

UTT/14/1069/OP - (STEBBING)

PROPOSAL: Outline application for up to 30 dwellings, public open space, landscaping, new access associated and ancillary development with all matters reserved except access

LOCATION: Land to the North of Stebbing Primary School and rear of Garden Fields and Parkside Garden Fields Stebbing Essex

APPLICANT: Mr David Rich - Jones

AGENT: Mrs Julie Cross

EXPIRY DATE: 10 July 2014

CASE OFFICER: Mrs Madeleine Jones

1. NOTATION

1.1 Outside Development Limits Public Rights of Way.

2. DESCRIPTION OF SITE

2.1 The site is located on land to the north of Stebbing Primary School and to the rear of Garden Fields and Park Side Stebbing. It comprises of 1.78 hectares of land.

2.2 The site is made up of two separate parcels of land, one being an allocated site (approximately 0.7 hectares) within the draft local plan; the other is located outside the designated development limits of Stebbing. The two sections are separated by a hedgerow and public footpath. To the north and east are arable fields and to the west of both sections are residential dwellings. Adjacent to a section of the northern boundary of the section of land (that is not allocated within the local plan) has residential dwellings.

2.3 The southern part of the site slopes down to the west and is enclosed by hedgerows. The southern part of the site slopes downwards to the west and south. The adjacent land to the east of both parcels of land of the site slopes away from the site. There is a public footpath that runs from west to east through the site and continues through the arable fields to the east. There is a further public footpath that runs from north to south along the eastern rear boundary or the southern section of the site and beyond.

2.4 There is an existing field access to the west of the site.

3. PROPOSAL

3.1 The proposal is an outline application for up to 30 dwellings, related infrastructure, play area and landscaping. All matters are reserved with the exception of access. The indicative layout shows a mix of semi-detached and detached properties. The indicative proposed mix is 4 x 5 bed, 5 x 4 bed, 11 x 3 bed, 8 x 2 bed and 2 x 1 bed. Forty per cent of the properties are proposed to be affordable housing (12 No. in total), 2 No. of which are one bedroom bungalows, 7 No. two bedroom (including 3 available for shared equity), 3 No three bedroom (one of which being shared equity)

The open market properties consists of 3 No. two bed houses, 6 No. three bed houses, 5 No. four bed houses and 4 No. five bedroom houses.

The density would be approximately 17 dwellings per hectare.

- 3.2 It is proposed that part of the site would form public open space.
- 3.3 Each house shall have a minimum of two off street car parking spaces allocated. In addition the development will have a minimum of eight visitor spaces spread around the site. The one bedroom bungalows would have one off street parking space. A total of 77 parking spaces are shown on the indicative plans.
- 3.4 All gardens are indicated as being 90M² or above.

4.0 APPLICANT'S CASE

4.1 The application is accompanied by the following documents:

- Planning Statement
- Design and Access Statement
- Arboricultural Report and Landscape Assessment
- Ecological Appraisal
- Transport Statement
- Flood Risk Assessment
- Statement of Community Involvement
- Supplement survey for bat and biodiversity offsetting calculations.

4.2 Summary:

This application seeks outline planning permission for residential development on land north of Stebbing Primary School and on land to the rear of Park Side and Garden Fields in the village of Stebbing on behalf of the client Perfect Properties Ltd.

The scheme follows on from favourable pre application advice from Uttlesford District Council. The site has previous planning permission for one residential dwelling with access from "The Downs" and is allocated in Uttlesford District Councils Strategic Housing Land Availability Assessment (SHLAA).

The scheme provides a broad mix of 1, 2, 3, 4 and 5 bedroom accommodation with bungalows, semi-detached and detached dwellings to suit all needs. The ecological value of the site will be enhanced to protect any indigenous wildlife with new tree and hedge planting to the northern and southern boundaries as well as throughout the site. It provides a decent scale of development contributing to Uttlesford District Councils five year land supply with a range of housing in a logical and sustainable location.

4.3 Land to the north of Stebbing Primary school, and rear of garden Fields and Park Side, adjoining the village in Stebbing, comprises some 1.78 hectares of vacant greenfield land.

Uttlesford District Council's settlement hierarchy for growth as set out in its emerging local plan, identifies Stebbing as a village suitable for a scale of development that would reinforce its role as a local service centre. Part of the application site has been allocated for residential development and the proposed settlement limits of Stebbing are proposed to be altered accordingly.

The Parish Council has supported development on this part of the site, to the east of Park Side and Garden Fields.

- 4.4 The remainder of the site is identified in the Council's Strategic Housing Land Availability Assessment as being achievable and deliverable for residential development.
- 4.5 Recent engagement with UDC has confirmed that although there is strong policy objection against development in the countryside, the Council is currently unable to demonstrate a five-year land supply of deliverable sites for residential development. In such circumstances the National Planning Policy Framework specifies that housing applications should be considered in the context of a presumption in favour of sustainable development. The housing land requirements for the district are currently the subject of revision to revise upwards its requirement and find more sites to meet this need. Although recent planning consent had reduced the shortfall, it is submitted that there remains an undersupply of land for housing.
- 4.6 The outline planning application package represents the culmination of a period of 18 months of extensive iteration and refinement of the development proposals. These have been prepared in response to a public consultation exercise and engagement with key statutory bodies including a Council planning officer and representative of Essex County Council – Highways. The layout design and landscaping proposals also take into account the detailed policies of the adopted and emerging local plans for the District.
- 4.7 Following advice from the Council, the application is supported by a number of freestanding documents. These include assessment of access and highways, drainage and flood risk, landscape and visual impact, arboriculture, and ecology. The reports highlight areas of likely impact and recommended mitigation measures. They also identify how the proposals will be beneficial to the local area and bring about betterment to the existing situation in terms of affordable housing provision and open space.
- 4.8 The supporting statement includes the following draft heads of terms of a S106 agreement:
- Affordable Housing

New Developer Contributions Guidance, adopted in June 2013 requires that schemes of 15 or more dwellings or sites of 0.5ha should have 40% affordable housing. This amounts to 12 units, which will be fully integrated into the scheme in small clusters. It is also part of the Council's affordable housing strategy to require 5% 1 & 2 bed bungalows across all sites and tenure. Two bungalows are proposed, and would be part of the affordable housing provision.
 - Education

A financial contribution will be considered towards off-site education provision resulting from the needs of the proposed development.
 - Public Open Space

The provision of on-site public open space will be made and transferred to the local planning authority (or other such body). It is acknowledged that the maintenance of this land will also need to be addressed in any section 106 agreement.
 - Transport

It is acknowledged that transport contributions may be required as confirmed in correspondence from UDC and attached at appendix 1.

5.0 RELEVANT SITE HISTORY

5.1 UTT/13/3235/OP - Withdrawn.

6.0 POLICIES

6.1 National Policies

- National Planning Policy Framework (2012)

6.2 Uttlesford District Local Plan 2005

- Policy S7: The Countryside
- Policy H10: Housing Mix
- Policy GEN3: Flood Protection
- Policy H9: Affordable Housing
- Policy ENV7: County Wildlife Site
- Policy GEN1: Access
- Policy GEN2: Design
- Policy GEN6: Infrastructure Provision
- Policy GEN7: Nature Conservation
- Policy GEN8: Vehicle Parking Standards
- SPD: Energy Efficiency and Renewable Energy
- SPD: Accessible Homes and Playspace
- SPD Parking Standards: Design and Good Practice Guide
- Stebbing Conservation Appraisal Approved March 2010

6.3 Uttlesford Draft Local 2014

- Stebbing Policy 1- Land to east of Parkside and Garden Fields

7.0 PARISH COUNCIL COMMENTS

Objects on the following grounds

7.1. Access

- The access to the development in this application was already refused in a previous application in the early 1960s as inappropriate because of safety on what was considered a dangerous village road then, when there was less density of traffic
- The road was altered in the 1970s to make it less dangerous, creating Virom Island and changing the High Street to end in a cul-de-sac
- This cul-de-sac is where the proposed new road from the development will access the site. This cul-de-sac road is narrow in width, especially at the top end just about opposite the access, which will make it more dangerous /difficult for all vehicles, especially emergency vehicles, to access the development
- It should be noted that the width of the road at the top of the cul-de-sac was considered so dangerously narrow in the 1970s that the road was straightened, although still on a bend, to create a safer road.
- Stebbing Parish Council considers that parents with children in the new development and those from Garden Fields will be discouraged from walking to school because of

the roadside parking and vehicle movements at peak school and Montessori Nursery times.

- Traffic flow to the development is not restricted where the footpath crosses the road.
- The proposal gives priority to the traffic going to the new development at the junction with The Downs with nothing to slow the vehicles as they approach the tactile crossing.
- Stebbing Parish Council is already concerned about the roadside parking at the beginning, middle, and end of the school day and has contacted the Parking Partnership about its concerns.

The Parking Partnership has already identified the area around the school, the extension of the High Street into the cul-de-sac and the bend round to the Downs, as dangerous. Therefore, adding yet more vehicle movements created by the 30 properties will exacerbate the situation drastically. Also the creation of the access road will in itself remove a number of parking places.

- The planning authority has already given outline planning permission for one more property on Virom Island using the present entrance. This is again, very close to the access road to the planned development. This will bring yet more cars, and vehicle movements will increase around this access road.
- Driving from one end of the village to the other, past the school at the beginning or end of the day, or when there are functions, is a difficult and potentially dangerous procedure, as vehicles are forced into the middle of the road, by parking on the roadside and up into the high street extension
- Stebbing Parish Council considers the comparison with the villages of Halton and Five Ash Down irrelevant as they are not comparable sites to Stebbing and the access to this proposed development
- Comparison with both villages is superfluous as for example the Halton Traffic survey was done on the High Road which is a straight road through the village whereas the access to this proposed development comes out onto a narrowing cul-de-sac
- Using the A26 a trunk road in Five Ash Down village really do not compare to Stebbing Emergency and refuse vehicles will find it more than difficult to access the site, especially in reaching the properties at the end of the development, behind Garden Fields and Parkside.
- Land in front of 4 Hillcroft Cottages is included in the access road (Hillcroft Cottages are incorrectly labelled as being the building on Virom Island, but is property No.4 on the plan). This Prohibits access for the occupants of 4 & 3 Hillcroft Cottages and the residents of Pigeon Point will have to cross the tactile pedestrian crossing to access their property. We doubt the access as stated meets the design guide because the access to neighbouring properties on the apex of the curve are ignored.
- Stebbing Parish Council considers that the multicoloured road surfaces are not in keeping with a village environment.

7.2. Transport

- Frequently, buses and other large vehicles are stopped/blocked from getting through the High Street because of parking on the roadside by parents at the school. This will be exacerbated by the extra traffic coming from the new development as it has been by the recently opened Village Stores.
- The access roads to Stebbing from Stebbing Green, Throes Corner and the B1057 at Bran End are over-weighted with traffic, particularly during commuting, school and general work hours
- The bus service in this village is not good and a car is essential to live here. There is only one regular service to Chelmsford 4 times a day; there is no daily service to Great Dunmow, not even for Market Day, where the majority of local services are provided.
- The bus services at present are under review by ECC and are under threat of reduction or withdrawal

- The developer states that the bus service is good which if timetables are looked at carefully they are obviously not – A car is a necessity when living in Stebbing

7.3 Social

- As there is no regular daily bus service to Dunmow where the Doctors, Pharmacies, Health Visitors, low-cost pre-school and supermarkets are, the people in the social housing would need to have a car, or else be very isolated, especially with young children.

7.4 The Site

- This application is outside of the current Planning Development Boundary
- Stebbing Parish Council does not oppose the original suggestion in the proposed LDP to develop the land East of Garden Fields and Parkside with 10 properties
- Stebbing Parish Council considers the gateway at the rear of the proposed development, described for maintenance use, implies preparation for future and further development
- A development of this size would have a great impact on the intrinsic character of the countryside in this part of the village. Stebbing is described in the draft Uttlesford Local Plan as a Rural Settlement type A where small scale developments are proposed. We would not consider 30 houses to be a small scale development.

7.5 Conservation

- The proposed access fronts the recently extended Special Roadside Verge. This is managed for the nationally scarce and vulnerable plant; Lesser Calamint (*Clinopodium calamintha*). The proposed access remains at threat to this verge and it would require protection during construction should planning permission be granted and subsequently, to prevent tyre damage from parking and large vehicles negotiating the narrow access.. The width of the access road also causes real concern, as does the inevitable on road parking that would occur in the development increasing the risk of damage.
- These comments are supported by UDC Natural Science Officer and chair of Uttlesford Essex Wildlife Trust
- The roadside verge mentioned above and all the grass area, including that in front of the access road to the proposed development and past it, is 'Registered Common Land', registered as CL205, as can be seen on the Natural England Conclusive map (CROW Section 4 – Area 8 East).
- SPC believes any access crossing Common Land requires a separate application to undertake restricted works e.g. new solid surface roads on Common Land. Stebbing Parish Council would not support this application

7.6 Design and Access Statement

- This contains a number of inaccuracies. The School adjoining the proposed development is currently oversubscribed and unable to take an increased roll. The Football and Cricket Clubs have no junior teams or training for this age group.
- Sustainability. The first statement is completely inaccurate; this site is in a rural area not urban as stated. The transport links are only good if residents have a car to access rail, air and motorway links.

7.7 Uttlesford Local Plan

- This is currently at the pre-Submission stage in April 2014. Stebbing Parish Council reiterates that Stebbing is identified as a Type A Rural Settlement. The strategy is to preserve these settlements, their historic character and the visually important open

spaces and trees. It also states that they have limited services, limited employment opportunities and transport links are poor. The plan is for small scale developments in these settlements, 10 houses being identified for Stebbing.

The Local Plan also indicates that taking into account the sites for building proposed in the plan, there is an adequate five year supply. There is no necessity for Stebbing to have any increase on the 10 houses allocated to meet this supply. While Stebbing Parish Council would not object to limited development of the site identified in the Local Plan, (0.7 hectares east of Parkside and Garden Fields). In the light of recent outline planning permission being granted for 5 houses on another site in the Village, 1 on Virom Island directly opposite the site and permission for 1 house already on the periphery of the approved site, less than 10 houses in fact 3 would, rather than the 30 proposed in this planning application, ensure Uttlesford meet their projected housing need and could be absorbed into the Village infrastructure.

- 7.8 In conclusion Stebbing Parish Council object to the proposed development of 30 houses as detailed above.

8.0 CONSULTATIONS

Education & Highways (Education)

- 8.1 Requests a financial contribution of £188,865 index linked to April 2013 costs using the PUBSEC index for primary and secondary provision. This development falls in the priority admissions area of Stebbing Primary School which has permanent capacity for 90 pupils. The most recent forecasts due to be published shortly show that there is currently a deficit of places at Stebbing Primary School and that by the academic year 2017-18 there is likely to be a deficit of 90 places at the school. Further, across the Dunmow/Thaxted forecast Planning Group current published forecasts show a deficit of over 200 places.
- 8.2 With regard to secondary provision the priority admissions area school for this development would be The Helena Romanes School and sixth Form Centre (HRS) which has a net capacity of 1,563 pupils. forecasts show that by 2017 -18 7 pupils will be in excess of the school's Planned Admissions Number of 270 pupils and that this continues in succeeding years with the school's overall capacity exceeded in the school year 2019 -20. With rising cohort sizes in other parts of Uttlesford, there will be pressure on net exporters such as HRS, with children pushed back to their priority admissions area school.
- 8.3 In view of the above I request on behalf of Essex County Council that any permission for this development is granted subject to a section 106 agreement to mitigate its impact on education. The formula for calculating education contributions is outlined in our Developers Guide to Infrastructure Contributions, 2010 Edition. Our standard s106 agreement clauses that give effect to this formula are stated in our Education Contribution Guidelines Supplement, published in July 2010. For information purposes only, should the final development result in 30 houses with two or more bedrooms, the primary school contribution sum would be £93,834 and the secondary school contribution would be £95,034.

Natural England

- 8.4 No objections. Based upon the information provided, Natural England advises that the proposal is unlikely to affect any statutorily protected sites or landscapes.

UDC Internal Housing (Dwelling) - Housing Strategy

- 8.5 The mix and tenure split of the properties are given below; 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. The affordable housing provision on this site will attract the 40% policy requirement as the site is for 30 (net) units. This amounts to 12 affordable housing units and it is expected that these properties will be delivered by one of the Council's preferred Registered Providers.
- 8.6 It is also the Councils' policy to require all units delivered to the Lifetimes Home Standard with 5% being wheelchair accessible as well as 5% of all units to be bungalows delivered as 1 and 2 bedroom units.
- 8.7 I note from the Design and Access statement that this policy requirement has been taken on board. The affordable bungalow is currently stated as a 1X1bed bungalow. I would suggest 1X2 bed bungalow to meet the needs of the local community.

Anglian Water Services Ltd

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

Environment Agency

- 8.9 The proposed development will only be acceptable if the surface water drainage scheme as detailed in the Flood Risk Assessment (FRA) undertaken by WSP Ref: 70000555 dated 17/10/2013; submitted with this application is implemented and secured by way of a planning condition on any planning permission. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, 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:
- 1) The scheme will fully investigate the feasibility of infiltration SUDS as a preference.
 - 2) A drainage plan for the site including the proposed location/size of any infiltration/attenuation device.
 - 3) The discharge rate to any watercourse will be at the Qbar Greenfield runoff rate
 - 4) Attenuation storage shall be provided to cater for the 1 in 100 year critical storm plus allowance for climate change.
 - 5) Calculations of the piped network performance in the 1 in 30 year or 1 in 100 year rainfall events, including climate change
 - 6) Details of any exceedance and conveyance routes
 - 7) Details of the future adoption and maintenance of the proposed surface water scheme for the lifetime of the proposed development.
 - 8) Confirm that the receiving watercourse is in a condition to accept and pass on the flows from the discharge proposed.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Essex County Council Sustainable Drainage

8.10 The Environment Agency remains the statutory consultee on surface water.

SuDS Standards

We would ideally look for SuDS to comply with the following:

The CIRIA SuDS Manual (C697);

Defra's draft SuDS National Standards; and

Essex County Council's (ECC's) emerging Sustainable Drainage Design and Adoption Guide.

This would keep open the possibility of Essex County Council as the future SAB being able to adopt them, but would be subject to any future Voluntary Adoption Policy developed and full and clear evidence that SuDS meet the relevant criteria would be expected to be provided.

Having reviewed the Flood Risk Assessment which accompanies the application, our comments on the surface water drainage strategy are as follows:

Before a drainage strategy which relies on infiltration drainage is approved, the applicant should carry out winter groundwater level monitoring to confirm that the water table will be at least 1m below the base of any infiltration feature.

We support the approach to attenuate all volumes generated up to and including the 1 in 100 year event plus climate change. The critical duration event should be used to ensure the event that generates the largest volume of surface water is used for sizing of drainage features.

This section states that the ECC SuDS Guide says Highways will not adopt permeable paving within public adopted highway. This is incorrect as

Figure 5.1 of the Guide says the SAB will not adopt permeable paving on adoptable highway (as anything adopted by Highways is exempt) so the possible alternative adopter would be Essex Highways, who would need to be contacted regarding whether they would adopt or not. This approach may be preferred over soakaway drainage as it offers shallow depths compared to soakaways and spreads the infiltration rather than having a point discharge to the ground, making it more reliable.

Paragraph 6.1.10 states that highways will drain to soakaways within POS. As another alternative, we would strongly prefer the use of above-ground SuDS features which can form part of the public open space, making understanding and acceptability, as well as inspection and maintenance of the surface water drainage system, much easier.

Further to the above point we would encourage the use of features such as filter strips and swales in order to comply with the number of treatment stages recommended for different sources of runoff (2 stages for highways/parking areas) in the CIRIA SuDS Manual (C697) and ECC SuDS Guide and forthcoming National Standards. This would ensure compliance with the Water Framework Directive which requires the improvement of water quality in many of England's rivers and streams.

Whilst we have no further specific comments to make at this stage, attached is a standing advice note explaining the implications of the Flood and Water Management Act and SABs being established, and which could be enclosed as an informative along with your response issued at this time

Essex County Council will become a SuDS Approval Body (SAB) by the enactment of Schedule 3 of the Flood and Water Management Act 2010, which is likely to be from April 2014. This means that all new development which has surface water drainage implications will potentially require SAB approval and need to conform to National and Local Standards. Defra have carried out an initial consultation on the process for

gaining SuDS approval and applicants for planning permission should be made aware that:

- i. The National Standards should be followed wherever possible when designing SuDS to increase the likelihood that the SAB can adopt them in the future.
- ii. Essex County Council is developing Local Standards through its SuDS Design and Adoption Guide due out for public consultation in summer 2012 which should be followed wherever possible when designing SuDS to increase the likelihood that the SAB can adopt them in the future.
- iii. Developments with existing planning permission, with one or more reserved matters or where a valid planning application exists before enactment of Schedule 3 (likely April 2014) will not require SuDS approval during the first 12 months (up to April 2015) but following this date must obtain SuDS approval prior to commencement of development.

County Planner - Archaeology Section (ECC)

8.11 No assessment of the historic environment impact has been made within the application. The Essex Historic Environment Record shows that the proposed development lies in relatively close proximity to the scheduled monument of the Motte and Bailey medieval Castle (SM 20658) located on the western side of The High Street. The area around the Motte would have formed the focus for settlement and it is possible that this would have extended into the development area. Roman pottery has also been recovered from the western side of the road (EHER 1276). Recommends an archaeological Programme of Trial Trenching followed by Open Area Excavation

1. No development or preliminary groundworks can commence until a programme of archaeological trial trenching has been secured in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.

2. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of the above trial trenching work. 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.

3. 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.

Education & Highways Essex County Council - Highways

8.12 All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance

with acceptable specification sufficient to ensure future maintenance as a public highway.

The Highway Authority would not wish to raise an objection to the above application subject to the following conditions:

1. Prior to commencement on site, the provision of an access into the site as shown in principle on Drawing No. TPC/Stebbing/002 Rev a to include but not limited to minimum 4.8 metre carriageway width with 2 x 2 metre wide footways to tie in with the existing footways. Details to be submitted to and approved in writing with the Local Planning Authority in consultation with the Highway Authority, prior to commencement of development. The approved scheme of works shall then be implemented in its entirety prior to commencement on site. Reason: In the interests of highway safety and providing 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.

2. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times. Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

3. Prior to commencement of any development, the provision of suitable access arrangements to the application site in connection with the construction of the development, to include wheel cleaning facilities for the duration of the development to prevent the deposition of mud and other debris onto the highway network/public areas, turning and parking facilities for delivery/construction vehicles within the limits of the application site together with an adequate parking area for those employed in developing the site. Details to be submitted to and agreed in writing with the Planning Authority. Reason: In the interests of highway safety and efficiency.

4. Prior to commencement of the development details of the estate roads and footways to accord with the Essex Design Guide (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and agreed in writing by the Local Planning Authority. Reason: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety, efficiency and accessibility.

5. Prior to occupation of any dwelling, the Developer shall be responsible for the provision and implementation of a Residential Travel Plan including provision of a Travel Plan co-ordinator to give advice and to pay a £3,000 monitoring fee to ECC. The plan is to be monitored annually, with all measures reviewed to ensure targets are met. Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

6. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport approved by Essex County Council to include six one day travel vouchers for use with the relevant local transport operator. Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's

Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

7. The public's rights and ease of passage over public footpath 14, Stebbing shall be maintained free and unobstructed at all times. Reason: To ensure the continued safe passage of the public on the definitive right of way and accessibility.

The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1. Informatives

(i) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.

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

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

(iv) The parking provision for cars, cycles and powered two wheelers should be in accordance with the Parking Standards Design and Good Practice September 2009 and Uttlesford Local Residential Parking Standards February 2013.

(v) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

(vi) The applicant should be aware that there are features of the access design, in particular the use of coloured surfacing, which will not meet with the approval of Essex County Council as it would be a long term maintenance issue.

Further response in respect of Stebbing Parish Councils comments:

The existing issues i.e parking related to the school are not issues for the applicant to mitigate against and any obstructive or dangerous parking would be an enforcement issue. The school now has Keep Clear markings on both sides of the carriageway outside the school which will inevitably push the parking further away from the school. The carriageway width of The downs at the point of the proposed access is in excess of 6m and is therefore adequate to serve the proposed development and should present no difficulty for emergency vehicles. The width of the footway along the downs is again more than adequate and is continuous from the site access to the school. The Parish Council has commented on the sites used for the trip generation for the proposal. The TRICS database is the national industry standard software for trip generation analysis which was founded and is owned by 6 County Councils and it is a collection of data from sites which cover the whole of the UK and Ireland. The highway authority has examined and accepted the trip generations calculations within the Transport Statement and although slightly lower than we would expect, they are

expected to be low and the effect on the highway network would therefore be negligible.

There are features of the access design which may not meet with highway authority approval, i.e. coloured surfacing and bollards. These issues will be explored more fully at detailed design stage should consent be granted and the access design will also be submitted at a safety audit.

Essex County Council Ecology

8.13 Objection subject to further information

The majority of the 1.7 hectare site proposed for development is currently composed of semi-improved grassland with some ruderal vegetation and a number of hedgerows, some of which are old. They have been assessed as not being important ecologically under the Hedgerow Regulations 1997. H1 is an old hedgerow and this wildlife corridor would be dissected by the road. All of the semi-improved grassland would be lost as a result of the development.

The Downs Special Roadside Verge is situated just to the west of the entrance of the proposed site.

The majority of the habitat on site will be destroyed to create this development. There is insufficient detail as to how the retained habitats will be maintained/ enhanced. Furthermore, there is insufficient detail regarding how bats – a European Protected Species- could be impacted upon and limited information about the proposed compensation areas. I therefore advise that further information is still required before planning permission could be granted.

8.14 There has been no assessed regarding Section 41 Species of Principal Importance under the Natural Environment and Rural Communities Act 2006.

It is unclear whether the public open space will provide new habitats. Additional details should be provided if these areas are to contribute.

8.15 The Design and Access Statement states that all areas of public open space would be well lit (for crime prevention purposes). This would therefore deter bats. Therefore, there is a potential conflict between the aspirations of the two documents. Furthermore, the hedgerow would be dissected by the proposed road.

It appears that the majority of hedgerows would be in private gardens and therefore there would be no ability to ensure their continued management- or even existence- in the long term, or to control lighting levels once these properties are occupied.

A bat activity survey should therefore be undertaken prior to determination of this planning application in order to clarify the likely level of bat activity on the site and thus the level of mitigation likely to be required.

8.16 I consider that the 'enhancements' referred to are actually mitigation or compensation for the adverse impact upon the habitats and species affected by the proposals. The development would involve the destruction of the majority of the existing habitat on site and currently the information provided with this application does not provide sufficient information to ascertain the level of effect on biodiversity.

The proposed new grassland would go some way towards mitigating the grassland lost and for grass snakes, but no area figures are provided and so the level of impact vs mitigation proposed cannot be assessed. A calculation of the impact of the proposal using the Defra Offsetting Metric would demonstrate whether there will be a net loss or net gain in habitat. The Metric is a standalone tool; its use does not require Offsetting to be used.

The reptile receptor area is not within the red line area of the planning application and it is not clear how this area would be secured in the long term.

In principle, I welcome the further creation of semi-improved grassland with Lesser Calamint and wildflower grassland. However, details about its potential size and precise location should be supplied as part of this application. Furthermore, as above, it would not be within the red line area of the development.

8.17 The mitigation/ compensation areas should be secured within a Section 106 agreement and managed in the long term. Details of the long term management could be agreed as part of reserved matters.

8.18 I support the Special Verge representative's proposals (Sarah Kenyon) made in her response dated 24th April 2014 in order to protect the Special Verge during construction and for the life of the development. Details should be integrated into construction plans.

The Special Verge should be surveyed prior to, during and after the construction works and any adverse impacts taken into account. Monitoring methodology should be provided as part of reserved matters.

I welcome a local source of lesser Calamint being established within the reptile receptor area. This receptor area is not within the red line area of the planning application and it is not clear how this area would be secured in the long term. Details of how this will be secured, managed and monitored should be provided.

8.19 Supplementary information provided:

Objection withdrawn

The Supplement - survey for bat and biodiversity offsetting calculations, dated July 2014 combined with that in the previous ecological reports- is sufficient for this outline stage.

The recommendations within the ecological reports should be adhered to and additional details relating to mitigation and long term management can be provided at the reserved matters stage, should the local planning authority decide to grant planning permission. Management should be secured through a Section 106 agreement. Details of mitigation and enhancement design should be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Environment Management Plan and an Ecological Management Plan. These shall include those mitigation and enhancement measures for habitats and protected species as set out in the Ecological reports prepared by Catherine Bickmore Associates, submitted in support of the planning application.

Aerodrome Safeguarding

8.20 No objections

UDC Special Verges

8.21 This application relates to a previous application UTT/13/3235/OP which was withdrawn after I objected in my role as Special Roadside Verges project coordinator for Uttlesford and there were objections from various other parties. The original proposal would have resulted in the destruction of a special roadside verge and population of lesser calamint plants, *Clinopodium calamintha*, which are frequent in distribution on the site from ecological surveys conducted between 2012-2005.

I am pleased to see that in the new application UTT/14/1069/OP that the Special Roadside Verge UTT29 and LoWS Ufd270 The Downs, Stebbing TL659245-TL660244 has been excluded from the development proposal. Uttlesford District Council Policy ENV7 requires that the development should have no adverse effect on the verge site. So if planning permission is granted I request that conditions are applied as follows:

1. During construction a temporary barrier is to be placed on the road next to the special verge to protect it from being eroded by large construction vehicles driving on the verge. This should be paid for by the developer. The large plastic interlinked blocks used as road barriers would be suitable to protect the site.
2. When the development is complete 'no parking' signs are to be erected to stop parking on the special verge by residents and other people visiting the development. I attach a scan of the special verge site indicating where signs could be placed. The section of special verge on The Downs road is marked at each end by wooden posts that bear white marker plaques and two of the no parking signs could be erected in front of the posts, or attached to them. A third sign could be placed in the middle of the verge at the back of the grassland. The signs should be paid for by the developer.

NATS Safeguarding

- 8.22 The propose development does not conflict with our safeguarding criteria.

Essex County Council – Minerals and Waste

- 8.23 No comments

Internal Building Control

- 8.24 Having looking at the information submitted and correspondence relating to the surface water disposal at the above site, I would support the use of the condition suggested by the Environment Agency in their letter dated 12th June 2014 Ref AE/2014/117535/02-L01

Access and Equalities Officer

- 8.25 Review of the Design and Access Statement confirms that dwellings will be built to Lifetime Home Standards as set out in the SPD Accessible Homes and Playspace. This will require ramped access to principal entrances instead of steps and a requirement for two dwellings to meet the requirements of Appendix 2 Standards for Wheelchair Accessible Housing as set out in the SPD. Plots will be required to be nominated.

Internal Housing Enabling Officer

- 8.26 I confirm that the mix meets the Council's policy of small clustering and integration. Ideally one of the bungalows should be under the affordable banner. There is a hedge in front of the LAP; I consider it would be better to have the play space more open to enable natural surveillance.

9.0 REPRESENTATIONS

- 9.1 This application has been advertised and 31 letters of representation have been received. Notification period expired 15th May 2014.
A summary of the issues raised:

- Highway safety

- Traffic congestion, the roads are narrow and already carry significant traffic. No infrastructure to cope with a new influx.
- Stebbing primary school is oversubscribed
- More traffic as parents will have to drive to neighbouring villages and towns to take their children to school
- Unreliable bus service
- Facilities in village are limited- no doctors, dentist and only very small community run village shop with short opening hours
- Transport links to Stebbing are appalling
- Adding to this village population will only increase car use and traffic
- Access inadequate
- There is now vehicular access to the front of 4 Hillcroft Cottages, which makes the idea of putting bollards across the pavement there redundant.
- The parents to the new development would all drive out past Stebbing Primary School at a peak time contributing to further traffic chaos.
- What financial or other contributions will the applicant make available to Stebbing primary school?
- Our local area has seen a similar problem at Fritch Green where the housing was built before the school, so that it became harder to forge a community when every child was shipped out of the estate every day.
- Village is too small to absorb and sustain this development
- Stebbing is a quiet residential village with virtually no commercial activity.
- The High Street and Bran End are often congested with parked cars
- Pollution
- Outside development limits
- Water pressure issues
- Sewage problems
- Application provides nothing in the way of amenities for those that would come there and adds nothing to the quality of life for those already there.
- Drainage problems
- Ecology

10.0 APPRAISAL

The main issues are whether

- A The development of this site for residential purposes is appropriate (NPPF, ULP Policies S7, GEN2, GEN3, H9, H10);
 - B The access to the site would be appropriate (ULP Policy GEN1);
 - C There would be a detrimental impact on protected species (ULP Policy GEN7);
 - D Other material planning considerations.
- A The development of this site for residential purposes is appropriate (NPPF & ULP Policies S7, GEN2, GEN3, H9, H10);**

10.1. The site is located outside the development limits of Stebbing. The site is therefore located within the countryside where Policy S7 applies. This specifies that the countryside will be protected for its own sake and planning permission will only be given for development that needs to take place there or is appropriate to a rural area. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.

Additionally the draft local plan contains policy C2: Protection of Landscape Character. This states:

“Development will be permitted provided that:-

- a. Cross-valley views in the river valleys are maintained with development on valley sides respecting the historic settlement pattern, form and building materials of the locality;*
- b. Panoramic views of the plateau and uplands are maintained especially open views to historic buildings and landmarks such as churches;*
- c. No material harm is caused to the historic settlement pattern, especially scale and density, and that it uses materials and colours that complement the landscape setting and landscape character. Such development should be well integrated with the surrounding landscape;*
- d. No material harm is caused to the landscape pattern and structure of woodland areas and hedgerows and individual trees and does not diminish the role they play in views across the landscape;*
- e. No material harm is caused to the historic landscape character of field patterns and field size; greens; commons and verges;*
- f. No material harm is caused to the special interest of Historic Parklands, Parks and Gardens such as their principal building, formal and informal open spaces, ornamental gardens, kitchen gardens, plantations and water features; and*
- g. No material harm is caused to the form and alignment of protected historic lanes.”*

10.2 Stebbing Policy 1- Land to east of Parkside and Gren Fields of the Draft Local Plan allocates an area of land for residential development which is part of the application site. It is acknowledged that the Draft Local Plan has not yet been examined by a planning inspector; however some weight should be given to its policies.

10.3 A review of the Council's adopted policies and their compatibility with the NPPF. Policy S7 is found to be partly consistent with the NPPF. The protection and enhancement of the natural environment is an important part of the environmental dimension of sustainable development, but the NPPF takes a positive approach, rather than a protective one, to appropriate development in rural areas. The policy strictly controls new building whereas the NPPF supports well designed new buildings to support sustainable growth and expansion of all types of business and enterprise in rural areas. As such this reduces the weight given to the restraint implied by Policy S7 and this must be weighed against the other sustainability principles.

10.4 The NPPF sets a presumption in favour of sustainable development which means approving development which accords with the development plan; and where the relevant policies in the development plan are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in the NPPF indicate development should be restricted.

10.5 In June 2014 The Council published its Housing Trajectory and 5 year land supply statement. The Council is able to demonstrate a 5 year + 5% land supply. This statement evidences that the Council can demonstrate a housing supply in excess of the five year supply. In June this stood at 6.2 years supply. As such there is no onus to approve planning permissions for this site in light of paragraph 49 of the NPPF; however the Council will still give favourable consideration to sustainable proposals. Windfall sites are still needed to make a contribution to the housing supply.

- 10.6 Paragraphs 7 and 14 of the NPPF set out that there is a presumption in favour of sustainable development. The core principles of the NPPF set out the three strands of sustainable development. These are the economic role, social role and environmental role. The NPPF specifically states that these roles should not be undertaken in isolation, because they are mutually dependent. To achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. It is therefore necessary to consider these three principles.
- 10.7 Economic role: The NPPF identifies this as contributing to building a strong, responsive and competitive economy, supporting growth and innovation and by identifying and coordinating development requirements, including the provision of infrastructure. This proposal would result in the erection of up to thirty additional dwellings which would boost the Councils housing supply. The occupiers of the housing would contribute to the local economy in the long term. The proposal would provide employment during the course of construction, although this would not be a long term benefit. Local trades and suppliers would benefit from the construction project. The proposal would help to serve an economic role.
- 10.8 Social role: The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The proposal would make a contribution towards the delivery of the housing needed for the district. As already stated, Stebbing has a limited range of facilities. It has access to bus services to other nearby towns and centres of employment. In terms of creating a high quality built environment, appearance, scale and landscaping are to be reserved matters. The proposal would introduce a significant element of built form within the open countryside, which would have an adverse impact on the character of the area. This impact would need to be weighed against the benefits
This proposal would help to deliver a social role in the form of the provision of twelve affordable housing units and a further 18 residential units for market housing.
This is a sustainable site in terms of its proximity to shops, schools and services. It has access to bus services to other nearby towns and centres of employment.
The proposal would also have a negative impact by putting more strain on the local infrastructure and demand for school places. Stebbing also does not have any doctors or dentists within the village.
This however, should be weighed against the requirement of a financial contribution in respect of education. Should the development result in 30 houses the primary school contributions would be approximately £93,834 and the secondary contribution would be approximately £95,034 (These sums would be index linked to April 2013 costs using the PUBSEC index)
- 10.9 Environmental role: The NPPF identifies this as contributing to protecting and enhancing our natural, built and historic environment, including, inter alia, improvements to biodiversity and minimising waste. The introduction of built form in this location would result in some harm to the openness of the rural area. In view of the boundary screening it is considered that the visual impact would be reduced and that the development would not be significantly detrimental to the openness of the countryside. The site has existing residential properties to the western boundary The development of this site for residential purposes would not be unduly out of character with the area.
- 10.10 Paragraph 55 of the NPPF states that housing should be “... *located where it will enhance or maintain the vitality of rural communities.*”

The local primary school is within easy walking distance of the site and there are bus stops in the locality with access to bus routes to Great Dunmow, Chelmsford, Braintree and Wethersfield.

- 10.11 There is a pub, village shop, church and village hall within walking distance from the site.
- 10.12 The proposal would have impact on ecology in respect of bats, snakes and wildlife corridors. A hedgerow would be dissected by the proposed road. The development would involve the destruction of the majority of the existing habitat on site where there are known grass snakes. Although not within the site, The Downs Special Roadside Verge is situated just to the west of the entrance of the proposed site where there is lesser calamint. A biodiversity offsetting report has been submitted and an ecology report which shows a biodiversity gain. A receptor site for the snakes has been identified and the existing hedgerows would be enhanced/extended to provide moderate semi-improved grassland, including the lesser calamint, in place of the existing poor semi-improved grassland. Long term management and maintenance of the receptor site and mitigation area, including the hedgerows would be ensured through the inclusion in a section 106 agreement if the application were to be approved.
- 10.13 It is not considered that this development would cause significant harm to warrant a refusal. On balance it is considered that this site is a sustainable location for development.
- 10.14 This application is an outline application with all matters, except access, reserved. Therefore there are no specific details in relation to dwelling types. Policy H10 has a requirement for sites of 0.1 hectares and above to include a significant proportion of market housing comprising small properties. The indicative drawing shows a mix of semi-detached and detached dwellings ranging from 1 to 5 bedroom properties. The proposals, in principle, comply with the requirements of Policy H10. It is not considered that the proposal would result in any material detrimental impact to neighbours amenity.
- 10.15 Policy H9 seeks the provision of 40% affordable housing on windfall sites. The scheme includes such provision with the mix and tenure to be agreed. The Council's Affordable Housing Policy currently outlines that 30% should be of intermediate tenure, with 70% being rented. This translates to 3 intermediate units and 7 rented units. The indicative plans indicate that there would be a mix of 1, 2, 3 and 4 bedroom properties, including two bungalows. The proposals, in principle, comply with the requirements of Policy H9.
- 10.16 The application has been submitted with a Flood Risk Assessment and this indicates that the site can be developed in such a manner that flooding would not result. The Environment Agency is satisfied with the contents of the Flood Risk Assessment subject to conditions being imposed if the application is granted. Therefore the proposals comply with the requirements of Policy GEN3. Internal Building Control officers are also satisfied that the surface water drainage issues can be dealt with under the condition suggested by the Environment Agency..

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

- 10.17 The application site is served by an existing access point and is at a lower level than most of the site. In support of the application the applicant submitted a Transport Statement. Essex County Council has raised no objections to the proposal subject to conditions. There are existing highway issues and several representations have been

received in respect of highway issues and as a result further consultation with Essex County Council Highways was carried out. ECC Highways raise no objections to the proposals subject to conditions.

- 10.18 The existing issues i.e parking related to the school are not issues for the applicant to mitigate against and any obstructive or dangerous parking would be an enforcement issue. It is not considered reasonable to request the developer to contribute a financial contribution to solve an existing problem. The school now has 'keep clear' markings on both sides of the carriageway outside the school which will inevitably push the parking further away from the school. The carriageway width of The Downs at the point of the proposed access is in excess of 6m and is therefore adequate to serve the proposed development and should present no difficulty for emergency vehicles. The width of the footway along the downs is again more than adequate and is continuous from the site access to the school.
- 10.19 The Parish Council has commented on the sites used for the trip generation for the proposal. The TRICS database is the national industry standard software for trip generation analysis which was founded and is owned by 6 County Councils and it is a collection of data from sites which cover the whole of the UK and Ireland. The highway authority has examined and accepted the trip generations calculations within the Transport Statement and although slightly lower than we would expect, they are expected to be low and the effect on the highway network would therefore be negligible.
- 10.20 Adequate off road parking provision has been demonstrated within the illustrated plans. Concerns have been raised in respect of the bollards and materials at the access; however the agent has agreed that these can be withdrawn from the scheme if necessary. The highway Officer also has concern regarding this element of the access proposal. The applicant has agreed to omit this element of the proposal. The detailed consideration of this matter will be at the S38 adoption stage.

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

- 10.21 Policy GEN7 of the Local Plan states that development that would have a harmful effect on wildlife will not be permitted unless the need for the development outweighs the importance of the feature of nature conservation. Where the site includes protected species, measures to mitigate and/or compensate for the potential impacts of development must be secured.
- 10.22 In addition to biodiversity and protected species being a material planning consideration, there are statutory duties imposed on local planning authorities. Section 40(1) of the Natural Environment and Rural Communities Act 2006 states "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." This includes local authorities carrying out their consideration of planning applications. Similar requirements are set out in Regulation 3(4) of the Conservation (Natural Habitats &c) Regulations 1994, Section 74 of the Countryside and Rights of Way Act 2000 and Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010. Recent case law has established that local planning authorities have a requirement to consider whether the development proposals would be likely to offend Article 12(1), by say causing the disturbance of a species with which that Article is concerned, it must consider the likelihood of a licence being granted.
- 10.23 The tests for granting a licence are required to apply the 3 tests set out in Regulation 53 of the Habitats Regulations 2010. These tests are:

- The consented operation must be for "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment"; and
- There must be "no satisfactory alternative"; and
- The action authorised "will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range".

10.24 The applicant has submitted an ecology survey and biodiversity offsetting calculations. The Council's ecologist initially raised objections to this proposal due to loss of habitat, lack of bat survey, and lack of information on how the retained hedgerows would be maintained/enhanced.

20.25 Following further submissions of a bat survey and biodiversity offsetting calculations the objection was withdrawn. A suitable relocation site has been identified for the grass snakes on site and the application using DEFRA matrix calculations show on balance a gain of 0.85 biodiversity units for area of grassland created/improved and a gain of 1500 biodiversity units for hedgerow creation/enhancement. To ensure ongoing management/maintenance of the hedgerows H1, H3 and the eastern part of H4 they have been included within the receptor areas which would be subject to a S106 agreement.

10.26 Whilst the proposals would result in harm to protected species and habitat it is considered that the mitigation/enhancement measures are acceptable and can be secured by a S106 agreement. The proposals are therefore in accordance with policy GEN7 and the NPPF

20.27 Concerns have been raised in relation to the rare Lesser Calamint which is situated within the special roadside verges opposite the access and conditions have been suggested to protect it and the verges during construction. This site is outside the control of the applicant and as such an informative has been added.

D Other material planning considerations.

10.28 Essex County Council as the education authority has raised no objections to this proposal. They have indicated that there is a deficit of primary places at Stebbing School and that the overall capacity at Helena Romanas' school and sixth form centre is predicted to be exceeded in the school year 219-20. As such they have indicated that a financial contribution of £93,834 for primary school provision and £93,834 for secondary school provision is required. This will be secured through a Section 106.

10.29 Appearance, landscaping, layout and scale are all matters to be reserved should outline planning permission be granted. The indicative drawings indicate a range and scale of dwellings and enhanced landscaping which would appear to be appropriate in this location.

11 CONCLUSION

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

- A The site, on balance is considered to be sustainable. Part of the site is an allocated site within the draft Local Plan. The proposal is considered to be acceptable in this location

- B Access to the site is acceptable. Adequate parking provision would be provided as part of the residential development on the site. Essex County Council has no objections
- C The presence of protested species does not present any overriding constraints to development and subject to appropriate mitigation measures; the proposed development would not adversely affect the ecological interests of the site.
- D The applicant has agreed to the provision of affordable housing and to financial contributions in respect of Education and agreed to enter into a legal agreement in this respect.

RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO A S106 LEGAL AGREEMENT

- (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 24th September 2014 the freehold owner enters into a binding obligation 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 obligation to secure the following:**
 - (i) Payment of contributions towards Education provision**
 - (ii) Provision of 40% Affordable Housing**
 - (iii) Creation of Open Space including Local Area for Play (Play Equipment) and appropriate management**
 - (iv) Creation and long term delivery of mitigation and enhancement measures for relocation of Reptiles**
 - (v) Pay Councils reasonable costs**
 - (vi) Pay monitoring costs**
- (II) In the event of such an obligation 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 obligation, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:**
 - (i) No contributions towards Education provision**
 - (ii) No affordable housing provision**
 - (iii) No provision of open space**
 - (iv) Failure to provide adequate mitigation and enhancement for protected species**

RECOMMENDATION – CONDITIONAL APPROVAL

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

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

2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.

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

3. The development hereby permitted shall be begun not later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

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

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

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

5. No development or preliminary groundworks can commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.

REASON: In view of the historic importance of the site, in accordance with Uttlesford District Local Plan Policy Local plan policy ENV4

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

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

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

REASON: In view of the historic importance of the site, in accordance with Uttlesford District Local Plan Policy Local plan policy ENV4

8. No development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and

hydrogeological context of the development, 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:

- 1). The scheme will fully investigate the feasibility of infiltration SuDS as a preference.
- 2). A drainage plan for the site including the proposed location/size of any infiltration/attenuation device.
- 3). The discharge rate to any watercourse will be at the Qbar Greenfield runoff rate
- 4). Attenuation storage shall be provided to cater for the 1 in 100 year critical storm plus allowance for climate change.
- 5). Calculations of the piped network performance in the 1 in 30 year or 1 in 100 year rainfall events, including climate change
- 6). Details of any exceedance and conveyance routes
- 7). Details of the future adoption and maintenance of the proposed surface water scheme for the lifetime of the proposed development.
- 8). Confirm that the receiving watercourse is in a condition to accept and pass on the flows from the discharge proposed.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: The proposed development will only be acceptable if the surface water drainage scheme as detailed in the Flood Risk Assessment undertaken by WSP Ref: 750000555 dated 17/10/2013 submitted with this application is implemented. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. In accordance with Policies GEN2 and GEN3 of Uttlesford Local Plan adopted 2005

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

10. The parking provision for cars, cycles and powered two wheelers shall be in accordance with the Parking Standards Design and Good Practice September 2009 and Uttlesford Local Residential Parking Standards February 2013.

REASON: To ensure that there would be adequate on-site parking provision in accordance with Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

11. Prior to commencement on site, the provision of an access into the site as shown in principle on Drawing No. TPC/Stebbing/002 Rev a to include but not limited to minimum 4.8 metre carriageway width with 2 x 2 metre wide footways to tie in with the existing footways. Details to be submitted to and approved in writing with the Local Planning Authority in consultation with the Highway Authority, prior to commencement of development. The approved scheme of works shall then be implemented in its entirety prior to commencement on site. Reason: In the interests of highway safety and providing 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.

REASON: In the interest of Highway safety in accordance with policy GEN1 of Uttlesford Local Plan adopted 2005.

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

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

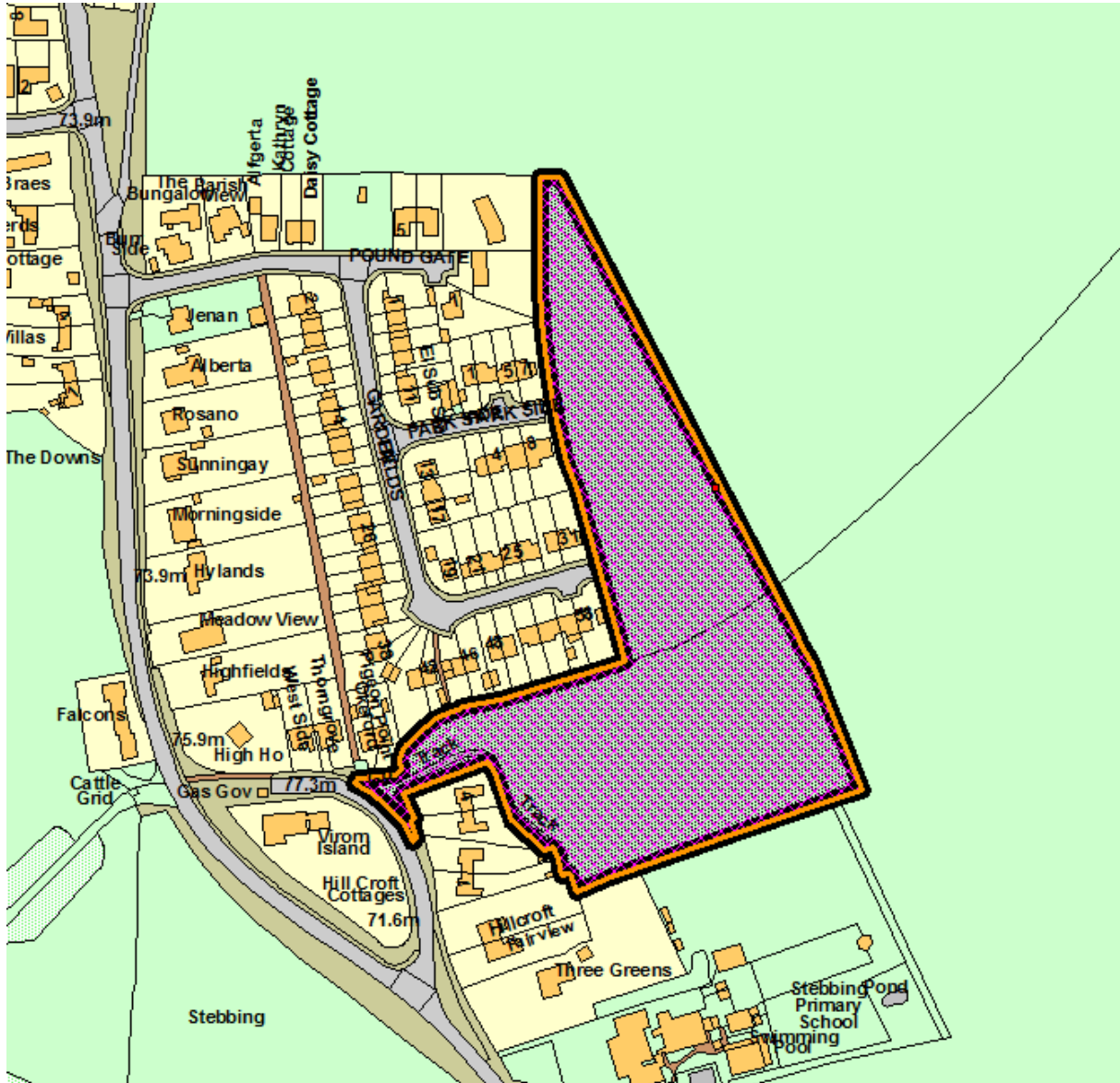
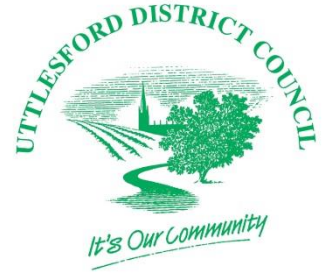
Informatives:

Uttlesford District Council Policy ENV7 requires that the development should have no adverse effect on the verge site. There is a special verge outside the development site.

1. During construction a temporary barrier is to be placed on the road next to the special verge to protect it from being eroded by large construction vehicles driving on the verge. This should be paid for by the developer. The large plastic interlinked blocks used as road barriers would be suitable to protect the site.
2. When the development is complete 'no parking' signs are to be erected to stop parking on the special verge by residents and other people visiting the development. I attach a scan of the special verge site indicating where signs could be placed. The section of special verge on The Downs road is marked at each end by wooden posts that bear white marker plaques and two of the no parking signs could be erected in front of the posts, or attached to them. A third sign could be placed in the middle of the verge at the back of the grassland. The signs should be paid for by the developer.

Application No. : UTT/14/1069/OP

Address: Land To The North Of Stebbing
Primary School And Rear Of Garden
Fields And Parkside Stebbing



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Organisation: Uttlesford District Council

Department: Planning

Date: 4 September 2014

SLA Number: 100018688