mitigation. The NHSPS has calculated that the additional growth in population as a result of the application will generate a need for a further 0.22 GP to meet that growth together with additional floorspace. As a consequence, the NHS has advised that a contribution of £52,800 is required to create the additional floorspace.

10.44 The above requirements will be the subject of a Section 106 Agreement and a draft is being prepared. It is considered that, subject to the developer entering into a S106 obligation to provide the above contributions, the proposal would comply with the requirements of ULP Policy GEN6 and draft Elsenham Policy 3.

E Whether there would a detrimental impact on nature conservation and landscape features and loss of agricultural land (ULP Policies GEN7, GEN2 and ENV5)

10.45 An ecological assessment of the site has been undertaken and submitted with the application. This information has been considered by the ECC Ecologist who has no objections to the proposals and confirmed that the ecological information submitted with the application is generally acceptable. However, birds must be addressed more fully in the Biodiversity Mitigation and Enhancement Plan (see below). Provision for the long-term management of the site must be considered. The proposal would therefore comply with the requirements of ULP Policy GEN7.

10.46 In terms of the visual impact, the application site slopes north to south and the submitted Landscape and Visual Impact Assessment (LVIA) confirms that views of the site are limited to views from the immediate local landscape to the north and south and the existing residential edges to the north-west. Although there are views from public rights of way these are also limited to those which cross, or lie immediately adjacent to the north-east boundary of the application site. The views in all cases are therefore limited due to the combination of topography and intervening woodland vegetation.

10.47 A number of existing trees have been identified within the application for retention. The illustrative layout shows that the treebelt along the southern boundary would be retained together with the majority of the trees on the site which would be incorporated into the development. It is considered that the visual impact of the development would be limited and that with the retention of the trees within the site, the development would be in accordance with Policy GEN2 (b) of the Local Plan.

10.48 The application site comprises 12.5ha of which the majority is currently agricultural land. Policy ENV5 of the Local Plan, in common with the NPPF, seeks to protect the best and most versatile agricultural land (Grades 1, 2 and 3a).

10.49 Policy ENV5 states that where agricultural land is required, developers should seek to use areas of poorer quality except where other sustainability considerations suggest otherwise. The NPPF repeats this advice and that local planning authorities should take account of the economic and other benefits of the best and most versatile land (Paragraph 112).

10.50 The application falls within the definition of best and most versatile land. However, the majority of the district falls within this definition and this was a matter that was taken into account by the SHLAA. That noted that this site together with the other proposed allocation sites would result in the loss of good quality land but nevertheless, confirmed that all three should be put forward as allocations. The loss of agricultural land has therefore been accepted on the other sites and it is considered that the current proposal is also acceptable.

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

10.51 Policy H9 requires that 40% affordable housing is provided on sites having regard to market and site conditions. The applicants have confirmed that the development would provide 40% affordable housing. The Planning Statement confirms that 66 affordable units would be provided which comprise 16 x 1 bed units , 29 x 2 bed houses (includes

4 bungalows), 19 x 3 bed dwellings and 2 x 4 bed houses. It will be required that the affordable units are arranged in clusters of groups of no greater than 10 units with the final disposition within the site to be decided at the reserved matters stage.

10.52 The amount and grouping of the affordable units within the development is acceptable and in accordance with Policy H9 of the Local Plan. Their provision would be subject to a Section 106 Agreement.

10.53 The development as a whole comprises a mix of 1, 2, 3, 4 and 5 bedroomed dwellings. The applicants have confirmed that the development will meet the requested provisions for at least 5% single storey dwellings and that 8 bungalows will be provided, split equally between affordable and open market dwellings. The applicants have also indicated that the dwellings would be built to lifetime standards. It is considered that the application will provide an acceptable mix of dwellings on this site and that the proposals comply with Policy H10 of the Local Plan.

G Other Material Considerations

10.54 The site is located within Flood Zone 1 and the accompanying Flood Risk Assessment confirms that there is no risk of flooding. Both foul and surface water drainage can be provided for the site and the relevant statutory undertakers have raised no objection to the application.

10.55 Concerns have been expressed regarding the archaeological potential of the site. However, the County Archaeologist has no objection to development proceeding subject to pre-commencement trial trenching taking place followed by open area excavation.

10.56 In all other respects, the application is considered to be acceptable.

11. CONCLUSION

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

11.1 Although the application site is located outside the current development limits of Elsenham, it is identified as a proposed allocation in the emerging Local Plan. It is considered that, in view of the Council's current lack of a 5 year housing land supply and the contribution that this application would provide by way of affordable housing, and community benefits, the site should be brought forward in advance of the adoption of the current draft Local Plan. The applications have submitted additional highway information and the Highway Authority has now confirmed that it has no objections to the application subject to conditions and also contributions to secure off site highway improvements. The application is considered to be acceptable in all other respects and accords with the policies of the Development Plan and the NPPF.

RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO S106 LEGAL OBLIGATION

- (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 2nd October 2013 of being invited to do so the freehold owner enters into a binding agreement to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief**

Executive - Legal, in which case he shall be authorised to conclude such an agreement to secure the following:

- (i) Community payment for education and health care services**
- (ii) Provision of 40% affordable housing**
- (iii) Provision and transfer of open space and play equipment**
- (iv) Contribution towards off-site play equipment and maintenance of open space for 20 years**
- (v) Contribution towards provision of a Community Centre**
- (vi) Provision and transfer of allotments**
- (vii) Contribution towards the provision of off-site highway works**
- (viii) Pay Monitoring Cost**
- (ix) 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:

- (i) Community payment for education and health care services**
- (ii) Provision of 40% affordable housing**
- (iii) Provision and transfer of open space and play equipment**
- (iv) Contribution towards off-site play equipment and maintenance of open space for 20 years**
- (v) Contribution towards provision of a Community Centre**
- (vi) Provision and transfer of allotments**
- (vii) Contribution towards the provision of off-site highway works**

CONDITIONS

1. Approval of the details of the layout, scale, landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

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

2. (A) Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.
(B) The development hereby permitted shall be begun later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

3. No development shall take place until a Biodiversity Mitigation & 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 and in accordance with the general principles outlined in the Ecology and Biodiversity Assessment (dated May 2013) and, without prejudice to the foregoing, shall include:
- (A) Aims and objectives of mitigation;
 - (B) Extent and location of proposed works;
 - (C) A description and evaluation of the features to be managed;
 - (D) Sources of habitat materials;
 - (E) Timing of the works;
 - (F) Selection of specific techniques and practices for preparing the site and creating/establishing vegetation including specific planting schemes detailing the native species that will be used;
 - (G) Details of the location, height, design and luminance of all fixed lighting for both construction and occupation phases of the development to minimise impacts on foraging bats;
 - (H) Detailed descriptions of biodiversity enhancement measures that will be taken within the development and outside of the development footprint;
 - (I) Prescriptions for management actions, both short and long-term;
 - (J) Provisions for the long-term management of the area demonstrating the feasibility of delivery of biodiversity enhancement and long-term management, including details of funding for the management.
- 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 with local plan policies.

4. No development shall take place until a Reptile 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 reptiles will be implemented prior to and during construction of the development in accordance with appropriate wildlife legislation. This shall include a Method Statement. The development shall thereafter be carried out in accordance with the approved Reptile Protection Plan in all respects.

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 Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

5. Should the development hereby approved not have been commenced within 1 year of the date of this permission, an update survey of the site shall be carried out to update the information previously submitted with the application, together with an amended Biodiversity Mitigation & Enhancement Plan to mitigate/compensate the impact of the development upon identified rare or protected species. The new survey and Biodiversity Mitigation & Enhancement Plan shall be submitted to and approved in writing by the Uttlesford Planning Authority prior to the commencement of the development and thereafter the development shall be implemented in accordance with the approved biodiversity survey and Biodiversity Mitigation & Enhancement 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 with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

6. Development shall not begin until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) Stansted Road, Elsenham, Flood Risk Assessment, June 2013, Ref. -12-019 FRA has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include a restriction in run-off and surface water storage on site as outlined in the FRA.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

7. Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and occupational phases of the development shall be submitted to and agreed, in writing, with the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetables as may be agreed.

REASON: To enhance the sustainability of the development through better use of water, energy and materials.

8. Prior to the commencement of development, a scheme for the provision and implementation of rainwater harvesting shall be submitted and agreed, in writing, with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification before occupancy of any part of the proposed development.

REASON: To enhance the sustainability of the development through efficient use of water resources.

9. (A) 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.
(B) 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.
(C) 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 the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

10. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- (A) the parking of vehicles of site operatives and visitors
 - (B) loading and unloading of plant and materials
 - (c) storage of plant and materials used in constructing the development
 - (D) the control of noise from construction including the hours of working
 - (E) wheel washing facilities
 - (F) measures to control the emission of dust and dirt during construction
 - (G) the routing and timing of construction traffic

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

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

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

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

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

13. No development shall take place until proposed levels including cross sections of the site and adjoining land, including details of existing levels around the buildings hereby permitted and any changes in level proposed together with proposed floor levels within the buildings, have been submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To protect the amenities of neighbours and in order to minimise the visual impact of the development in accordance with Policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

14. Before development commences details of a Waste Management Plan shall be submitted to and approved by the Local Planning Authority and thereafter implemented in accordance with the approved details.

REASON: To protect the amenities of the locality and surrounding residential occupiers preventing pollution, in accordance with Policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

15. Prior to the occupation of any dwelling, a priority junction formed at right angles to Stansted Road, Elsenham as shown in principle on the submitted drawing number ITB3191-GA-005 rev D shall be provided and shall include visibility splays of 2.4m by 90m, 9m radii and 5.5 metre carriageway with two 2 metre footways. The details of the access shall be submitted to and approved in writing with the Local Planning Authority, prior to the commencement of the development.

REASON: To provide highway safety and adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

16. Prior to the commencement of the development details shall be submitted to and approved by the Local Planning Authority of a scheme for the provision of a shared use, unsegregated footway cycleway on the South of Stansted Road, Elsenham as shown in principle on drawing number ITB3191-GA-007 is required. The footway/cycleway shall run in front of the development and link into the access road in front of Gilbey cottages and then be resumed by the widening of the existing footway to end at a drop kerb crossing on Robin Hood Road. The cycleway/footway shall be designed in accordance to ECC Designing for Cyclists – A guide to good practice (2006) and will be 3m wide, where unconstrained and maximum width possible where there are constraints, and shall include associated signing and drop kerbs. The approved scheme shall be implemented and the footway/cycleway made available for use prior to the occupation of any dwelling.

REASON: To provide a safe and convenient route for pedestrians and cyclists from the development to local amenities in the village centre in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

17. Prior to the commencement of the development details shall be submitted to and approved by the Local Planning Authority of a scheme for the provision of two new bus stops on Stansted Road, one on the north side of the road and the other on the south is required, indicative location indicated on drawing file named 'proposed bus stop location 2013-09-2013'. The specification of the bus stops is to include, but not restricted to, the provision of bus shelter, seating, raised kerbs, bus stop markings, pole, flag and timetable casing and to be Real Time Passenger Information ready. The approved scheme shall be implemented prior to the occupation of any dwelling.

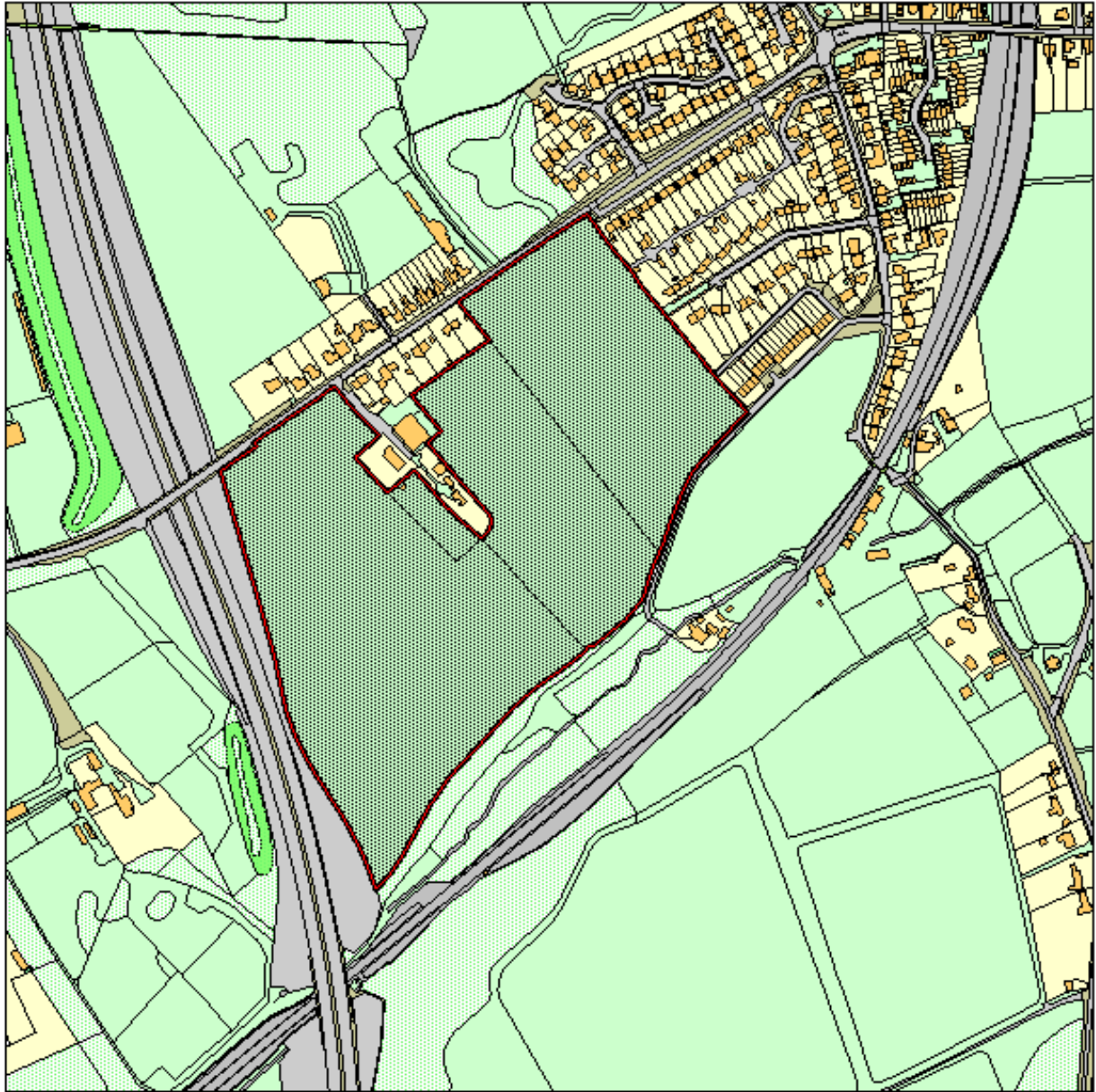
REASON: To provide convenient access to bus services by ensuring that all dwellings are within 400m of a bus stop in accordance with DM7

18. No dwelling shall be occupied until a scheme of traffic management has been implemented to include a gateway feature at the commencement of the 30 mph speed limit along Stansted Road to encourage lower speeds of traffic passing the site and an extension of the street lighting on Stansted Road westwards to incorporate the proposed priority junction. Details to be submitted to and approved in writing by the Local Planning Authority and implemented.

REASON: In the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

UTT/13/1790/OP

Land South of Stansted Road Elsenham



Scale : 1:5000

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Organisation	Uttlesford District Council
Department	Planning and Building Control
Comments	
Date	12 September 2013
SLA Number	Not Set