

UTT/17/0259/OP (GREAT EASTON)

(MINOR)

PROPOSAL: Outline application with scale and appearance reserved for proposed redevelopment of existing builders yard for 9 no. dwellings accessed from Brocks Mead and The Endway.

LOCATION: Land between Brocks Mead and The Endway, Great Easton.

APPLICANT: Moody Homes Ltd.

AGENT Petro Designs Ltd.

EXPIRY DATE: 9 August 2017

CASE OFFICER: Mr C Theobald.

1. NOTATION

1.1 Part within / part outside development limits / adjacent to conservation area.

2. DESCRIPTION OF SITE

2.1 The site lies on the south side of The Endway and comprises an open and rough area of sloping ground adjacent to a former builder's yard with a stated area of 0.33 ha which is currently used for the open storage of building materials, timber and also builder's waste materials. The site extends down to Brocks Mead, a small residential estate which has a cul-de-sac arm with hammerhead turning which leads up to the site with gated entrance at its south-western corner. The frontage of the site is screened from The Endway by a line of established native hedgerow and more recent hedge planting, whilst the rear boundary of the site backs onto open fields.

2.2 The adjacent builder's yard (not forming part of the application site) contains a row of frontage buildings and a much larger building positioned at the rear of a central courtyard which stands prominently to the immediate east of the site on higher ground. A row of residential properties containing mainly two storey dwellings of varying ages and building styles, a few which are listed, lie along The Endway on its north side opposite the site, whilst a shorter row of modern dwellings lie on its south side between the west flank of the site and the entrance into Brocks Mead further down the lane. The site has a fall of 3.36m from the NE corner to the SW corner of the site as shown on the site survey drawing prepared for the current application.

3. PROPOSAL

3.1 This outline application relates to the redevelopment of the site to provide 9 no. dwellings, associated garaging, new vehicular access points onto The Endway and new rear service road with matters relating to appearance and scale reserved for detailed consideration stage. As such, matters of access, layout and landscaping fall to be considered with the current application.

3.2 A revised indicative site layout drawing has been submitted following application submission (0986 01F dated 20 April 2017) following discussions with your officers

which shows how nine dwellings could be laid out at the site, whereby the dwellings would be laid out in two rows, with one row comprising 4 no. detached dwellings fronting onto The Endway and 5 no. detached dwellings situated to the rear with four of these dwellings being served by a 4.8m wide private service road extending off the cul-de-sac arm of Brocks Mead with the remaining dwelling being served directly off the end of Brocks Mead itself.

3.3 Parking for the dwellings fronting onto The Endway would be in the form of two pairs of recessed positioned garages with frontage driveways and additional side hardstanding parking, whilst parking for the dwellings extending off Brocks Mead to the rear would be in similar fashion. A turning area would be provided at the end of the new service road, whilst visitor parking is shown for both the front and rear of the site.

3.4 The housing mix, rear garden amenity provision and parking provision for the proposed development is as follows:

Plot	Bedrooms	Amenity	Parking
1	4	130sqm	3
2	4	120sqm	3
3	3	187sqm	3
4	3	114sqm	3
5	3	157sqm	3
6	4	116sqm	3
7	4	120sqm	3
8	4	120sqm	3
9	3	100sqm	3

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2 development. Therefore an Environmental Assessment is not required for this application.

5. APPLICANT'S CASE

5.1 The submitted Design and Access Statement describes how nine detached dwellings could be successfully accommodated on the site with regard to site layout, access, parking, private amenity space, hard and soft landscaping and respect to local building character and grain noting the fact that the site lies outside but immediately adjacent to the village conservation area.

6. RELEVANT SITE HISTORY

6.1 Various planning permissions have been granted for residential development in the past for part of the site and for the wider Brocks Mead development now built below the site (DUN/0125/58, UTT/0533/74, UTT/0533/74/A, UTT/0727/78, UTT/0727/78/A, UTT/0727/78/B and UTT/0727/78/C).

6.2 The Council responded to a preliminary enquiry in 2016 for 9 no. dwellings and

associated garaging at this open storage area site with four dwellings shown for the front of the site with vehicular access points onto The Endway and five dwellings shown to the rear with vehicular access onto Brocks Mead. In responding to that enquiry, the Council advised that five dwellings within the site have previously been approved by planning permissions covering a wider site area and that it may be possible to erect these dwellings without a further grant of planning permission, but that a Certificate of Lawfulness application would need to be submitted to the Council to demonstrate the lawfulness of the development. However, such an application has not been forthcoming to date following the issue of that advice in May 2016.

7. POLICIES

- Uttlesford Local Plan (2005)

- ULP Policy S3 – Other Settlement Boundaries
- ULP Policy S7 – The Countryside
- ULP Policy H1 – Housing Development
- ULP Policy H3 – Infilling with new houses
- ULP Policy H9 – Affordable Housing
- ULP Policy H10 – Housing Mix
- ULP Policy ENV1 – Design of Development within Conservation Areas
- ULP Policy ENV2 – Development affecting Listed Buildings
- ULP Policy ENV14 – Contaminated land
- ULP Policy GEN1 – Access
- ULP Policy GEN2 – Design
- ULP Policy GEN3 – Flood Protection
- ULP Policy GEN7 – Nature Conservation
- ULP Policy GEN8 – Vehicle Parking Standards

Supplementary Planning Documents/Guidance

None.

National Policies

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)

Other Material Considerations

Great Easton Conservation Area Appraisal and Management Proposals Document (Approved June 2014)
ECC Highway Standards : Design & Good Practice – September 2009
UDC Parking Standards – February 2013
The Essex Design Guide

8. PARISH COUNCIL COMMENTS

- 8.1 Whilst the Parish Council of Great Easton and Tilty endorse the outline planning application of Speldhursts (formerly Pickford's builder's yard) and in so doing removes the unsightly nature of this redundant yard, we are of the opinion that this proposal is a case of over-development. The proposal to build nine houses on a site of 0.33 hectares causes one great concern; and that is access to the public highway. Four of the houses will have individual driveways going directly onto The

Endway. This is at the very point where the road narrows and also on a partially blind part of the hill in the village. To exaggerate the problem, there are always a number of parked cars at the roadside on The Endway that belong to the residents of Great Easton. We believe that the plans should be reviewed and a reduction and repositioning of the houses should be considered to overcome this major issue of road safety. Currently there is available access to the site either from the existing vehicular access to the builder's yard and also from Brocks Mead and by their utilisation in a reformulated plan proposal would be a way forward. We respectfully request that you take the above points into consideration before any further decisions are made on this application.

9. CONSULTATIONS

Stansted Airport Aerodrome Safeguarding

- 9.1 The proposed development has been examined from an aerodrome safeguarding aspect and does not conflict with any safeguarding criteria. Accordingly, the Aerodrome Safeguarding Authority for Stansted Airport has no safeguarding objections to the proposal. As the application is for outline approval, it is important that the Aerodrome Safeguarding Authority for Stansted Airport is consulted on any subsequent Reserved Matters applications.

ECC Highways

- 9.2 (Revised comments received on 19 April 2017):

The impact of the proposal is acceptable to the Highway Authority from a highway and transportation perspective subject to highway conditions.

ECC Ecology

- 9.3 (Further revised comments received on 28 June 2017):

No objections subject to conditions to secure ecological mitigation measures and reasonable biodiversity enhancements. The recently submitted Reptile Method Statement (SES, June 2017) now provides the LPA with sufficient information to assess the likely impacts on reptiles and to ensure their protection during the construction period. With the Extended Phase 1 Habitat Survey (SES, May 2017), there is now sufficient survey and assessment for likely impacts of the proposed development on protected and priority species, particularly for reptiles. The report recommends ecological mitigation and reasonable enhancement measures which should be secured by requiring that the Reptile Method Statement is a condition of any permission granted. The suggested conditions are based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

Environmental Health

- 9.4 I am in agreement with the combined Phase 1 Geo-environmental desk study and Phase 2 Site Investigation Report, reference number 1805/Rpt 1v1 prepared by Brown 2 Green. Due to the site's current brownfield usage, further investigations as recommended in the report are required to identify the risks to the future users of the site and where necessary remedial measures to ensure that the site is suitable for use in accordance with the model procedures for management of land contamination. Appropriate recommended conditions should be applied to any

planning permission granted.

10. REPRESENTATIONS

18 representations received (17 object, 1 support). Neighbour notification period expires 5 April 2017. Advertisement expires 16 March 2017. Site notice expires 17 March 2017.

10.1 The issues raised in local representation can be summarised as follows:

- Proposal for 9 no. dwellings represents overdevelopment of the site. Site development should be of a lesser density;
- The proposal would result in the frontage hedge along The Endway being removed where this is mentioned as a notable feature in the Great Easton Conservation Area Appraisal and Management Proposals Document – June 2014;
- The Endway has a bend, a slope and reduction in width at the site frontage and it would not be desirable in highway safety terms to introduce new access points onto it as indicated. Access to the site should be from Brocks Mead only.
- The indicated site layout and illustrative elevations for the proposed dwellings suggest that the proposed development would not respect the character and vernacular built form of The Endway which contains various attractive buildings, one or two which are listed and the village's rural aspect.
- The dwellings would be built in front of the existing building line.
- Concerned about existing wildlife.

10.2 *Officer Comments:* Some of the comments raised in representation i.e. those relating to the number of access points onto The Endway (now reduced), layout and housing mix (now more 3 bedroomed units) have been addressed by the submission of revised drawing 0986 01F.

11. APPRAISAL

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

- A Principle of the residential re-development of the site having regard to sustainable development principles, including building on previously developed land (brownfield) and access to local services, flood risk, contamination, impact on conservation area and impact on listed buildings (NPPF, ULP Policies S3, S7, H3, E2, GEN3, ENV1, ENV2 and ENV14).
- B Whether proposed access arrangements would be satisfactory (GEN1).
- C Layout (including parking arrangements) and landscaping (ULP Policies GEN2 and GEN8).
- D Housing Mix and Affordable Housing (ULP Policies H10 and H9).
- E Impact on protected species (ULP Policy GEN7).
- A Principle of residential development having regard to sustainable development principles, including building on previously developed land (brownfield) and access to local services, flood risk, contamination and impact on conservation area (NPPF, ULP Policies S3, S7, H3, GEN3, ENV14)**

and ENV1).

- 11.1 The site is situated within the centre of the village. The adjacent builder's yard appears to be redundant and in this respect a signboard advertising a fabrication and steel cutting business exists at the front of the yard. As previously described, the site is presently being used for the open storage of building materials, including timber and also for the storage of builder's waste materials in haphazard fashion which is considered to be injurious to the visual amenities of the area. In this regard, whilst the site cannot be readily viewed from The Endway because of hedge screening, the open storage area on the slope can be viewed clearly from the higher end of Brocks Mead situated below.
- 11.2 Paragraph 17 of the NPPF promotes the effective re-use of land that has been previously developed (brownfield) providing that it is not of high environmental value. The site by reason of its general condition cannot be said to possess any high environmental value, whilst the site is not a locally protected employment site within the adopted local plan (ULP Policy E2) and it is considered that the residential re-development of the site for housing purposes would make more effective use of the land where this has been recognised in representation by the Parish Council and local residents for the current application.
- 11.3 Further, the unattractive commercial appearance of the site is mentioned within the Great Easton Conservation Area Appraisal and Management Proposals Document approved by Cabinet in June 2014 which identifies various features which are out of character with the village conservation area and where it is stated at paragraph 1.93 of Part 1 (Appraisal) of the document that *"The builder's yard in the centre of the village adjacent to Brocks Mead is a large site that is untidy containing a considerable number of poor quality single storey buildings that are generally temporary in nature and appearance. The site also contains areas of open storage of materials and plant and currently appears to be non-operational. The site detracts from the village and Brocks Mead housing site to its west, but its impact on the Conservation Area and Listed Buildings opposite is limited by a strong boundary hedge to The Endway"*.
- 11.4 Paragraph 1.94 of the appraisal document adds that *"It is considered that the site adversely affects the amenities of the area and is in urgent need of improvement. It is suggested that the District Council seeks to establish the owner's intentions and, if the site is to remain in its current use, a programme of improvements and possible additional landscaping be implemented by mutual agreement"*. Part 2 of the appraisal document in recommending proposed actions states that environmental quality improvements are required for the builder's yard in the short term and that *"Appropriate redevelopment may be appropriate in the longer term"*. The site has since been removed from the village conservation area as it does not contribute positively to it.
- 11.5 A material consideration relating to the planning merits of the current application proposal for housing is that The Housing and Planning Act 2016 allows for "Permission in Principle" for development of suitable Brownfield sites for housing (although the technical details consent guidance is still to be released). The Town and Country Planning (Brownfield Land Register) Regulations 2017 and the Town and Country Planning (Permission in Principle) Order 2017 legislation requires local authorities to prepare and maintain registers of brownfield land that is suitable for residential development. Part one of the register (the list of brownfield sites suitable for housing) should be compiled by 31st December 2017. Part 2 of the register will include only those sites for which permission in principle has been granted and the

development cannot take place until the developer has also obtained technical details consent. Just because the site is a brownfield site and listed on the Part One of the Register does not automatically grant permission in principle as Permission in Principle is only granted once specific requirements have been met and the proposal would still need to take into account the National Planning Policy Framework.

- 11.6 Notwithstanding the above, it is considered that the site may well be one of those sites that would be considered under the new legislation and also meets the 0.25ha minimum size threshold (the site is 0.33ha), whilst the site is capable of supporting more than 5 dwellings.(9 no. proposed), would appear to be available, achievable and suitable for housing, this latter criteria being necessary for being included on the brownfield register.
- 11.7 The NPPF has a presumption in favour of sustainable development. Whilst Great Easton village has a limited range of village services, it does possess a primary school (located just outside the main village settlement), a public house, a village hall and two employers (Woods Rolls Royce sales and service) and the new large care home facility, whilst the eastern end of the village is within walkable distance of a bus stop on the B184 (Stansted Airport to Chelmsford bus route). Additionally, and notably for the current application, the environmental improvements which would be gained by removing the unsightly commercial open storage area, which is considered as representing a non-conforming and unneighbourly use, provides a strong argument for the residential redevelopment of the site in the planning balance and when considered against the three “strands” of sustainable development under the NPPF (social, economic and environmental). As such, and when taken together, it is considered that the site’s redevelopment for housing purposes would amount to a presumption in favour of sustainable development.
- 11.8 The introduction of four dwellings along The Endway frontage can be regarded as being a form of infilling between the single storey frontage buildings of the existing builder’s yard on higher ground and the existing line of frontage dwellings on the west side of the site at lower ground leading to the Brocks Mead junction. Whilst approximately half of the site lies outside development limits, it is considered that any harm to the countryside at this location by the introduction of new dwellings would not be significant when weighed against the benefits of removing the unsightly commercial storage area which currently exists and could therefore be said to represent a planning gain in terms of acceptable infill development.
- 11.9 The site is located within Flood Zone 1 on the Government’s new flood risk map, which represents the lowest risk of flooding. As such, the proposed development is unlikely to be susceptible to flooding and the application proposal is not required to be accompanied by a Flood Risk Assessment. However, any grant of outline planning permission for the proposed development should carry a SuDS drainage condition to ensure that the development benefits from proper drainage arrangements given the pronounced slope in the site and to avoid any surface water impacts of those residential properties situated below the site.
- 11.10 The site has been subject to a Phase 1 Geo-environmental desk study and Phase 2 Site Investigation Report prepared by Brown 2 Green to ascertain the extent to which the site is contaminated given its former use as a builder's yard which has identified various contaminants, including ground based asbestos.
- 11.11 UDC Environmental Health have advised that they agree with the findings of the Phase 1 and Phase 2 reports, but that further investigations as recommended in the

submitted reports are required to identify the risks to the future users of the site in terms of impacts on human receptors and where necessary remedial measures to ensure that the site is suitable for use in accordance with the model procedures for management of land contamination. Beyond this, it is considered that the site is suitable for housing subject to appropriate conditions being imposed on any outline permission granted for the submitted scheme.

- 11.12 Whilst the concerns expressed by the Parish Council and local residents that the scheme as presented in indicative form would not properly respect the character and appearance of the adjacent conservation area or the listed buildings situated opposite the site are noted, it should be emphasised that the final appearance of the dwellings is a reserved matter and does not fall to be considered at outline stage with the current application. The indicative form of the proposed dwellings would, however, reflect to some extent the modern style of the row of frontage dwellings which exist below the site and also of Brocks Mead itself, whilst the design of the dwellings would be discussed by your officers at detailed consideration stage in liaison with the Council's Conservation team to ensure that the design of the dwellings would be as complimentary as possible with the character and appearance of the adjacent conservation area and those listed buildings situated opposite the site.
- 11.13 It is therefore considered from the above analysis that the principle of the redevelopment of the site for residential development as proposed by the current outline application is acceptable and would be in accordance with the provisions of the NPPF and ULP Policies S3, S7, E2, H1, H3, ENV1, ENV2, ENV14 and GEN3.

B Whether proposed access arrangements would be satisfactory (ULP Policy GEN1).

- 11.14 Access falls to be considered with this outline application and this issue is now assessed. The proposed development would have two shared vehicular access points onto The Endway and a 4.8m wide private service road leading off the end of Brocks Mead. The originally submitted site layout plan (superseded) showed four individual access points onto The Endway. However, this was considered by your officers reflecting the concerns expressed by the Parish Council and others to amount to an over-intensification of access points onto the unclassified highway both in terms of highway safety and visual amenity and the revised drawing showing now just two shared access points reflects requested access changes by officers .
- 11.15 ECC Highways have been consulted on the proposed scheme who originally requested the applicant to show that visibility splays can be achieved within the limits of the highway and/or control of the applicant for the proposed dwellings off The Endway. The revised site layout drawing now includes these splays and shows that sufficient splay width can be achieved in both directions from the access points. Further, the shared entrance arrangements for Plots 6 and 7 and Plots 8 and 9 respectively each have a frontage turning hammerhead to enable cars to be driven out of the site in forward gear. ECC Highways have subsequently stated in their formal consultation response that they have no highway objections to the presented scheme given these revised access arrangements and the on-site turning provision shown subject to highway conditions. The proposal based upon the revised site layout drawing would therefore comply with ULP Policy GEN1.

C Layout (including parking arrangements) and landscaping (ULP Policies GEN2 and GEN8).

- 11.16 Matters of layout and landscaping fall to be considered with the current application. The originally submitted site layout drawing for the current scheme (superseded) showed dwellings with attached garages to the side both for the site frontage (The Endway) and the rear row from Brocks Mead, which made the site development appear excessively cramped. The revised site layout drawing (0986 01F) now shows the garages set back behind the dwellings which provides for a more relaxed development across the width of the site. Two of the frontage dwellings are shown as handed as are two of the dwellings for the rear row. The development would have back to back distances of 25m which would accord with minimum distances as recommended within The Essex Design Guide. The dwelling to rear boundary distance for Plots 1 and 2 would be 9.6m, which would be under the 15m recommended minimum distance as recommended by The Essex Design Guide where concern was expressed in this respect in the 2016 preliminary enquiry response from the Council to "Another". However, it is the case that an established tree screen exists along the rear boundaries of Plots 1 and 2 with the two existing properties to the front (Speldhursts and Quantocks) as notated on drawing 0986 01F where it is intended for this tree screen to be retained. It should be noted that scale, including consideration of design (i.e. window positioning) is a reserved matter and it is considered that an insufficient level of information is available with the submitted outline application to be able to fully assess the amenity impact of the proposed development, including reference to any loss of privacy, until reserved matters stage when detailed plans would be submitted.
- 11.17 Each of the dwellings for the development would have rear private amenity spaces in excess of 100sqm as shown in the schedule above in this report, whilst the dwellings would be a mix of 3 and 4 bedroomed house types. As such, they would comply with the minimum recommended rear amenity spaces for such house types as set out within the Essex Design Guide. The bin collection point shown for the rear line of dwellings would be within 25m of the end of Brocks Mead and would therefore comply with layout requirements in this respect. Fire tenders would be able to access the rear line of dwellings along the private road.
- 11.18 In terms of parking, the 3 bedroomed units would have 3 no. parking spaces (one covered and two frontage hardstanding spaces, whilst the 4 bedroomed units would also have one covered and two frontage hardstanding spaces. As such, all of the dwellings would comply with ECC parking standards in terms of minimum parking provision, whilst all of the garages would have an internal floorspace of 7m x 3m and thus would conform to UDC local parking standards. Two visitor parking spaces are shown for the development with one space being in front of the dwelling for Plot 6 accessed from The Endway and a further space being in front of the dwelling for Plot 5 at the end of the rear service road from Brocks Mead. The visitor parking ratio as prescribed under ECC Parking Standards is 0.25 spaces per dwelling. The development proposes nine dwellings, meaning that it would require 2.25 visitor spaces or 3 no. spaces if rounded up as specified. However, given that the 3 bedroomed dwellings would each have 3 no. parking spaces and therefore exceed the minimum parking provision in this respect, the visitor parking arrangement across the site would therefore be met and would also be exceeded. As such, the indicative housing layout as shown and revised would comply with ULP Policy GEN2.
- 11.19 Soft and hard landscaping for the development as specified on drawing 0986 01F would be mainly small shrubs and ground cover with block paving of a buff riven

variety used for hardstanding parking areas on individual plots. Gardens for the plots would be sub-divided by 1.8m closeboarded fencing. This specification would be acceptable. Local concern has been raised about the removal of the frontage hedgerow onto The Endway which currently provides a natural feature between Speldhursts and the builder's yard. The opening up of this hedge to create two shared vehicular access points for Plots 6-9 would require most of the hedgerow to be removed to facilitate the visibility splays in each direction as shown on drawing 0986 001F and as required by ECC Highways, although there would be the opportunity to plant new hedging in front of the two hammerhead turning areas for the site development.

- 11.20 The Council in its advice on the previous preliminary enquiry for this site for nine dwellings stated with regard to the loss of this frontage hedgerow that *“Turning to the boundary trees and hedgerow, these do not in my view need to be retained in their entirety because the character of the area suggests that houses should be visible from the street. Nevertheless, I would expect a landscaping scheme that retains valuable specimens and includes supplementary planting, thus securing a green boundary that reflects the prevailing character of houses set behind greenery”*. In this respect, the applicant's agent has confirmed in an email dated 17 July 2017 that a double hedgerow of field mix species will be planted between the front boundary line / visibility splays fronting The Endway to Plots 7, 8 and 9 to maintain a hedge line fronting onto this street. It is considered that this replacement frontage hedgerow treatment would go some way in preserving the greenery along The Endway whereby the new dwellings for Plots 7, 8 and 9 would thus be visible from the street behind new hedge planting to reflect local grain and character and that this additional landscaping measure can and should be conditioned on any grant of outline permission for the current outline scheme as a visual amenity safeguard as it does not show on drawing 0986 01F.

D Housing Mix and Affordable Housing (ULP Policies H10 and H9).

- 11.21 The originally submitted drawings for this outline housing scheme showed more of a propensity for 4 bedroomed dwellings within the presented housing mix. However, following concerns expressed by your officers in this regard and reflecting local concerns, the housing mix has been changed whereby four of the nine dwellings are now 3 bedroomed with the remaining five being four bedroomed where the latest housing needs survey for Uttlesford District has identified a current demand for 3 bedroomed dwelling units. This ratio is considered to be an acceptable housing mix for the site given the site's location and given the likely additional expense which would be involved in restoring this site to residential use, although it should be emphasised that no financial viability statement has been put forward by the applicant in this respect. The housing mix is therefore considered to meet the requirements of ULP Policy H10.
- 11.22 This application proposal for nine dwellings now falls under the threshold for affordable housing contributions (11 or over), whilst the site has a site area of less than 0.5ha. (ULP Policy H9).

E Impact on protected species (ULP Policy GEN7).

- 11.23 The site has the potential to hold habitat opportunities for protected species, most notably reptiles, which could use the open storage areas on the site for hibernacula. The application as originally submitted did not contain sufficient information to ascertain whether protected species would be impacted by the proposal which resulted in a holding objection from ECC Ecology dated 24 March 2017 who advised

that a Preliminary Ecological Appraisal (PEA) should be carried out of the site and any individual species surveys if required. The PEA subsequently prepared (SES, May 2017) recommended that further surveys for reptiles be conducted which resulted in a further holding objection from ECC Ecology dated 19 June 2017 until these surveys were carried out and results known. A Reptile Method Statement (SES, June 2017) was subsequently prepared which has been seen by ECC Ecology who are now satisfied in their last response dated 28 June 2017 that the LPA has been provided with sufficient information to assess the likely impacts of the development on reptiles and to ensure their protection during the construction period combined with the previously prepared PEA subject to recommended conditions. The proposal therefore complies with ULP Policy GEN7.

12. CONCLUSION

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

- A The redevelopment of this site partly within development limits representing previously developed land (brownfield) and which is currently having a detrimental impact on the visual amenities of the area is considered acceptable in principle (NPPF, ULP Policies S3, S7, H3, E2, GEN3, ENV1, ENV2 and ENV14).
- B Access arrangements shown for the site as revised would be acceptable (ULP Policy GEN1).
- C Layout, including parking, for the proposed development is considered acceptable (ULP Policies GEN2 and GEN8).
- D The housing mix for the proposed development is considered acceptable (ULP Policy H10). The development is not liable to affordable housing contributions (ULP Policy H9).
- E The development would not have a harmful impact on protected species (ULP Policy GEN7).

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

1. Approval of the details of scale 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 no 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 hard and soft landscape works as specified on approved drawing 0986 01F dated 20/04/17, including planting, seeding or turfing and soil preparation shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

5. Prior to commencement of development, a further landscaping drawing shall be submitted to the Council for written approval showing planting specification details for the frontage boundary of the development site with The Endway. Subsequently, the planting on the approved drawing shall be implemented in accordance with the timing and phasing programme as referred to in Condition 4. above.

REASON: Insufficient details have been submitted with the application to show how this prominent hedgerow feature would be retained, strengthened or replaced in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

6. Prior to occupation of the development, the new access points shown along The Endway shall at their centre line be provided with a clear to ground visibility splay with dimensions of 2.4 metres x 43 metres as measured from and along the nearside edge of the carriageway as shown in principle on drawing 0986 01F. Such vehicular visibility splays shall be provided before the accesses are first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. Prior to the occupation of any of the proposed dwellings, the proposed vehicular accesses shall be constructed as shown in principle on drawing 0986 01F and be provided with appropriate dropped kerb crossings of the footway/verge.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway in the interests of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

8. Prior to the first occupation of the development the vehicle parking and turning areas as indicated on drawing 0986 01F shall be provided. The parking and turning areas shall be retained at all times for their intended purpose.

REASON: To ensure that appropriate parking and turning is provided in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

9. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

REASON: To enable vehicles using the accesses to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent carriageway in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

10. All of the dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace

11. Prior to commencement of development, details of how surface water drainage shall be adequately addressed and disposed of in accordance with sustainable drainage principles shall be submitted to the local authority for written approval. Subsequently, the drainage scheme for the site shall be carried out in accordance with the approved details.

REASON: Insufficient drainage details have been submitted with the outline application to properly assess this issue and to ensure that the development does not pose a flood risk to occupiers of the site or to the occupiers of adjoining properties given varying land levels in accordance with ULP Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

12. No development shall take place until an assessment of the nature and extent of contamination on the site has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person and shall assess any contamination on the site and whether or not it originates on the site. Moreover, it must include:

(i) a survey of the extent, scale and nature of contamination;
(ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments.

REASON: In the interests of safety, protection of residential amenity and protection of the natural environment in accordance with ULP Policies GEN2, GEN7 and ENV14 of the Uttlesford Local Plan (adopted 2005).

13. No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed

remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: In the interests of safety, protection of residential amenity and protection of the natural environment in accordance with ULP Policies GEN2, GEN7 and ENV14 of the Uttlesford Local Plan (adopted 2005).

14. The remediation scheme as referred to in Condition 13 above shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority for written approval.

REASON: In the interests of safety, protection of residential amenity and protection of the natural environment in accordance with ULP Policies GEN2, GEN7 and ENV14 of the Uttlesford Local Plan (adopted 2005).

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of Condition 12, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of Condition 13. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with Condition 14.

REASON: In the interests of safety, protection of residential amenity and protection of the natural environment in accordance with ULP Policies GEN2, GEN7 and ENV14 of the Uttlesford Local Plan (adopted 2005).

16. All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Extended Phase 1 Habitat Survey (SES, May 2017) and Reptile Method Statement (SES, June 2017), as submitted with the planning application and agreed with the local planning authority prior to determination.

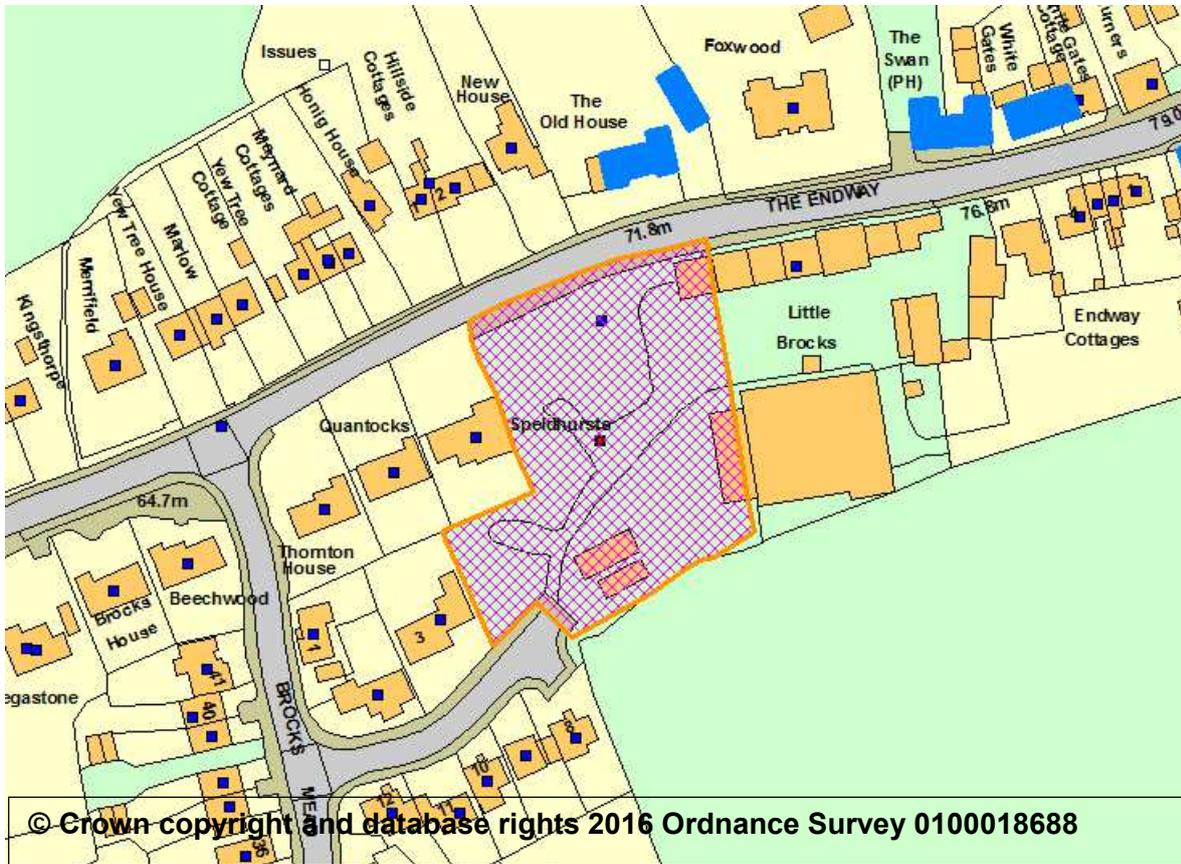
REASON: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998 in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

17. Prior to occupation, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To conserve and enhance bats and allow the LPA to discharge its duties under the UK Habitats Regulations and s17 Crime & Disorder Act in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

Application: UTT/17/0259/OP
Address: Land between Brocks Mead and The Endway
Great Easton.



Organisation: Uttlesford District Council

Department: Planning

Date: 19 July 2017