

ENVIRONMENTAL PROTECTION

Introduction

This plan aims to reduce the use of resources and minimise greenhouse gas emissions by encouraging the supply and use of appropriate renewable energy and low carbon technologies.

The world's climate and weather patterns are changing. Global temperatures are rising causing more extreme weather events. In Britain the Climate Change Act 2008 established a long-term framework to tackle climate change. Its aim is to encourage the transition to a low-carbon economy in the UK through legally binding targets on carbon emission reductions. It requires Government to reduce greenhouse gas emissions by:

- cutting emissions by at least 34% by 2020 and 80% by 2050 - below the 1990 baseline;
- setting and meeting five-yearly carbon budgets for the UK during that period.

and

- requiring that those carbon budgets be set three budget periods ahead - so that it is always clear what the UK's emissions will be for the next 15 years.

Half of all the country's carbon emissions come from the energy used in constructing, occupying and operating buildings. A high standard of construction is therefore important if these targets are to be met. Sustainable design and construction takes account of the resources used in construction and also how buildings are designed and used. While consideration of energy and carbon impacts is important sustainable design and construction goes much wider than this and seeks to:

- minimise the use of resources (including energy and water)
- make sure that the built environment mitigates against and is resilient to the impacts of climate change
- protect and enhance biodiversity and green infrastructure
- provide buildings that are pleasant and healthy for occupiers and users
- make sure that materials come from sustainable sources; and
- minimise waste.

In relation to carbon emissions particular problems arise from the rural nature of the district which leads to dependence on private cars for transport and the use of high emission fuels for heating such as oil, liquid petroleum gas (LPG) and electricity. In 2011, the per capita emissions for Uttlesford District were estimated to be 10.2 tonnes of CO² compared with a total for Essex of 6.1 tonnes. The largest contributor to CO₂ emissions (6.00 tonnes) is road transport. (Source 2011 Local Authorities CO₂ emissions estimates, statistical summary)

Spatial planning must minimise carbon emissions if an overall reduction from the District is to be achieved. Other strategic policies try to encourage development, which, through its location and design has the potential to reduce the need to travel by car.

The supply of previously-developed land in the District is limited and brownfield sites will only make a relatively limited contribution to the delivery of the growth targets. In order to make the best use of available land resources, the Council will continue to encourage and support the re-use of previously-developed sites where these become available. By their very nature

brownfield sites can be habitats for protected species such as great crested newts, owls and bats. Development of brownfield sites will need to take into account the requirements of Policy NE1. Sites being proposed for development are, as far as possible, outside areas known to be at risk from pollution, contamination, floodrisk or will be required to provide appropriate mitigation/safeguards. Natural resources will be protected and all development will be expected to contribute to recycling and energy efficiency.

Policy SP8 - Environmental Protection

The Council will support development which ensures the prudent and sustainable management of the District's towns, villages and countryside by:-

- **employing best practice in sustainable design and construction;**
- **encouraging the redevelopment of previously-developed land which is unused or under-used for uses which are sustainable and protect the natural environment in that location;**
- **minimising the amount of unallocated greenfield land that is developed;**
- **retaining and enhancing the character, appearance and setting of those areas, settlements or buildings that are worthy of protection;**
- **reducing, to an acceptable level, any pollution that may result from development;**
- **reducing, to an acceptable level any impacts arising from known or potential contamination both on development sites and on sites which affect development sites;**
- **locating development on land identified as being at low risk from flooding and taking into account any potential increased risk of flooding from new development;**
- **promoting development that minimises consumption of and protects natural resources including water;**
- **promoting development that makes provision for waste recycling; and**
- **promoting development which is located and designed to be energy efficient.**

Pollution

The planning system plays a vital role in making sure all new development takes into account pollution levels and ways to minimise these. Pollution can come from many sources, including light, noise, air, odour and vibrations, all of which can have a damaging effect on the local environment, amenities and health and wellbeing of residents and visitors.

All development will be assessed on the level of pollution it would generate and the effect it would have on the surrounding area including the natural and historic environment. Assessments will be made in relation to the benefits of the development, such as job creation, affordable housing, and sports provision etc, against the degree of impact caused by the development.

The Council will expect the development to mitigate any negative effects caused and also take into account any controls and mitigation measures that could reasonably be imposed by condition e.g. hours of operation.

It is also important to make sure that developments sensitive to pollution such as homes and schools are not located in areas affected by nuisance.

Policy EN1 – Pollutants

The potential impacts of exposure to pollutants must be taken into account in locating development, during construction and in use.

Planning permission will not be granted where the development and uses would ~~not~~ cause material harm ~~disturbance or nuisance~~ to occupiers of surrounding land uses or the historic and natural environment, or unless the need for development is judged to outweigh the effects caused and the development includes mitigation measures to minimise the negative effects.

Developments sensitive to sources of nuisance will be permitted where the occupants would not experience significant nuisance, or the nuisance can be overcome by mitigation measures.

Nuisance includes: Noise or vibrations generated, smell, dust, glare and light spillage, fumes, electro magnetic radiation, exposure to other pollutants.

Air Quality

A large area within Saffron Walden is designated as an Air Quality Management Area (AQMA) because of poor air quality resulting from high levels of nitrogen dioxide at particular road junctions. The Council will promote measures to improve air quality and will support development which does not result in poorer air quality than national air quality objectives seek to achieve. Where possible development should contribute to improvements in air quality.

Poor air quality is also anticipated alongside the M11 and the A120. Since both run through the countryside where there is strict control on new buildings it is unlikely there will be many proposed developments close to either road.

Policy EN2 – Air Quality

Development will be permitted as long as it does not involve users being exposed on an extended long-term basis to poor air quality. The cumulative impact on air quality from a number of developments in a local area will be considered and mitigation measures may be required.

Development within or affecting Air Quality Management Areas should include an air quality assessment detailing the impact of the new development on air quality and a mitigation strategy which shows how any adverse impacts will be addressed.

A zone 100 metres on either side of the central reservation of the M11 and a zone 35 metres either side of the centre of the A120 have been identified as particular areas to which this policy applies.

Contaminated Land

The principle of sustainable development means that, where possible brownfield sites including those affected by contamination should be recycled into new uses. Any proposal on contaminated land needs to take proper account of the contamination. Mitigation measures, appropriate to the nature and scale of the proposed development and which protect the water environment during remediation will need to be agreed.

Policy EN3 – Contaminated Land

Development on a site where the land is known or strongly suspected to be contaminated will be permitted providing that a risk assessment, site investigation, remediation proposals and timetable for remediation are provided and satisfactorily overcome the identified risk, including any potential risk of pollution of controlled waters (including groundwater).

Waste and Recycling

~~Uttlesford has been very successful in encouraging residents to recycle their domestic waste. The proportion of household waste being reused or recycled in 2012/13 was the highest in Essex. Nearly 56% of Uttlesford's waste is being diverted from landfill. The Council in its role as waste collection authority, in partnership with Essex County Council will continue to encourage recycling by making appropriate facilities available throughout the district. There is a Civic Amenity site in Saffron Walden and a new Waste Transfer Station is being planned in Great Dunmow. New buildings should incorporate space for recycling and collection of compostable materials. New development should minimise non-renewable resource consumption including building materials and re-use and recycle construction and demolition waste.~~

Policy EN4 – Waste and Recycling

~~Development will be supported where it is designed in order to minimise the production of waste and make adequate and appropriate provision for the recycling of waste and maximises the use of recycled building materials and uses sustainable building materials and techniques. Major development applications will need to demonstrate the relevant measures that the scheme incorporates and the anticipated levels of waste generation.~~

Noise

This policy aims to make sure that wherever practicable, noise sensitive developments are separated from major sources of noise such as road, rail and air transport and certain types of industrial development.

Aircraft movements are a particular major source of noise in Uttlesford. Stansted Airport Noise Strategy and Action Plan 2010-2015 (Building on a Sound Foundation) sets out what controls there are on noise generated by departing and arriving aircraft (Sections 5.1 and 5.2). The strategy also sets out what controls there are on ground noise (Section 5.3) and what the night noise restrictions are (Section 5.4). A revised action plan will need to be delivered every five years or whenever a major development occurs, affecting the noise situation.

Calculation of the noise index of exposure to aircraft noise takes into account the level of use of each Noise Preferential Route (NPR) and glide path, the number of aircraft movements and aircraft type. Indices are calculated for each year, based on the actual number of movements, and for the future scenario of 35mppa using assumptions. Monitoring of air noise patterns will help to make sure that the policy continues to be applied to the most appropriate area. Noise sensitive developments include residential uses.

Appendix 4 indicates the appropriate response to the level of noise by source. This includes road, rail and mixed sources as well as air noise.

Policy EN5- Noise Sensitive Development

Housing and other noise sensitive development will be permitted where unless the occupants will not experience significant noise disturbance. This will be assessed by using the most up to date and appropriate noise contour for the type of development and will take into account mitigation by design and sound proofing features.

Flood Risk

All development should be located in areas at low risk. The main risk in the District is from fluvial flooding. Just over 96% of the District lies within Flood Zone 1 where there is a low probability of flooding. The scale of development required can be provided on land which is at the lowest risk of flooding and all built development is located in this zone. Development in certain locations may cause flood risk elsewhere as a result of increased run off. Surface water run off from new development should be controlled as near to the source as possible and ideally within the boundary of the development. A flood risk assessment will be required for each site in accordance with the standing advice published by the Environment Agency. The Council will work with developers and the Environment Agency to achieve sustainable local flood mitigation measures as part of the development. Any residual risk should be able to be safely managed with safe access and escape routes where required and by emergency planning.

Policy EN5 sets out whether the principle of different types of development distinguished by the vulnerability to flooding are acceptable in the different flood zones and whether an exceptions test is required. The Flood Risk Vulnerability classification is set out in the Technical Guidance to the National Planning Policy Framework. Examples of essential infrastructure are transport and utility infrastructure; highly vulnerable developments include basement dwellings, mobile homes and emergency services required to be operational during times of flood; more vulnerable buildings include hospitals, care homes, dwellings, non-residential institutions; and less vulnerable buildings include shops, restaurants, offices etc and emergency services not required to be operational during times of flood; water compatible development includes sport and recreational land and buildings.

Policy EN6 - Minimising Flood Risk

The Council will seek to locate development on land identified as being at the lowest probability of flood risk. Such land comprises land in Flood Zone 1 on the Environment Agency Flood Map which is all land outside Flood Zones 2 and 3 which is that land at medium and high probability of flooding respectively.

Flood risk assessments will be required in accordance with Environment Agency standing advice.

~~The Council will determine the acceptability of the principle of development in accordance with the following table of Flood Risk Vulnerability and Flood Zone ‘Compatibility’:~~

Flood Risk Vulnerability and Flood Zone Compatibility					
Flood Risk	Essential	Water	Highly	More	Less
Vulnerability	Infrastructure	Compatible	Vulnerable	Vulnerable	Vulnerable
Classification					
Flood Zone 1	✓	✓	✓	✓	✓

Zone	Zone 2	√	√	Exception Test Required	√	√
	Zone 3a	Exception Test Required	√	x	Exception Test Required	√
	Zone 3b "Functional Flood Plain"	Exception Test Required	√	x	x	x
Key: √ = Development is Appropriate, x = Development should not be permitted						

~~The Council will consider the Exception Test to be passed where:-~~

- ~~a. it is demonstrated that the development provides wider sustainability benefit to the community that outweigh flood risk informed by the Strategic Flood Risk Assessment where one has been prepared; and~~
- ~~b. a Flood Risk Assessment demonstrates that the development will be safe, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall;~~

~~The Council will only consider the suitability of sites for development in Flood Zone 3 when:~~

- ~~1. there are no reasonably available sites in Flood Zones 1 and 2;~~
- ~~2. the flood risk vulnerability of the proposed use meets the tests in the table above;~~
- ~~3. the redevelopment of a brownfield site seeks to reduce the causes and impacts of flooding through the consideration of SUDS and making space for water in the layout of the development.~~

~~Within each Flood Zone the Council will:~~

- ~~i. direct new development first to sites with the lowest probability of flooding following the Sequential Test; and~~
- ~~ii. match the flood vulnerability of the intended use to the flood risk of the site by locating the higher vulnerability uses on those parts of the site with the lowest probability of flooding.~~

~~Foul water discharges from development must not increase flood risk within the sewerage network, at Waste Water Treatment Works or elsewhere.~~

Surface Water Flooding

Sustainable Drainage Systems (SuDS) are designed to reduce the potential impact of surface water drainage discharges from both new and existing developments. SuDS aim to replicate natural systems of surface water run-off through collection, storage, and cleaning before releasing water slowly and reducing the possible risk of flooding. This is in contrast to previous conventional drainage systems that bring about rapid run-off which may result in flooding, associated pollution and potential contamination of groundwater sources. Examples of the type of system that can be provided for large-scale developments are reed beds and other wetland habitats that collect, store, and improve water quality along with providing a habitat for wildlife. For smaller developments SuDS could comprise a green roof or rainwater harvesting techniques.

The benefits of SuDS are such that it is important that they form an integral part of development proposals wherever relevant. The optimal level of runoff is that which would occur if the site had not been developed (i.e. a greenfield site). The achievement of this level is important to all sites regardless of which flood zone they are located in. Applicants should take account of SuDS guidance produced by Essex County Council in accordance with the Flood and Water Management Act 2010 or other relevant guidance.

Policy EN7 - Surface Water Flooding

All new development including extensions, car parks and hard standings will incorporate Sustainable Drainage Systems (SUDs). Such systems will be expected to provide optimum water run-off rates and volumes taking into account relevant local or national standards and the impact of the Water Framework Directive on flood risk issues.

Only where there is a significant risk of pollution to the water environment, inappropriate soil conditions and/or engineering difficulties, should alternative methods of drainage be considered. If alternative methods are to be considered adequate assessment and justification should be provided and consideration should still be given to pre and post runoff rates. If this is not possible it will be necessary to demonstrate why it is not achievable.

Development proposals adjoining the main rivers, ordinary watercourses and culverts should be set back to provide a suitable buffer in accordance with the relevant published guidance. Developments should not compromise the ability of organisations responsible for maintaining watercourses from accessing and undertaking works.

The Council will seek to restore/deculvert rivers through the determination of planning applications when and where the opportunity arises. Retrofitting of SuDS will also be encouraged where possible.

Details of proposed SuDS and how they will be maintained will be required as part of any planning application.

SUDs systems should be designed so as not to increase the bird hazard or the safe operation of Stansted Airport or the movement of aircraft; where appropriate the implementation of a bird hazard management plan will be secured by condition or planning obligation.

Protection of Water Resources

Water supply in Uttlesford is managed and delivered by Affinity Water. The area supplied by Affinity Water is divided into three regions and eight water resource zones (WRZ) and Uttlesford falls within their Central Region and the Stort WRZ. Every 5 years Affinity Water publishes a Water Resource Management Plan (WRMP) which shows how the company plans to supply enough water to meet demand over the next 25 years. The most recent ~~draft WRMP~~ was published in ~~May 2013~~ **June 2014**.

Water use in Uttlesford is high. The current average per capita consumption for the Affinity Water Central Region is ~~166~~ **161.27** litres per person per day (l/p/d) for existing customers, compared to a national average of 147 l/p/d and 114 and 134 **121.92 and 126.19** l/p/d in the East and Southeast. ~~Affinity Regions where higher levels of metering have been achieved. Affinity Water have set a target in the WRMP of achieving a 20 litre reduction in average PCC over the next 25 years.~~ Changes to Building Regulations in 2010 require that the potential consumption of someone occupying a new home must not exceed 125 l/p/d.

~~The Water Cycle Study demonstrates that if the current rate of consumption remains constant and new dwellings only achieve 125 l/p/d total domestic demand could increase by nearly 8% on 2012/13 levels depending on whether occupancy rates decrease or not. (Smaller households tend to have higher consumption figures because there is less opportunity to share water use).~~ The Council is unlikely to be able to have much influence on the consumption rates in existing properties but it can influence consumption in new homes through planning policy so in order to reduce consumption it is suggested that all new homes should meet a target of ~~105~~ **110** l/p/d. ~~which equates to Sustainable Homes Code Level 3, subject to viability. This can be done through the specification and installation of water efficient fixtures such as dual flush toilets, spray taps and showerhead flow regulators. In order to achieve the Code for Sustainable Homes Level 5/6 target of 80 l/p/d it would be necessary to consider the use of Rainwater Harvesting or Grey Water Recycling to supplement the potable water supply in addition to water efficiency measures.~~ The Council can also influence consumption rates in its own stock. ~~The Water Cycle Study demonstrates for example that if the Council were able to reduce the PCC in all council owned properties to the Defra Target of 130 l/p/d then the reduction in demand would be enough to supply around 900 new dwellings at Sustainable Homes Code Level 3 (105 l/p/d).~~ For non-residential uses the Council is not intending to specify a standard across all uses as there may be variations in requirements between uses. All applicants will be expected to demonstrate how water efficiency will be achieved in their development.

Groundwater provides a third of the drinking water in England and Wales, and it also maintains the flow in many of the rivers. In some areas of Southern England, groundwater supplies up to 80% of the drinking water. It is therefore crucial that these sources are looked after to make sure that the water is completely safe to drink. The Environment Agency publishes information on the areas where contamination of ground water is a critical issue because they are near abstraction sites where water is drawn off for potable supply. There are a number of ground water protection zones in Uttlesford - under the reaches of the Cam, in the Pant Valley, the Chelmer Valley, and in the Stort Valley as shown on the Policies Map. A major aquifer lies under most of the northern half of the District.

Development must minimise its impact on the environment by adopting environmental best practice and necessary measures to limit pollution to acceptable limits. The ability of waste water infrastructure to deal with the increased load arising from development is an important issue in protecting water resources, particularly the increase in the discharge rate from the sewage treatment works into rivers. It is therefore important to make sure that sufficient infrastructure exists or will be made available.

Policy EN8 - Protection of Water Resources

Development will be supported where it is designed to minimise consumption of water, protect and enhance water quality and protect water resources. All new residential development should ~~aim to achieve a minimum~~ water efficiency target of ~~105~~ **110 l/p/d** and development should also make adequate and appropriate provision for water recycling. The extent to which water consumption is reduced will be monitored against the current national or local targets. Major development applications will need to demonstrate the relevant measures that the scheme incorporates and the anticipated levels of water consumption. The proposed measures will need to result in the current targets being met in order to be acceptable.

Development will be permitted where it will not cause contamination of groundwater, particularly in the protection zones shown on the policies map, or contamination of surface water. Where there is the potential for contamination effective safeguards must be in place to prevent deterioration in current water standards. ~~Opportunities to improve water quality in all watercourses and water bodies will be undertaken where appropriate before development becomes operational.~~

Planning permission will only be granted for developments which increase the demand for offsite service infrastructure where:

- a. sufficient infrastructure or environmental capacity already exists or
- b. extra capacity can be provided in time to serve the development which will ensure that the environment and the amenities of local residents are not adversely affected.

When there is a lack of capacity and improvements in off-site infrastructure are not programmed, planning permission will be granted where the developer funds appropriate improvements which will be completed prior to occupation of the development, or where the water company confirms the off-site infrastructure can be provided in a timely manner.

The use of deep soakaways (including boreholes or structures that bypass the soil layers) for surface water disposal will not be permitted unless the developer can show;

1. there is no viable alternative
2. that there is no discharge of pollutants to ground water
3. pollution control measures are in place

Minerals Safeguarding

Minerals resources are finite and can only be worked where they naturally occur. Mineral resources of national and local importance need to be protected and safeguarded. In Uttlesford this includes mainly chalk in the north of the District and sand and gravel in the south. Mineral resources also need to be protected from incompatible/sensitive development nearby which might constrain mineral production in the future. Minerals Safeguarded Areas (MSAs) and Minerals Consultation Areas (MCAs) are included in this plan and are shown on the policies map. MSAs identify areas on mineral deposits considered to be of national importance. MCAs include each safeguarded permitted mineral development and site allocation and can include a zone of up to 250m around the site. The Minerals Planning Authority (Essex County Council) will be consulted on relevant applications within the MSAs and MCAs. ~~The types of development to which this policy will apply is set out in the Minerals Local Plan available on the Essex County Council website.~~ **Policies relating to minerals**

and mineral sites are set out in the Minerals Local Plan prepared by Essex County Council.

Policy EN9 – Minerals Safeguarding

~~Where development proposals fall within a Minerals Safeguarded Area the Local Planning Authority will consult the Minerals Planning Authority where the site is greater than:~~

- ~~• 5 hectares for Sand and Gravel or~~
- ~~• 3 hectares for Chalk~~

~~Non minerals proposals which exceed these thresholds should be supported by a minerals resource assessment to establish the existence or otherwise of a mineral resource of economic importance,~~

~~If surface development is permitted consideration will be given to the extraction of any existing minerals before development starts.~~

~~The Local Planning Authority will consult the Minerals Planning Authority on any relevant application within a Minerals Consultation Area.~~

~~Development will only be supported where it does not unnecessarily sterilise minerals resources or conflict with the effective working of permitted minerals development or Preferred Mineral Site~~

New Policy:

Energy Efficiency for new Commercial Development

Supporting text:

It is important for the Council to try and make sure that commercial buildings are built in a way which minimises the use of energy and so reduce carbon dioxide emissions, commercial buildings should be designed to avoid both overheating and the need for artificial cooling which can be energy intensive and to minimise heat loss in cold weather.

Policy:

Energy Efficiency for new Commercial Development

In order to contribute towards meeting national targets for reducing CO₂ emissions in all new commercial development, the Council will require all new commercial development to have a minimum energy efficiency target which accords with BREEAM very good rating, or such standards which replace them.

New Policy:

Renewable Energy Sources

Supporting Text:

Energy efficiency measures will need to take into account the character and setting of any heritage asset such as a Conservation Area or a Listed Building. Historic England provides guidance on providing renewable energy and achieving energy efficiency on historic buildings. It is important to make sure that the architectural or historic integrity of areas and buildings of architectural or historic merit are not prejudiced by additional features which impact adversely on the character or appearance of the heritage asset. Some renewable energy projects may impact on protected species. The Council will take these impacts into account when determining planning applications e.g. a bat survey will be required for any application for a wind turbine.

New Policy:

Renewable Energy Sources

Proposals to generate energy from renewable sources will be supported provided they are designed to minimise their impact on landscape character, ecology and/or the natural and historic environment. Provisions should be made for the site to be cleared and reinstated if the operation ceases.

Where relevant, applications will need to demonstrate that the cumulative impacts of renewable energy proposals will not give rise to significant adverse impacts.

Sustainable Energy and Energy Efficiency

There is potential for some of the District's energy needs to be met by renewable and low carbon technologies within the District. Development on a larger scale such as wind farms or agricultural biomass production will be challenging in Uttlesford because of the rural nature of the District and restrictions due to interference with aircraft radar at Stansted Airport and Debden. Where schemes can be implemented without causing damage to environmental and other interests these will be supported. A number of applications for solar farms have recently been approved.

Improving energy efficiency offers potential for reducing emissions from the district and can reduce energy costs for householders and businesses.

The Government is committed to making sure that new build homes are zero carbon from 2016 and do not add extra carbon dioxide emissions to the atmosphere. The Government currently seeks to achieve this through a combination of the Code for Sustainable Homes and the Building Regulations.

The Code for Sustainable Homes provides standards for the sustainable design and construction of new homes (including water efficiency) that meet or exceed those set out in The Buildings Regulations 2010. The Code is the national standard for the sustainable design and construction of new homes. The aim of the code is to increase the environmental sustainability of homes and give homeowners better information about the running costs of their homes. It also offers a tool for home builders to demonstrate the sustainability performance of their homes and to differentiate themselves from their competitors.

The Code measures the sustainability of a new home against categories of sustainable design, rating the "whole home" as a complete package. The code uses a star rating system to assess the overall sustainability performance of a new home and sets minimum standards for energy and water use at each of 6 levels. Requirements for demonstrating compliance with the Code are set out in the Code for Sustainable Homes Technical Guide (2010).

Affordable homes delivered in line with guidance from the Homes and Communities Agency are currently required to meet Code Level 3.

The Government has recently completed its Housing Standards Review. It is likely that many of the requirements of the Code for Sustainable Homes will be consolidated into Building Regulations and in the light of this it is possible that the current code will be wound down. This may require that the plan is updated to take account of the new arrangements, once these have been finalised.

It is important for the Council to try and make sure that homes and other buildings are built in a way that minimises the use of energy and so reduce carbon dioxide emissions. Buildings should be designed to avoid both overheating and the need for artificial cooling which can be energy intensive and to minimise heat loss in cold weather.

Minimising overheating can be achieved by measures including:-

- using external shading;
- using blinds with double glazed units;
- using solar control glass;
- increased ventilation;
- avoiding large areas of glazing on south-facing elevations.

Reducing heat loss can be achieved by measures including:-

- double glazing
- loft insulation
- cavity wall insulation

When designing an extension, best practice standards for energy efficiency in the design and specification of the extension can help reduce running costs and also reduce carbon dioxide emissions. This will involve consideration of the shape, insulation, glazing, air tightness, ventilation, heating system and lighting of the extension. The Council will require simple, cost effective energy efficiency measures to be carried out on the existing house if possible and practical. These measures could include upgrading loft insulation, insulating cavity walls, improving draft proofing, improving heating controls, installation of reflective panels behind radiators, installation of low energy lighting or upgrading the boiler. Measures to reduce water use should also be included e.g. grey water recycling, space for water butts.

Energy efficiency measures will need to take into account the character and setting of any heritage asset such as a Conservation Area or a Listed Building. English Heritage provides guidance on providing renewable energy and achieving energy efficiency on historic buildings and this is set out in Policies HE2 and HE3. It will be important to make sure that the architectural or historic integrity of areas and buildings or architectural or historic merit are not prejudiced by additional features which impact adversely on the character or appearance of the heritage asset. Some renewable energy projects may impact on protected species. The Council will take these impacts into account when determining planning applications e.g. a bat survey will be required for any application for a wind turbine.

Policy EN10 – Sustainable Energy and Energy Efficiency

Development will be supported where it is located and designed to:-

- ~~be as energy efficient as reasonably possible;~~
- ~~include decentralised, renewable or low carbon energy sources to minimise CO2 emissions; and~~
- ~~minimise the potential adverse consequences associated with the prospect of greater extremes of weather conditions.~~

~~In order to contribute towards meeting national targets for reducing CO2 emissions in all new development, the Council will:-~~

- ~~require all dwelling units in residential or mixed use developments over 5 units to comply with the current standards for affordable housing or such standards that replace them in the future, with regard to energy efficiency and CO2 emissions;~~
- ~~require proportionate improvements to the energy efficiency of the existing dwelling when granting planning permission for residential extensions and/or the conversion of ancillary residential floorspace to living accommodation; and~~
- ~~support renewable and low carbon energy infrastructure, including stand alone facilities, in suitable locations, provided that these are designed to reduce any adverse impacts on landscape character, ecology and the natural and historical environment, to an acceptable level.~~
- ~~require all new commercial development to have a minimum energy efficiency target which accords with BREEAM very good rating as the minimum standard, or such standards that replace them.~~

~~Proposals to generate energy from renewable sources will be supported, in suitable locations, provided they are designed to reduce any impacts on landscape character, ecology and the natural and historical environment to an acceptable level. Provision should be made for the site to be cleared and reinstated to its previous use if the operation ceases.~~

DEVELOPMENT IN THE COUNTRYSIDE

Introduction

In order to deliver the plan objectives, the strategy for the rural areas is to promote a sustainable rural economy and to address any issues of rural deprivation while at the same time protecting the important countryside assets including agricultural land, historic and landscape features and biodiversity.

Development in the Countryside

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. A belt of Countryside needs to be retained between Harlow, Bishop's Stortford and Stansted Mountfitchet as part of the Metropolitan Green Belt (MGB) containing the urban sprawl of London. Within the MGB development will only be permitted if it meets the criteria for exceptional development set out in the National Planning Policy Framework.

Infilling, limited development or redevelopment of sites within the development limits of villages within the MGB (Birchanger, Hatfield Heath, Leaden Roding, Little Hallingbury and White Roding) will be allowed providing they are compatible with the character of the settlement and its setting. Exception sites to meet local needs for affordable housing will be allowed in the MGB where a need has been identified.

The Plan identifies a Countryside Protection Zone around Stansted Airport. Stansted Airport, as London's third airport, puts significant pressure for development on the surrounding countryside. The aim of this policy approach is to maintain Stansted as an "airport in the countryside". The priority within this zone is to restrict development which would cause coalescence between the airport and surrounding development. Coalescence is the physical coming together or merging between the airport and existing development in the zone. New building will generally lead to coalescence. The change of use of a building in itself will not lead to coalescence unless there is associated development such as outside storage or car parking. Each case needs to be judged on its merits, where there are only modest levels of additional parking on a tightly well-defined site for example, it may not be considered as leading to coalescence. Development which complies with the Strategic Policy SP9 - Protection of the Countryside will only be permitted if it also consistent with this over riding objective.

The character and appearance of the countryside changes from one area of the District to another but the landscape is predominantly agricultural. Approximately 97% of the land within the District is agricultural land of which 80% is designated Grade 2. The land is mostly **arable** used for the production of cereal and general crops. Farming remains an important part of the rural economy but it is under pressure and many farms remain vulnerable. In recent years there has been pressure for **degree of** diversification into new areas of activity. The Development Management policies will allow the re-use of farm and other buildings for commercial purposes, subject to certain criteria. This will help to retain activity in rural areas. Alternative uses of land in the countryside will be supported where they comply with Countryside, MGB and other policies where the environment and character of the countryside is protected.

Policy SP9 - Protection of the Countryside

The Countryside is defined as land outside development limits and identified growth locations.

The Countryside will be protected for its intrinsic character and beauty, for its value as productive agricultural land, recreational land and for biodiversity. The landscape character and local distinctiveness of the Countryside will be protected and enhanced. Proposals for development will need to take into account the landscape's key characteristics, features and sensitivities to change in accordance with Policy C1.

The Metropolitan Green Belt as defined on the policies map will be protected from development in accordance with national policy.

Within the countryside, beyond the Metropolitan Green Belt the policies map identifies the Stansted Airport Countryside Protection Zone. Development will only be permitted within this zone if new buildings or uses of land do not lead to the coalescence between the airport and existing development and do not adversely affect the open characteristics of the zone.

Within the Countryside beyond the Metropolitan Green Belt and the Countryside Protection Zone, planning permission will be granted for development appropriate to a rural area in accordance with the relevant Development Management policies. In considering proposals the Council will seek:

- **to protect from development the best and most versatile agricultural land, and areas which support biodiversity;**
- **to assess other options such as land within development limits, re-use of existing rural buildings and previously developed land; and**
- **focus development in locations with good access to services and facilities.**

Landscape Character

The District is made up of 3 main types of landscape. The largest area is the farmland plateau landscapes which are gently rolling landscapes with medium to large arable fields but well wooded in places. The landscape is cut into by river valleys providing in places long distance views across the valleys. The open nature of the skyline of the ridge tops is particularly visually sensitive to new development. There are 4 river valley landscapes in Uttlesford based on the Rivers Cam, Stort, Pant and Upper Chelmer. The valleys have flat or gently undulating valley floors and are served by several tributaries. The open skyline at the top of the valley slopes is particularly sensitive to change through development, as are the more intimate views between the lower slopes and the valley floor. The North West corner of the District is characterised by chalk upland landscapes which are rolling landscapes of broad roundback ridges. They are characterised by expansive arable farmland providing panoramic views. The open nature of the skyline of the chalk ridge tops is particularly visually sensitive to change. Each of these landscape character types can be subdivided into Landscape Character Areas and 26 of these areas have been identified in Uttlesford. Detailed profiles of the Landscape Character Areas setting out the visual, historic and ecological characteristics, sensitivities to change and planning guidelines are set out in the Landscape Character Assessment for Uttlesford (Chris Blandford Associates; 2006).

The landscape holds evidence of human activity in Uttlesford stretching back over half a million years. Some irregular shaped fields are pre 18th Century but are probably of medieval origin and some maybe older. Larger more regular fields can be evidence of fields enclosed in the early post medieval period and later in the 18th and 19th Century as part of the parliamentary Enclosure Act. A number of small commons and linear roadside greens can also be found; the former have all been enclosed but the latter still largely survive as wide roadside verges.

There are ~~16~~ **7** historic Parklands, Parks or Gardens identified on the Proposals Map whose character remains relatively intact **and** ~~Seven of these~~ are included in the English Heritage Register of Historic Parks and Gardens. The desirability of preserving historic parks and gardens and their settings is a material consideration in determining planning applications whether the park or garden is designated or undesignated. Development which would substantially harm Audley End Park as a Grade I historic park and Bridge End Gardens, Saffron Walden as a Grade II* historic garden will only be acceptable in wholly exceptional circumstances.

Applications for development affecting a designated historic park or garden need to refer to the English Heritage Register and explain how the proposed development does not substantially harm the reasons why the park or garden was designated. ~~Development proposals affecting the locally designated parks and gardens need to explain how the proposed development does not harm special interests such as their principal building, formal and informal open spaces, ornamental gardens, kitchen gardens, plantations and water features.~~

The Flitch Way is a linear country park, it follows the route of an old railway line which may be of some historic interest and it is also designated as a Local Wildlife Site. Its main function is as a recreational resource for walking, cycling and horse-riding.

Throughout Uttlesford there is a network of minor roads which evolved in Roman and Saxon times when the area was first settled so they follow the contours of the landscape. They are of historical importance because they retain their original alignment linking ancient settlements. They are infinitely variable and picturesque. Some are sunken lanes with steep banks indicating that they are the routes of early settlers; others are broad byways indicating that they are early coaching routes. The lanes are identified on the policies map.

Although the following policy will be most frequently used when considering applications within the countryside there may be instances where development within or on the edge of settlements can have an impact on the broader landscape. This policy will apply to development within and beyond development limits.

Policy C1 - Protection of Landscape Character

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 plateaux 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 Flitch Way Country Park and the special interest of the Historic Parklands and 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.

Re-use of Rural Buildings

Buildings in the countryside, including listed buildings outside the defined development limits of settlements, are an integral part of both the landscape and the local economy. It is therefore important to facilitate their reuse but in a manner which makes a positive contribution to both the rural landscape and the rural economy.

In May 2013 the Government made changes to the Permitted Development rights to allow the change of use of agricultural buildings under permitted development for a range of uses subject to certain criteria being met. The policy below will only apply to those cases where planning consent is required.

The first part of the policy determines a series of priorities in terms of the preferred use of rural buildings and the second addresses the quality and character of the building. The implications of the policy are that not all buildings will necessarily be appropriate for some form of beneficial use.

Policy C2 - Re-use of Rural Buildings

The re-use of rural buildings outside the defined development limits will be permitted provided that ~~the proposed use is:-~~

- ~~a. for employment purposes; or~~
- ~~b. if an employment use is demonstrably non-viable, then for another non-residential use; or~~
- ~~c. for residential use if all other types of use are demonstrably non-viable~~

and

- 1. the buildings are of a permanent and substantial construction;**
- 2. the buildings are capable of conversion without major reconstruction or significant extension;**
- 3. the development would protect or enhance the character of the countryside, its amenity value and its biodiversity and not result in a significant increase in noise levels or other adverse impacts; and**
- 4. the development would not place unacceptable pressures on the surrounding rural road network in terms of traffic levels, road safety, countryside character or amenity.**

~~The non-viability of employment or other non-residential uses would need to be proven either by marketing or an independent assessment in accordance with the requirements set out in Appendix 3.~~

Change of Use of Agricultural Land to Domestic Garden

Proposals to change agricultural land to domestic garden will be acceptable where there is no material change to the character or appearance of the surrounding countryside.

Proposals could include, for example, unworkable corners of fields and should not create

wedges of domestic garden intruding into an agricultural landscape. Proposals should include appropriate boundary treatments like native hedges or post and rail fencing which do not have the effect of urbanising the area or changing the openness of the countryside. If structures in the new garden like sheds etc would change the open character the Council may impose conditions removing permitted development rights when granting planning permission.

Policy C3 - Change of Use of Agricultural Land to Domestic Garden

Change of use of agricultural land to domestic garden will be permitted if the proposal, particularly its scale, does not result in a material change in the character and appearance of the surrounding countryside.

New supporting text:

New Community Facilities within the Countryside

Applications to provide and/or improve community facilities in the District will be favourably considered, providing the scale of the development is proportionate to the size of the catchment population it serves. Community facilities include buildings such as village or community halls, youth clubs, places of worship, education and childcare facilities and healthcare facilities.

New Policy:

New Community Facilities within the Countryside

Provision of sport, recreation or community facilities beyond development limits will be permitted if the following criteria are met:

- a. the need for the facility can be demonstrated;**
- b. the need cannot be met on a site within the development limits; and**
- c. the site is well related to the settlement.**

THE HISTORIC ENVIRONMENT

Introduction

In Uttlesford the historic environment is a rich, complex and irreplaceable resource. It has developed through a history of human activity spanning many thousands of years. Some of the resource is hidden in the form of archaeological deposits. Other elements such as the historic landscape are the highly visible result of many years of agricultural, industrial and commercial activity. The “built” part of the historic environment is equally rich with towns, villages and hamlets set in the gently rolling countryside. There is a wealth of fine buildings, many of them ancient and listed and these buildings with their varied styles and methods of construction span many centuries.

The historic environment is a fundamental part of the District’s environmental infrastructure but it is sensitive to change and needs to be properly understood to make sure it is managed and conserved. There may be opportunities to enhance the historic environment and it is important that these are realised. It is equally important that adverse impacts associated with development, whether they are direct such as new building or indirect such as traffic generated by development are minimised.

The Council will continue to work in partnership with archaeology, design and other specialists to make sure that only development which protects and enhances the historic environment is approved.

The Council has carried out a series of Conservation Area Appraisals leading to management plans and some communities have produced their own design advice through Town and Village Design Statements. New development will be expected to comply with such advice where this has been approved by the Council.

Policy SP10 - Protecting the Historic Environment

Proposals for development will be supported where they take into account the significance of any heritage assets and their setting. Development will be supported where it protects and enhances any heritage asset and makes a positive contribution to the street scene and/or landscape.

Proposals will be favourably considered for the sympathetic re-use of heritage assets, particularly where they make a positive contribution to the special character of the local environment and can contribute to the delivery of sustainable development and regeneration.

Proposals to modify heritage assets so as to reduce carbon emissions and secure sustainable development will be weighed against harm to the significance of the heritage assets in accordance with appropriate development management policies.

The Council will work positively to safeguard heritage assets identified as "at risk" by working in partnership with land owners, Essex County Council, English Heritage Historic England and other heritage bodies to secure a sympathetic restoration and re-use.

~~**Proposals for development should also take into account any relevant supplementary or other Council approved guidance.**~~

Design of Development within Conservation Areas

There are ~~36~~ **37** individual Conservation Areas in the District distributed across ~~30~~ **31** parishes. It is important that the development pressures on the District are managed in ways that protect and enhance the built environment and avoid inappropriate development. The Council has a programme of preparing **produced and published** Conservation Area Appraisals and applying **applied** Article 4 directions **in a number of settlements** as appropriate to limit certain permitted development rights within these areas.

Within a Conservation Area, most renewable energy equipment can be installed on non-listed dwellings or within the dwelling's curtilage without planning permission. Where planning permission is required the policy identifies the criteria which need to be met to make sure there is no loss of the special interest of the Conservation Area. ~~The principal elevation is the one which is predominantly seen from the highway or right of way but there can be more than one principal elevation in some cases.~~

Applications for development within **or adjacent to** Conservation Areas need to refer to the Conservation Area Appraisal, ~~where one has been carried out~~, and explain how the proposed development will contribute to the character of the Conservation Area as identified in the appraisal.

Applications for development

Policy HE1 - Design of Development within Conservation Areas

Development will be permitted where it preserves and enhances the character and appearance of the essential features of a Conservation Area, ~~as identified in the Conservation Area Appraisal~~ and including plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain or significant natural or heritage features. Outline applications will not be considered. Development involving the demolition of a structure which positively contributes to the character and appearance of the area will not be permitted.

~~Development involving the installation of renewable energy equipment will be permitted if the following criteria are met:-~~

- ~~a. there is minimal no detrimental visual impact;~~
- ~~b. it is not located on principal elevations;~~
- ~~c. it does not damage key views in, out or within the Conservation Area, including very visible secondary elevations;~~
- ~~d. there is no loss in the overall character or historic interest of the Conservation Area; and~~
- ~~e. there is no cumulative impact through the installation of different types of equipment within the same property or group of properties leading to a loss of special interest of the Conservation Area.~~

New Policy: **Protecting the Setting of Conservation Areas**

Development ~~Within or adjacent to a Conservation Area~~ development will only be permitted where it is not detrimental to the character, appearance or setting of the Conservation Area and does not adversely affect listed buildings.

Development Affecting Listed Buildings

There are over 3700 Listed Buildings or structures in the District. This represents about one quarter of the number of listed buildings in Essex which is itself one of the most richly endowed of all English counties. In addition, any building or structure which belonged with the main building when it was listed, and which was built before 1 July 1948, is also viewed as a Listed Building. Features listed in this way are referred to as 'Curtilage Listed'.

The Listed Buildings in the District vary widely both in age, character and their vernacular materials. Clay tile, slate and long straw thatch are used for roof materials. The stock of buildings with long straw thatch is big enough to be a cluster of regional architectural importance. Although timber framed buildings predominate, some historic buildings are constructed of brick and stone. External finishes include many excellent examples of pargetting, flintwork and weatherboarding. Every period from before the Norman Conquest is represented, but over 40% of all Listed Buildings date from the 17th century.

When considering the special architectural or historic interests of a Listed Building the following are broad examples of what will be taken into account: - the structural frame or fabric; the plan form; roofing material; external cladding; the proportion, detail and arrangement of doors and windows, interior floor plans; interior finishes and features of special interest to the building. Proposals to remove more recent additions with a view to replacing these with features which reflect a different period in the building's history e.g. the replacement of metal windows with new wooden windows will normally be treated sympathetically provided the design and quality of the materials etc respects the historic nature of the building.

Proposals for the conversion of a Listed Building may result in a form of development which would not normally be allowed e.g. Conversion to a dwelling outside development limits. Such a proposal may be approved if the applicant can demonstrate that the conversion scheme is the most appropriate way to secure the future of the listed building and the conversion can be carried out in a sympathetic manner without damage to the fabric, setting or architectural and historic interest of the building.

Some measures to improve the energy efficiency of a Listed Building can be done without the need for consent e.g. loft insulation. Others e.g. double glazed units will require Listed Building consent. Any renewable energy equipment within the curtilage of the building or which is fixed to the building e.g. solar panels or which might affect the structure of the building e.g. Air source heat pump will require Listed Building consent and/or planning permission in most cases. If you are considering undertaking any works to a Listed Building you are advised to have early discussions with the Council's Conservation Officer. The policy identifies the criteria which need to be met to make sure there is no loss of the special interest of the Listed Building.

Applications for development affecting a Listed Building need to refer to its historic or architectural importance and explain how the proposed development does not lessen the reasons why the building or structure was listed.

Policy HE2 - Development affecting Listed Buildings

Development affecting a Listed Building should be in keeping with its scale, character and surroundings. Demolition of a Listed Building, or development proposals that adversely affect the setting, and alterations that impair the special architectural or historic interest of a Listed Building will not be permitted.

In cases where planning permission might not normally be granted for a change of use favourable consideration may be given to conversion schemes which incorporate works that represent the most appropriate way of preserving the Listed Building and its architectural and historic characteristics and its setting.

Development involving the installation of renewable energy equipment on a Listed Building will be acceptable if the following criteria are met:-

- a. **locations other than on a Listed Building have been considered and dismissed as being impracticable;**
- b. **there is no irreversible damage to significant parts of the historic fabric;**
- c. **the location of the equipment on the Listed Building would not detract from its character or appearance;**
- d. **the impact is minimised through design, choice of materials, colours etc.**

Scheduled Monuments and Sites of Archaeological Importance

There are 79 Scheduled Monuments in the District, shown on the policies map. Any work which might affect a scheduled monument either above or below ground level, will require consent from English Heritage. Within the District, approximately 4064 sites of archaeological interest are recorded on the Historic Environment Record (HER) maintained by Essex County Council. These sites are not shown on the policies map and enquiries should be made to the County Archaeologist. The Historic Environment Record represents only a fraction of the total. Many important sites remain undiscovered and unrecorded. Archaeological sites are a finite and non-renewable resource. As a result it is important to make sure that they are not needlessly or thoughtlessly destroyed.

The desirability of preserving an ancient monument and its setting is a material consideration in determining planning applications whether the monument is scheduled or unscheduled. There is a presumption in favour of the preservation of nationally important sites and their settings. The need for development affecting archaeological remains of lesser significance will be weighed against the relative significance of the archaeology.

Applications for **Applicant's proposing** development affecting a scheduled monument or site of archaeological significance need to refer to **consult Historic England's National Heritage List for England (NHLE)** the English Heritage Register of Scheduled Monuments or the HER respectively and explain how the **significance of the heritage asset will be affected** proposed development does not substantially harm the archaeological asset. The developer will be expected to fund the pre-application survey work and any agreed preservation or recording work.

Policy HE3 Scheduled Monuments and Sites of Archaeological Importance.

Where nationally important archaeological assets, whether scheduled or not, and their settings, are affected by proposed development there will be a presumption in favour of their physical preservation in situ. The Council will seek the preservation in

situ of archaeological assets unless the need for the development outweighs the importance of the asset.

In situations where there are grounds for believing that historic assets sites, monuments or their settings would be affected, developers will be required to arrange for an archaeological field assessment to be carried out prior to the application being submitted before the planning application can be determined to define the significance of the assets and the development's impact thus allowing an informed and reasonable planning decision to be made.

In circumstances where preservation in situ is not possible or feasible, then development will not be permitted until satisfactory provision has been made for a programme of excavation and recording before the development starts.

Development involving the installation of renewable energy equipment within Scheduled Monuments will generally be permitted if the following criteria are met:-

- a. there are no reasonable off site alternatives;
- b. impact on important fabric is limited and reversible;
- c. the development involves the least damaging type of technology;
- d. there is no loss of special interest; and
- e. where freestanding equipment is proposed there is no detrimental impact on the setting of the Monument.

New Policy: Non-Designated Buildings of Local Importance

Supporting Text:

Uttlesford has a valuable historic environment containing many significant heritage assets including buildings which make a positive contribution to the local character and environment.

Many buildings are valued for their contribution to the local scene or for the local historical associations, but will not merit statutory listing, but can have local architectural or historic value.

The Council's Local List of Heritage Assets identifies buildings that make an important architectural or historical contribution to the local area. Although not statutory listed these buildings merit protection from development which adversely affect them.

There may be instances where it is discovered that a building has local heritage significance. The Council may identify new heritage assets at any stage of the planning process and their identification would be a material consideration in any planning decision.

Policy: Non-Designated Buildings of Local Importance

The planning authority will seek to ensure the retention, good maintenance and continued use of buildings of local interest. Whilst not enjoying the full protection of statutory listing, the design and the materials used in proposals affecting these buildings should be of a high standard compatible with the character of the building.

Development proposal which would have an adverse impact upon the character, form and fabric of the Building of Local interest and/or would have a detrimental impact on the setting of the building will be resisted.

THE NATURAL ENVIRONMENT

Introduction

The strategy is to protect and enhance biodiversity within the District working with partners including the Essex Biodiversity Project and the Essex Wildlife Trust and through controls on development to reduce potential impacts on sites which may have importance for biodiversity.

There are no European or international wildlife sites in Uttlesford, but there are sites in neighbouring districts and the Council has taken account of the impact of development in Uttlesford on these sites through its **Habitats Regulations Assessment** ~~Appropriate Assessment~~. The Council will make sure that statutory sites within the district such as Sites of Special Scientific Interest (SSSI) receive the highest level of protection and that the value of other designated sites is protected. Sites with protected species, important habitats and sites which are important for their historic landscape interest will be protected and where possible enhanced.

Policy SP11 - Protecting the Natural Environment

The Council will seek to optimise conditions for wildlife to improve biodiversity, ~~implement the Essex Biodiversity Action Plan (EBAP)~~ and tackle habitat loss and fragmentation.

Development proposals will be supported where they protect and enhance sites nationally and locally designated for their importance to nature conservation, ecological or geological value as well as non-designated sites of ecological or geological value.

Policy NE1 sets out the criteria against which proposals for any development within or affecting such sites will be considered.

Protecting the Natural Environment

There are no internationally protected sites in Uttlesford but there are 14 nationally designated sites made up of 12 Sites of Special Scientific Interest (SSSI's) and 2 National Nature Reserves (NNR).

There are 280 locally important nature conservation areas which are designated as Local Wildlife Sites (LoWSs). Many of these are ancient woodlands but there are also good examples of grassland habitats. There are 42 special roadside verges which are protected for their flora. There are 18 proposed Local Geological Sites (LoGSs) which range in size from single erratic boulders to quarries. All these sites are identified on the policies map.

SSSI's and NNR's have the maximum degree of protection from development because the type and/or quality of habitat means it is unlikely that it can be replaced elsewhere or its loss compensated for. Locally designated sites also make a significant contribution to the biodiversity and geodiversity of the District. Because there are a large number of them and they are distributed across the District they act as a network of sites allowing the movement of wildlife between sites as well as creating the distinctive landscape character of Uttlesford of woodland, verges and greens and water bodies. Developments that can make a positive contribution to the network of sites by habitat creation linking sites will be positively

considered, especially if it contributes to the Essex Wildlife Trust Living Landscape initiative. Advice on incorporating biodiversity in developments can be found on the Essex Biodiversity Project website www.essexbiodiversity.org.uk

Hatfield Forest at 403ha is the District’s largest SSSI and it is also a National Nature Reserve. Hatfield Forest is a medieval hunting forest of mixed deciduous woodland and parkland and extends beyond the SSSI designation. The forest provides an important recreation resource to the residents of Uttlesford and is a strategic are of green infrastructure which is important to protect.

Although not protected by national legislation development resulting in the loss or deterioration of irreplaceable habitats such as ancient woodland will be refused.

The Essex Biodiversity Action Plan identifies 19 habitats of which 14 can be found to varying extents in Uttlesford. They can be grouped under farmland; water; and woodland habitats; and Brownfield sites.

- Uttlesford Habitat Types identified in the Essex Biodiversity Action Plan			
Farmland Habitats	Water Habitats	Woodland Habitats	Other
Arable field margins	Ponds	Mixed deciduous woodland	Brownfield sites
Hedgerows	Rivers	Wet Woodland	-
Traditional orchards	Fen	Wood pasture and Parkland	-
Dry acid grassland	Reedbed	-	-
Meadows	-	-	-
Heath	-	-	-

Applications for development affecting or with the potential to affect a nationally or locally designated site, protected species or species on the Red Data List or habitat suitable for a protected species or species on the Red Data List will need to be accompanied by an ecological survey explaining how the proposed development is acceptable in accordance with the following policy. Ecological surveys must be carried out by a suitably qualified person and include a desk top survey using data obtained from the relevant organisations as identified by Biological Records in Essex (BRIE) www.brienet.org.uk. Field surveys must be conducted at the optimum time for the species. Further information can be obtained from the Natural England’s Standing Advice for Protected Species available on the Natural England website www.naturalengland.org.uk.

Uttlesford is taking part in the Essex Biodiversity Offsetting Pilot. Biodiversity offsetting has the potential to deliver planning policy requirements for compensation for biodiversity loss in a more effective way for both developers and the natural environment itself.

Policy NE1 - Protecting and Enhancing the Natural Environment

Development will be permitted where it does not result in a reduction of the biodiversity or geodiversity value of nationally or locally designated sites or the habitats defined in the Essex Biodiversity Action Plan. Where the development site includes protected species or species on the Red Data List or habitats suitable for

protected species or species on the Red Data List an ecological survey will be required to be submitted with the application.

Development proposals which would result in significant harm to a biodiversity or geodiversity interest will only be considered after alternative sites that would result in less or no harm have been assessed and discounted. In the absence of alternative sites development proposals must include adequate mitigation measures. Where harm cannot be prevented or adequately mitigated against, appropriate compensation measures will be sought.

To make sure that mitigation or compensation measures, which may include Biodiversity Offsetting, take place these will be secured by conditions or planning obligations upon any approval that may be granted and will need to include financial support for continued maintenance.

If significant harm to biodiversity or geodiversity cannot be adequately mitigated against, or compensated for, permission will be refused.

The design of development should incorporate measures to improve the biodiversity or geodiversity value of the development site. Such measures should include making a contribution to the network of biodiversity sites, including open spaces and green infrastructure and water bodies which make links between communities and support wildlife. Measures should also attempt to link such sites together, improving access to, between and across sites. These measures will be secured by condition or planning obligations upon any approval that may be granted and may need to include financial support for continued maintenance.

Measures to enhance the biodiversity should be designed so as not to increase the bird hazard risk or the safe operation of Stansted Airport or the movement of aircraft; where appropriate the implementation of a bird hazard management plan will be secured by condition or planning obligation.

Open Spaces and Trees

There are open spaces of high environmental quality in many of the towns and villages. Such spaces may include village greens, commons, or large mature gardens. Locally important open spaces may also be identified in Neighbourhood Plans, other community led plans or Conservation Area Appraisals. Some of these open spaces may be registered as Assets of Community Value. Sometimes, the land may have been left in a state of untidiness but, nevertheless, the existence of the space may be important to the character of the area, to biodiversity and as an area of natural greenspace. Retention of the space would also enable its full environmental potential to be realised through an enhancement project. Such areas are generally protected by excluding them from defined development limits. The need to protect similar areas within settlements is equally important and significant areas of open space are shown on the policies map. Other smaller spaces of importance will also be protected where development would be inappropriate, but it is not practical to identify all of these. Sometimes community facilities may be proposed on open space. If a successful design can be achieved, a limited loss of open space may be permitted.

Where the principle of development is acceptable it should avoid the loss of features that are prominent elements and enhance the local environment, such as healthy mature trees.

Policy NE2 - Traditional Open Spaces and Trees

Development proposals which would result in the partial, cumulative or total loss of traditional open spaces including village greens or commons and other visually important spaces, groups of trees and fine individual tree specimens will only be permitted where the need for the development outweighs their amenity value.

Development should not result in any net loss of traditional open spaces and important tree specimens, and should seek to provide net gains. Where there is unavoidable loss it should be replaced onsite to an equivalent or higher quality, or elsewhere if onsite provision is not possible.