



# Uttlesford District Council

Chief Executive: Dawn French

## Planning Committee

**Date:** Wednesday, 6th June, 2018

**Time:** 2.00 pm

**Venue:** Council Chamber - Council Offices, London Road, Saffron Walden,  
CB11 4ER

**Chairman:** Councillor A Mills

**Members:** Councillors R Chambers, P Fairhurst, R Freeman, E Hicks,  
M Lemon, J Lodge, J Loughlin (Vice-Chair), H Ryles and L Wells

**Substitutes:** Councillors T Farthing, A Gerard, G LeCount, J Redfern and G Sell

## AGENDA PART 1

### Open to Public and Press

#### **1 Apologies for Absence and Declarations of Interest**

To receive any apologies for absence and declarations of interest.

#### **2 Minutes of the Previous Meeting** 5 - 10

To consider the minutes of the meeting held on 9 May 2018.

#### **3 UTT/17/2607/OP - Land to the South of B1256 Little Canfield** 11 - 84

To consider application UTT/17/2607/OP.

#### **4 UTT/17/3751/OP - HFT Bradley Resource Centre, Pound Lane, Ugley** 85 - 114

To consider application UTT/17/3751/OP.

- 5     UTT/18/0051/LB - HFT Bradley Resource Centre, Pound Lane, Ugley     115 - 122**

To consider application UTT/18/0051/LB.

- 6     UTT/18/0527/OP - Land to the South of School Lane, Molehill Green, Takeley     123 - 132**

To consider application UTT/18/0527/OP.

- 7     UTT/17/3605/FUL - Tower House, St Edmunds Lane, Great Dunmow - Withdrawn     133 - 142**

To consider application UTT/17/3605/FUL - Withdrawn.

- 8     UTT/17/3603/HHF - Tower House, St Edmunds Lane, Great Dunmow     143 - 150**

To consider application UTT/17/3603/HHF.

- 9     UTT/18/0763/HHF - 25 Weaverhead Close, Thaxted, Dunmow     151 - 156**

To consider application UTT/18/0763/HHF.

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## **PLANNING COMMITTEE held at the COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 2pm on 9 MAY 2018**

Present: Councillor A Mills (Chairman)  
Councillors R Chambers, J Davey, P Fairhurst, R Freeman, E  
Hicks, M Lemon, J Lodge, J Loughlin and L Wells

Officers in  
attendance: A Bochel (Democratic Services Officer), N Brown (Development  
Manager), K Denmark (Development Management Team  
Leader), M Jones (Planning Officer), A Lee-Moore (Specialist  
Environmental Officer – Protect), P McEvoy (Temporary Planning  
Officer), L Mills (Planning Officer), M Shoesmith (Development  
Management Team Leader), E Smith (Legal Officer) and C  
Theobald (Planning Officer)

Also present: Cllrs A Gerard and N Hargreaves, S Ayles, G Bagnall, B Bamber,  
K Beech, A Broomhead, J Emanuel, G Gardner, N Hogg, R Kirby,  
R Metcalf, S Mott, L Steele, N Tedder, B Tucker

### **PC125 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Councillors Freeman and Fairhurst declared non-pecuniary interests as  
members of Saffron Walden Town Council.

Councillor Davey declared an interest in application UTT/17/3623/DFO – Land  
East of St Edmunds Lane, Great Dunmow.

### **PC126 MINUTES**

The minutes of the meeting held on 11 April 2018 were approved and signed by  
the Chairman as a correct record.

### **PC127 UTT/17/2868/OP - LAND TO THE SOUTH OF WICKEN ROAD, NEWPORT**

The application was for outline planning permission, with all matters reserved  
except the primary means of access, for the erection of up to 150 dwellings and  
the provision of land for community allotments. Associated works included  
strategic landscaping, open space and highways, drainage and other  
infrastructure works.

Members discussed concerns that the development was contrary to policies S7  
– The Countryside and ENV13 – Exposure to Poor Air Quality.

Councillor Loughlin proposed to refuse the application. Councillor Fairhurst  
seconded this motion.

RESOLVED to refuse the application for the following reasons:

- 1) The proposal by reason of its size, scale, and siting in relationship to Newport's historic core would create an unacceptable separation and impact upon this countryside location, contrary to policy S7 of the Uttlesford Local Plan 2005.
- 2) The proposal by reason of its size and scale would give rise to unacceptable levels of air quality within Newport which can have a harmful impact on human health, contrary to policy ENV13 of the Uttlesford Local Plan 2005.
- 3) The development hereby permitted would increase the pressure on the local infrastructure within the district, not covering the issues as listed within the schedule of Heads of Terms of the report presented to the 9th May 2018 Planning Committee (page 35). In the absence of any legal agreement to address this, the application fails to fully mitigate the impacts of the development contrary to Policy GEN6 of the Uttlesford Local Plan 2005.

*Cllrs A Gerard and N Hargreaves, S Ayles, B Bamber, H Bowman, H Broomhead, J Emanuel and R Metcalf spoke on this application.*

PC128      **UTT/17/1852/FUL - LAND ADJ TO COPPICE CLOSE, DUNMOW ROAD, TAKELEY**

The proposal was for the erection of twenty dwellings and new vehicular access onto Dunmow Road, open space, car parking and associated infrastructure.

The Chairman proposed to approve the application. Councillor Wells seconded this motion.

RESOLVED to approve the application subject to the conditions in the report.

*G Bagnall and K Beech spoke on this application.*

*Councillor Davey left the room for the following item.*

PC129      **UTT/17/3623/DFO - LAND EAST OF ST EDMUNDS LANE, GREAT DUNMOW**

The proposal related to the reserved matters for twenty two dwellings covering access, appearance, landscaping, layout and scale. The principle of development had been allowed on appeal.

The Chairman proposed to approve the application. Councillor Fairhurst seconded this motion.

RESOLVED to approve the application subject to the conditions in the report.

*R Kirby spoke on this application.*

*Councillor Davey re-entered the room.*

PC130      **UTT/17/3426/OP - LAND TO THE EAST OF SHIRE HILL, SAFFRON WALDEN**

The application was for the renewal of the expired outline for the extra care element which was originally approved as part of UTT/13/3467/OP.

The Chairman proposed to approve the application. Councillor Davey seconded this motion.

RESOLVED to approve the application subject to the conditions in the report and to the mitigation of the existing S.106 agreement.

*L Steele spoke on this application.*

PC131      **UTT/17/3429/OP - LAND TO THE EAST OF SHIRE HILL, SAFFRON WALDEN**

The application was for the renewal of the expired outline for employment units which was originally approved as part of UTT/13/3467/OP.

Councillor Freeman proposed to approve the application. The Chairman seconded this motion.

RESOLVED to approve the application subject to the conditions in the report and to the mitigation of the existing S.106 agreement.

*L Steele spoke on this application.*

PC132      **UTT/17/3571/FUL - LAND EAST OF CLAYPIT VILLAS, BARDFIELD ROAD, THAXTED**

The application was for full planning permission to build nine dwellings. One would be detached whilst the remaining eight would be two discrete sets of four dwellings arranged as two groups of semi-detached dwellings connected by first floor link with undercroft parking.

Councillor Davey proposed to refuse this application. Councillor Wells seconded this motion.

RESOLVED to approve the application subject to the conditions in the report.

*N Tedder spoke on this application.*

PC133      **UTT/18/0103/DFO - LAND TO THE SOUTH OF THE ENDWAY, GREAT EASTON**

The application was for reserved matters planning permission relating to appearance and scale for the construction of nine dwellings consisting of five detached four bedroom dwellings and four detached three bedroom dwellings (plots 3, 4, 5, and 9).

Councillor Wells proposed to approve the application. Councillor Lemon seconded this motion.

RESOLVED to approve the application subject to the conditions in the report.

PC134      **UTT/18/0307/FUL - NEW WORLD TIMBER FRAME AND GRAVELDENE NURSERIES, LONDON ROAD, GREAT CHESTERFORD**

The application had been withdrawn by the applicant.

PC135      **UTT/18/0188/OP - REAR OF HOLLY HEDGE, WOODMANS LANE, DUDDENHOE END**

The application sought outline permission with all matters reserved except access for the demolition of the existing outbuilding and the erection of two single storey dwellings and garages.

Members discussed concerns that the access proposed would have a negative impact on nearby properties by causing a significant increase in vehicular traffic.

Councillor Chambers proposed to refuse the application. Councillor Fairhurst seconded this motion.

RESOLVED to refuse the application for the following reason:

It is considered the proposed access will result in a significant increase in vehicle movements. Due to the close proximity to the neighbouring properties this will have a material harmful impact in regards to noise and disturbance. The application is contrary to ULP Policy H4.

PC136      **UTT/17/2387/FUL - THATCH END, THE ROW, STARR ROAD, HENHAM**



The application related to the erection of a single storey one bedroomed dwelling within the aforementioned garden plot and the demolition of the existing double garage.

Members discussed concerns that the contemporary appearance of the dwelling would be out of character with the with the conservation area the site was located in.

Councillor Fairhurst proposed to refuse the application. Councillor Wells seconded this motion.

RESOLVED to refuse the application for the following reason:

The proposed dwelling by reason of its forward siting of Thatch End and its contemporary design and appearance would fail to preserve or enhance the character and appearance of the essential features of Henham Conservation Area in which the site is situated and would fail to respect the character and setting of a number of adjacent listed buildings, including Thatch End which make up a locally important linear listed grouping within the conservation area (The Row) contrary to ULP Policies ENV1 and ENV2 of the Uttlesford Local Plan (adopted 2005). Consequently, the development would lead to substantial harm to these designated heritage assets whereby the applicant has not demonstrated that this level of harm would be outweighed by any public benefits accruing from the proposal contrary to Paragraph 133 of the National Planning Policy Framework (NPPF).

*G Gardner, N Hogg, S Mott and B Tucker spoke on this application.*

PC137      **UTT/17/3663/LB - POLICE STATION, EAST STREET, SAFFRON WALDEN**

The application was for listed building consent to make various internal and external alterations to the police station to facilitate its conversion to three dwellings.

Councillor Lodge proposed to approve the application. The Chairman seconded this motion.

RESOLVED to approve the application subject to the condition in the report.

The meeting ended at 5.45pm.

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## UTT/17/2607/OP – (LITTLE CANFIELD)

(Major)

**PROPOSAL:** 1. Detailed application for Construction of a new Council Depot comprising vehicle workshop, office building, external storage, grounds maintenance storage, parking, landscaping, vehicular access and all supporting infrastructure  
2. Outline proposals for up to 4.2ha of employment land comprising Business, General Industrial and Storage and Distribution uses (Use Class B1, B2 and/or B8) (with all matters reserved except for access).

**LOCATION:** Land To The South Of B1256 Little Canfield

**APPLICANT:** Uttlesford District Council Facilities Management Service and Hales Farm (Joint Applicants)

**AGENT:** JB Planning Associates Ltd

**EXPIRY DATE:** 14 December 2017 (Extension of Time 16 April 2018)

**CASE OFFICER:** Maria Shoesmith

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### **1. NOTATION**

- 1.1 The site as a whole falls within building height restriction zones due to flight paths.
- 1.2 The subject site is within close proximity to the A120 which is an air pollution generator.
- 1.3 The site falls within a Flood Risk Area Zone 1 meaning that there is a low risk of flooding from rivers/sea therefore details of surface area runoff would need to be submitted as part of any planning application submission.
- 1.4 The site is located within 250m of Ancient Woodland and SSSI area, Highwoods, adjacent to Flitch Way a County Wildlife site and bridleway and cycle path.
- 1.5 The application site is adjacent to many Listed Buildings.

### **2. DESCRIPTION OF SITE**

- 2.1 The site is situated between the Stortford Road, the B1256 and Flitch Way. The field is in agricultural use and is Grade 2. There are commercial units which are located to the southeast of the site in the form of the Banana factory on Stortford Road and to the west there are commercial premises located on the B1256. There are a number of residential properties located adjacent to the site and opposite the site. There are residential dwellings which would be wrapped by the proposed development on Stortford Road and others near the site on High Cross Lane overlooking the site. The Stood Hall residential complex and 1 Stortford Road are located adjacent and opposite the proposed site accesses.
- 2.2 The A120 is located approximately 200m away from the junction with Stortford Road. There are fields which are located between the site and the A120 which forms a

forecourt. The site itself is relatively flat; there is a gradual slope downwards from east to west. However, there is a greater difference of ground levels between the section of the Stortford Road junction and the B1256.

- 2.3 There is landscaping separating the site from the Flitch Way located to the south. There is some landscaping along Stortford Road/B1256 and along the shared boundary to the west.

### **3. PROPOSAL**

- 3.1 The planning application is a hybrid application. The site in question is an agricultural field covering an area of 6.2ha.
- 3.2 The site is split into 2 site areas, Area A which is for the detailed application for a new Council Depot comprising vehicle workshop, office building, external storage, ground maintenance storage, parking, landscaping, vehicle access and all supporting infrastructure. This covers an area of 2ha.
- 3.3 Area B covers an area of 4.2ha. is for outline planning permission of employment land comprising business, general industrial and storage and distribution uses (use Class B1, B2 and/or B8) with all matters reserved except for access.
- 3.4 The scheme proposes a floor area of 1,685sqm for B1 offices and 864sqm for B1 light industrial for the proposed Council Depot. This would be 12-12.5m in height. 142 vehicle parking spaces, plus overnight parking for 4 vehicles and 6 cycle spaces are proposed within site A as part of the proposed depot. An area has been identified on the plan for possible future development within site area A, however this does not form part of this current application for determination. Associated wash-down facilities and temporary porta cabins. This element of the scheme would see the centralisation of three of the Council's Depots (Saffron Walden, Newport and Great Dunmow) to this singular site.
- 3.5 The works to site A is proposed in 2 phases the relocation of the porta cabins from the New Street Depot in Great Dunmow and the installation of services until phase 2 works are undertaken which is the development of the proposed main buildings.
- 3.6 The proposed depot would provide offices, canteen, meeting rooms, changing rooms, store rooms and plant rooms. 4 bays are proposed within the workshop for maintaining and repairing vehicles. No processing of waste is proposed on site.
- 3.7 A pedestrian cycle gate is proposed onto the Flitch Way from Site A.
- 3.8 A landscaping buffer is proposed around the perimeter of the application site. A wildflower meadow, followed by a 4m high variable gradient bund with tree and hedgerow planting is proposed between the existing dwellings on Stortford Road and site A.
- 3.9 2m high welded mesh is proposed to form the rear boundaries of the properties located on Stortford Road backing onto Site A. A 3m high welded mesh fence would then be the boundary at the base of the proposed bund and then around the western boundary. Then a 3m high Barbican railing is proposed along the frontage of the site. Along the east boundary a wire mesh fence of 1.2m in height is proposed with a 5m landscaping buffer and a 3m palisade fence which will also frame the southern boundary of Site A.

- 3.10 The proposed scheme indicates the vehicular access being taken from Stortford Road for Area A, providing a 6m wide access and Area B would be accessed from the B1256.
- 3.11 Little information has been provided in terms of the speculative outline application scheme.
- 3.12 The outline application is for mixed uses B1/B2 and B8 uses. The proposed buildings would be up to 14m in height.
- 3.13 An area for potential SUDs has been highlighted on the site parameters plan (Site B). This plan also indicates a potential future link to Hales Farm Employment Area. This does not fall part of the application and would need to be assessed as part of a separate application. A landscaping buffer of 20-30m wide has been indicated providing a 4m high noise bund as per the details for Site A. A 5-10m wide landscape planting buffer is also proposed around the perimeters of the site.
- 3.14 The operational working hours for the depot are stated to be between 6m to 7pm Monday to Friday. Access would only be gained on Saturdays and Sundays by staff to collect vehicles for garden waste collections from Parish Council venues, but neither the workshop nor the offices would be open during this time. However, the construction hours do not appear to be specified, however, these can be controlled through conditions should planning permission be granted and it is considered to be necessary.

#### **4. ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 Town and Country Planning (Environmental Assessment):  
The proposal constitutes a 'Schedule 2' development that is one which falls within Schedule 2 of the above Regulations. (Class 10(a) industrial estate development project where the development exceeds 0.5 hectare) thereby the proposed development would be required to be screened. The application has been screened whereby it has been concluded that an EIA is not required.

And

Human Rights Act considerations:

There may be implications under Article 1 and Article 8 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

#### **5. APPLICANT'S CASE**

- 5.1 The application includes the following documents;
- Planning Statement;
  - Design & Access Statement;
  - Noise Impact Assessment;
  - Landscape And Visual Appraisal;
  - Landscape And Visual Appraisal – Plans;
  - Heritage Assessment;
  - Flood Risk Assessment And Drainage Strategy;
  - SUDS Checklist for Outline and Detailed;
  - Ecology Report;

- Biodiversity Checklist;
- Statement of Community Involvement;
- Interim Transport Assessment;
- Transport Assessment (rec.21.11.2017)
- Stage 1 Road Safety Audit (rec. 8.12.2017)
- Location Plan;
- Fencing Layout;
- Fencing Details;
- Fencing Buffer Zones;
- Illustrative Master Plan Concept;
- Indicative Major Access Junction Arrangement;
- Site Parameters Plan (Area B);
- Indicative Minor Junction Arrangement;
- Topographical Survey;
- Soft Landscaping Design;
- Proposed Office/Workshop Floor Plans And Sections;
- Outline Block Plan;
- Proposed Office And Workshop - Elevations And Sections

### **Statement of Community Involvement**

A Statement of Community Involvement has been submitted as part of the application submission. This states that a meeting with the Chairman of Little Canfield Parish Council has been held prior to the submission of the application. Concerns were raised regarding landscaping and boundary treatments.

Following amended drawings a letter has been sent to 69 local residents 5.9.2017. The matter was discussed at the Parish Council meeting where the following was concerns were raised;

- Extent of development;
- Loss of agricultural field;
- Change in character;
- Timing of traffic assessments during school holidays;
- Further traffic details;
- More information on site selection process and landscaping;
- Sought that more properties were consulted

Two pre-application meetings were held with the LPA on 22.12.2016 and 16.08.2017.

## **6. RELEVANT SITE HISTORY**

- 6.1 There is no relevant history relating to the application site. However, there are numerous planning applications relating to adjacent and neighbouring industrial units for the Banana Deport and Hales Farm both located to the South. Also, Bluegates Farm located to the West of the application site.

Bluegates Farm:

- UTT/15/2708/FUL – Retrospective application for change of use of former farm shop to B1 offices. Unconditional approval.
- UTT/0464/08/FUL – Change of use to mixed retail sales, office and storage associated with building business. Refused
- UTT/14/3775/CLP – Change of use from A1 (shop) to B1 (offices). Refused

Banana Depot:

- UTT/1877/10/FUL – Change of use of existing ripening centre to a mixed B8/B1 use and extensions to the south and east elevations. Approved.

Hales Farm:

- UTT/0752/96/FUL – Retrospective application for change of use of agricultural buildings to B2 use, B8 (storage and distribution) and motor. Approved.

## **7. POLICIES**

### **Uttlesford Local Plan (2005)**

- 7.2 Policy S7 – Countryside  
Policy GEN1 – Access  
Policy GEN2 – Design  
Policy GEN3 – Flood Protection  
Policy GEN4 – Good Neighbourliness  
Policy GEN5 – Light Pollution  
Policy GEN6 – Infrastructure Provision to Support Development  
Policy GEN7 – Nature Conservation  
Policy GEN8 – Vehicle Parking Standards  
Policy E1 – Distribution of Employment Land  
Policy E4 – Farm Diversification  
Policy ENV2 – Development Affecting Listed Buildings  
Policy ENV3 – Open Spaces and Trees  
Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance  
Policy ENV5 – Protection of Agricultural Land  
Policy ENV7 – The Protection of the Natural Environment – Designated Sites  
Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation  
Policy ENV11 – Noise Generators  
Policy ENV12 – Protection of Water Resources  
Policy ENV13 – Exposure to Poor Air Quality  
Policy ENV14 – Contamination

ECC Mineral and Waste Plan

MLP Policy S8 – Mineral Safeguarding

### **Supplementary Planning Documents/Guidance**

- 7.3 ECC Parking Standards (2009)  
Great Dunmow Neighbourhood Plan (2015-2032)

### **National Policies**

- 7.4 National Planning Policy Framework  
Planning Practice Guidance

## **8. PARISH/TOWN COUNCIL COMMENTS**

### **8.1 Great Canfield Parish Council**

Great Canfield Parish Council objects to this application and asks that the following

points are considered;

1. Policy GD8 of the Adopted Uttlesford Local Plan 2005 states as a policy that land south of the Hoblongs Industrial estate is proposed for a civic amenity site and depot. Planning permission for this along with other waste resourcing was given by Essex County Council under planning application CC/UTT/39/09 in 2010. The emerging Uttlesford Local Plan 2017 has no mention of a waste amenity site, however does promote the site subject to this current application and referred to as 09LtCan15, as suitable for employment land, there is no mention of a waste amenity site and no explanation can be found in accompanying documentation to help understand why the existing policy GD8 is no longer relevant.

The supporting Planning Statement makes it clear that Council Officers have undertaken a land search to identify potential sites for the new Council Depot and goes on to note, 'The other sites considered were not on agricultural land, but were discounted either because of their location outside of the District or because they were not available to accommodate development in the timescales required to relocate operations from the existing Council Depot in Great Dunmow.'

This Parish Council asks that Uttlesford provides an explanation as to this change in policy and information on alternative sites that were considered and why these are not suitable. It does not accept that timescale is a relevant factor, given the need to move this site from Great Dunmow was identified as an issue in the Local Plan 2005.

2. This Parish Council is extremely concerned with the impact on the local highway network in particular the increase in traffic using single track lanes which lead from the site to the east along High Cross Lane, through Great Canfield and beyond. It notes the statement in the accompanying Planning Statement point 5.15 suggesting a 'Framework Workplace Travel Plan' will 'help address a number of local concerns in relation to the proposed development including car parking on the B1256 adjacent to the site and refuse vehicles 'rat running' through local villages to access and egress the site.', but is not in agreement with the timescales suggesting this will not be provided before first occupancy. This Parish Council is of the view that any plans impacting the local rural lanes should be considered as part of this application. It seeks assurances and conditions if permission is given that waste vehicles will not use the single track local lanes to access the district. This Parish Council suggests, no right turn out of the site, or left turn into it, the introduction of weight restrictions on local lanes and additional signage stating the routes are unsuitable for HGVs. This Parish Council disagrees with the Planning statement 5.33 and argues that any development of this site would put unacceptable pressures on the surrounding rural road network, if mitigation is not made at this stage.

3. The land subject to this application is currently a greenfield site. The Uttlesford Emerging Plan policy SP12 – Sustainable Development Principles states, 'the Council will support development which ensures the prudent and sustainable management of the District's towns, villages and countryside by ..... Minimising the amount of unallocated greenfield land that is developed.' This Parish Council would like to understand why Uttlesford are of the view that is necessary to use existing greenfield for a waste amenity site and as in point 1 would ask why other sites which are not greenfield have been discounted.

4. The accompany Heritage Statement discounts the impact on the listed buildings adjoining the site as immaterial. This Parish Council would question the independence of this evidence and references existing Uttlesford Local Plan policy ENV2 and the emerging Local Plan Policy SP15 which states: 'Development



proposals that adversely affect the setting, ..... will not be permitted.’ This Parish Council cannot see how a development of a waste vehicle depot and further employment land directly adjacent to listed buildings will not have an impact on their setting, even with the introduction of bunds/buffers. It does not accept the accompanying Planning Statement, point 5.33 which states that the applicant has demonstrated ‘that the development would not result in a significant increase in noise levels or other adverse impacts beyond the holding’.

5. The site is adjacent to the Flitch Way and according to the Uttlesford site assessment within 500m of ancient woodland. This Parish Council questions why it is necessary to have two additional access points onto the Flitch Way from the site when an access point is currently available in close proximity to the site; additional access points damage the natural habitat which already exists. This Parish Council suggests a buffer of 5-10m along the Flitch Way as not sufficient enough given Friends of the Flitch Way in other applications bordering the Flitch Way request a minimum buffer of 20m to protect the habitat.

#### **8.1.1 Comments on Great Canfield Parish Council**

- The application is not for a waste treatment facility, there would be no transfer or processing of waste.
- There is no planning policy requirement to provide details of other sites;
- The timescale for the development to be provided is a result of an operational requirement;
- The deliverability of the site is significant in terms of the certainty of providing the employment site;
- Points raised regarding impact on Listed Buildings and the Fitch Way will be assessed within the main report;
- In terms of highway impact this will be assessed together with the TA that has been undertaken;

#### **8.2 Great Dunmow Town Council**

*Letter dated 13 October 2017*

Great Dunmow Town Council would like to lodge a holding objection to this application. A detailed response will follow in due course.

*Letter dated 25 October 2017*

This is a hybrid application and comments apply to both the full and outline applications relating to this site.

- Gt Dunmow Town Council (GDTC) agrees with all the comments made by Gt Canfield Parish Council regarding GD8 and all other comments in its submission of 10th October.
- GDTC notes that suitability for employment land was questionable in the SHLAA and that it was not taken forward as an employment site as a local plan allocation. There is no demonstrable need for employment land at this location and none of the six employment sites in Great Dunmow are nearing capacity.
- In 2.7 of the Design and Access Statement, reasons given to justify development are unfounded. The document states, "To the north of the development site is an area of significant change. There are a number of development sites located to the north, west and south of Great Dunmow that either have planning permission or are proposed allocations for new housing and there is also the potential of a

new settlement at Easton Park, comprising 10,000 new dwellings, local centres, schools and community uses."

This statement shows that the applicant is fully aware of surrounding proposals but fails to account for them in its transport study. There is no need for employment land in relation to the Easton Park new town because the allocation would provide adequate employment land, which is proposed directly opposite this application site. There would be an obvious conflict between this application site and the Easton Park employment land regarding use and in transport and access. Neither of these matters are sufficiently evidenced in the application documents.

- GDTC has concerns over the choice of location for the refuse vehicle depot as it would generate traffic flows on the B184 on routes through the market town of Thaxted. There is little or no connectivity between villages and towns in the Uttlesford district which would use the A120 so locating the depot on the A120 is of no benefit to this proposal.
- The proposal conflicts with Policy GEN1 - Access as in points e) and a) of the policy:

e) The development does not encourage movement by means other than driving a car - there is no provision for employee public or other organised transport and is not within walking distance to either the town centre of Great Dunmow or the centre of Little Canfield.

The development also has the potential to conflict with point;

a) Access to the main road network must be capable of carrying the traffic generated by the development safely. There is insufficient evidence provided of the traffic generated from the local plan proposed site allocation of Easton Park new town and the associated employment land which would be directly opposite this employment land application site.

- The application does not comply with saved Local Plan policy SP7 where development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there. The development would cause significant harm to the open countryside and to the open outlook in the strategic gap between Great Dunmow and Little Canfield settlements.
- There would be significant harm to the peace and tranquillity and open outlook of the Flitch Way, a linear country park and important area for recreation and wildlife. GDTC supports the comments of Sarah Hodgson, member of the Friends of the Flitch Way, in her comments on the unacceptable impact on one of our most treasured open spaces. Furthermore, the proposed vehicular access points onto the Flitch Way are unacceptable.
- The proposal conflicts with Policy GEN4 - Good neighbourliness because the development and its uses, where;
  - a) noise or vibrations generated would be a nuisance to the neighbouring cottages and vibrations from the heavy refuse and delivery vehicles could harm the fabric of the adjacent ancient buildings,
  - b) smell, dust, light, fumes, electro-magnetic radiation, exposure to other pollutants; would cause material disturbance or nuisance to occupiers of

surrounding properties - this is evident as residents have been advised to keep their windows closed during certain operational hours, which we find unacceptable. The Town Council considers that the mitigation measure of a bund would be insufficient and would have an overbearing impact on the dwellings.

- GDTC agrees with the comment submitted by Sworders on behalf of the Trustees of no.s 1&2 Live and Let Live Cottages. The application does not comply with Local Plan Policy ENV2- as this development will harm the character and setting of the adjacent listed buildings.

Additionally, UDC should take into consideration that there would be cumulative impact on Strood Hall and its associated building and settings, should the Easton Park employment land gain consent, with commercial development surrounding the buildings causing significant harm to the setting of the heritage assets.

- The proposed loss of Grade 2 agricultural land would add to the proposed loss from the Easton Park settlement, with harm outweighing the benefit.
- In mitigation, planning conditions should require a minimum 20m buffer to the Flitch Way, timber fencing to better reflect the rural location, a restriction on the height of the buildings as 14m is unacceptable.
- Further evidence required:
  - 1) A transport survey to include an assessment of traffic flows for planned expansion of the town of Great Dunmow and in relation to the Easton Park proposed new town allocation, the existing Highwood Quarry vehicles and Easton Park construction vehicles, both to the north of the A120 for housing and to the south, in relation to employment land proposed to surround Strood Hall.
  - 2) An air quality report to show the impact on the neighbouring properties from heavy vehicles within the site and to include modelling for A120 traffic in relation to the Easton Park development and increased traffic from Great Dunmow at 2032, by which time the town is projected to double in size.
  - 3) Additional work on noise levels for the scenario detailed above.

It is the Town Council's opinion that harm from this proposal significantly outweighs the benefit, either to UDC for its refuse vehicle depot, or for general employment needs in the associated development.

#### 8.2.1 **Comments on Great Dunmow Town Council**

- The site allocations and the need for employment is discussed within the main report;
- In terms of Easton Park this is within draft allocation in the emerging draft local plan which currently carries little weight therefore cannot be considered as it is not a committed development;
- In terms of highway impact this will be assessed together with the TA that has been undertaken;
- A centralising depot activities is why the proposed location has been chosen and due to ease of access on to the A120 and wider network;
- Impact upon countryside, air quality, amenity and ecology is discussed within report.

### 8.3 Little Canfield Parish Council

#### *Letter dated 26 October 2017*

Little Canfield Parish Council wish to register objections to this planning application. We would also request the planning officers to take specific note of the comprehensive information and comments provided from residents directly affected (such as the submission by Mr David Adams, of 1 Stortford Road, CM6 1SN, which is fully supported by the Parish Council) whilst assessing the application and the true validity of the developer's submissions.

The Parish Council's objections are based primarily on the substantial change in the nature of the remaining undeveloped part of Little Canfield should this development take place, and the effect that the development will have on the residents of Little Canfield.

Our concerns are heightened by the fact that all the environmental, health and safety impacts from this proposed development are being considered in a stand-alone manner, and not with respect to the proposed and equally destructive Easton Park proposal's 'overspill' of the dirty industrial area around Strood Hall on the north side of the B1256. To separate such developmental impact, (although a literal interpretation of planning rules may permit it) we believe should be considered as misleading and inappropriate.

#### Environment

The B1256 from Start Hill to Little Canfield has been heavily developed, and is now a ribbon development for nearly all its length, except from Priors Green to Strood Hall area. We believe that in itself this is contrary to your general planning principles. This proposed development will further destroy the remaining rural outlook for residents of the parish and add to the likelihood of a continuous built up area from Bishop's Stortford to Dunmow.

The Flitchway linear park is a delightful resource for local residents and others from outside the parish, allowing access to scenic beauty and wildlife. It is particularly good for people with limited mobility, due to its level nature and ease of access. Such an industrial development will destroy the sense of wellbeing gained from using the park.

The area is well known for supporting a host of various wildlife including badgers, bats, and occasional deer. We are surprised that there is little mention of these issues in the developers' submissions and await the release of the EIA (assuming that has not been too selective) for further information as to how such wildlife should be affected.

A big concern for residents and Flitchway users is the likelihood of the rat population increasing dramatically due to the residue from waste wagon washings and other build-up of junk that occurs in industrial locations. This issue is not something that can be ignored.

The Bund design in the developer's submission appears the worst of all worlds, despite the PC Chairman's informal discussions with the Developers and Adrian Webb of UDC. To have any real effect on noise, smells and visually, a bund would have to be at least 10 meters high plus trees/bushes on top – existing developments at Crumps Farm waste centre use such a height. However, that would have a negative impact on the adjoining cottages, and likely further encourage the wrong

sort of wildlife to settle in. A smaller bund, as proposed, would achieve nothing in respect to 'seeing it, hearing it and smelling it'. Additionally the use of a chain link fence for security, rather than one of natural materials, will give the same sort of outlook as that around a High Security Young Offenders Institution.

Despite the Government's concerns about vehicle emissions and excess road use, this development appears to be in a location at the extreme SW corner of Uttlesford District that will increase considerably the travelling needs of all the personnel working on the site and that of the waste wagons in carrying out their duties. Unfortunately we are not in a position to authoritatively offer alternative sites/business models as UDC has taken upon itself to refuse to present this site's business case for reasonable discussion. We can only assume that the reason for this confidentiality implies that the business case is unsound, or subject to some intrinsic weakness.

In addition, it is noted that the development is proposed to be constructed on a Green Field site which consists of top quality farm land at a time when government ministers are making it clear that, in the light of Brexit food production in the UK will need to be increased. It is considered that there are a number of Brown Field sites which could be used for this development within Uttlesford and, such sites would clearly not have the same environmental impact. The PC is aware that local residents have made freedom of information requests to UDC seeking information as to what other sites were considered. UDC has inappropriately declined such requests, prejudicing the ability of such residents and ourselves to fully respond to the Planning Application in full knowledge of all the relevant facts. It is submitted that the time for responses should be extended until the information requested has been provided and all parties have had an opportunity to provide further submissions in the light thereof. We consider that any further consideration of this application until this has occurred would amount to a material irregularity.

#### Health and Safety concerns

The noise surveys and estimates do not appear to have taken into account positions of bedrooms in the cottages nearby and the reversing sirens on the trucks. Little Canfield residents in Priors Green have had their lives disturbed for the past few years by constant developments on the B1256, from such reversing sirens which permeate houses from over 300 metres away, despite trees and other properties supposedly 'shielding' the noise.

As with the apparent 'selectivity' of the noise data, the traffic data seems at the least misleading but possibly manipulated to minimise the perceived problems. Initial surveys were carried out during school holidays, with a much reduced B1256 traffic flow. We believe the substantial increase in vehicle egress from Stortford Road will increase the likelihood of serious accidents due to the added frustration of waiting/queuing. Equally, we believe that many cars and some wagons will switch to using the narrow lanes (such as High Cross Lane) towards the Rodings, and create safety issues to other road users (particularly pedestrians and horse riders). Very little thought appears to have been given to the cumulative noise pollution and emissions effects of large wagons queuing up outside the cottages, some of which are listed buildings (without double glazing and modern foundations) on Stortford Road to exit onto the B1256. At present, vehicles often need to wait for over 5 minutes to exit onto the B1256. Add another 200 vehicles (workers cars and wagons) and the emissions issue will become quite toxic.

#### Lack of Economic Benefits

We cannot see any likely benefits to Little Canfield from this development, as the

main employment will be for existing personnel brought in from other areas. There are no shops or eateries in the immediate vicinity. Vehicle journeys and the noise and emissions will be increased if workers need to obtain supplies during the working day – all of this to the detriment of the local community.

As there will be no residential precept, the Parish council will receive no added funds to help support and maintain what local amenities may remain.

#### **8.3.1 Comments on Little Canfield Parish Council**

- In terms of Easton Park this is within draft allocation in the emerging draft local plan which currently carries little weight therefore cannot be considered as it is not a committed development;
- If the Easton Park development comes forward then this would also need to undertake a TA taking into account all committed development;
- Landscaping is discussed within the main report;
- Loss of agricultural land is also discussed within the main report.

#### **8.4 Takeley Parish Council**

*Letter dated 25 October 2017*

- The proposal is adjacent to the outlook of the Flitch Way, a linear country park and important area for recreation and wildlife. There is concern that noise will be generated from employment use and that the buildings by virtue of their inconsistent heights and the resulting change from rural outlook will impact the overall character of the area.
- The employment site must not be allowed to coalesce with the wildlife site and a significant buffer around it needs to be safeguarded. This should be generous to not only take into account any impact on wildlife, but also take accordance of the amenity of walkers whose visual outlook would be disturbed
- Buffer Planting and consideration to materials being painted green would provide a better blend from urban to rural if the proposal is not rejected on the fact that it is again a loss of Grade 2 agricultural land.
- Takeley Parish Council feel further loss of agriculture land should not be a consideration, when there are other employment sites across Uttlesford including underutilised airport land which is more suitable for an employment site.
- The proposal conflicts with Policy GEN1 = The development does not encourage movement by means other than driving a car. Amenity for employees walking to work is not evident.
- This has not previously been identified as employment land. There is known amenity usage of horse-riders on the bridleway.
- Concern that the traffic generated will impact the local road network and will have an adverse effect to the overall area.

### **9. CONSULTATIONS**

#### **ECC Ecology**

- 9.1 The application includes a Preliminary Ecological Appraisal (The Ecology Partnership, September 2017). There is no requirement for further surveys but

measures to both protect biodiversity during construction and manage the landscape post-construction are required. Recommendations made in the PEA should be followed in full. Appropriate conditions are below.

No objection subject to conditions.

### **Aerodrome Safeguarding**

- 9.2 No safeguarding objections.

### **NATS**

- 9.3 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted. If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

### **Cadent National Grid Gas**

- 9.4 Proposal is currently specified is in proximity to Cadent and/or National Grid apparatus.

### **UK Power Network**

- 9.5 There is UK Power Network equipment at the above site. Plan has been provided showing the location of electrical lines and/or electrical plant. Advice has been provided on working around Extra High Voltage equipment. UK Power Network would need to be contacted before any excavations occur.

### **Thames Water**

- 9.6 Waste Comments  
Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

#### **Cadent Gas**

- 9.7 Searches based on your enquiry have identified that there is apparatus in the vicinity of your enquiry which may be affected by the activities specified. Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

There is an intermediate pressure gas pipeline that runs along the boundary of this land parcel. The pipeline has a 10m wide easement in operation, no buildings are permitted to be sited within the easement, and there are also restrictions on landscaping within the easement.

Cadent Gas will object to any proposal that has buildings sited within the easement. Any proposed landscaping within the easement will require formal written approval from Cadent Gas.

#### **Affinity Water**

- 9.8 We have reviewed and established the development as being outside of groundwater protection zone 2 and therefore we do not have any further comments to make.

#### **Anglia Water**

- 9.9 The applicant has indicated their intention of connecting into Thames Water's infrastructure. As this is the case it is outside of our jurisdiction to make comment.

#### **Environment Agency**

- 9.10 We have reviewed the application and supporting information, as submitted, and would advise the Council that we have no objection to the development proposal. However, the following comments should be noted.

##### Non-Mains Drainage

Section 11 'Foul Sewage' of the application form states that foul water will be disposed of by a mixture of mains sewer and package treatment plant. Government guidance contained within the National Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2010 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered



as an exempt discharge activity or hold a permit issued by the Environment Agency, in addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within a Groundwater Source Protection Zone.

A shallow soak away used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soak away and not less than 50 metres from the nearest potable water supply, spring or borehole.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

The Council may wish to append a suitably worded condition requiring a foul water drainage scheme to be submitted and approved in writing prior to the commencement of any development at the site. The reason for this condition would be for the protection of the water environment in accordance with paragraph 109 of the National Planning Policy Framework and prevention of contamination of surface water under Policy ENV12 – Protection of Water Resources in the Uttlesford Local Plan 2005 Adopted Version.

#### Pollution Prevention and Control

The use of non-mains drainage is acceptable in respect of foul water arising from personnel carrying out activities at the buildings. However, this is not acceptable in relation to effluent discharged from any premises carrying on a trade or industry and effluent generated by a commercial enterprise where the effluent is different to that which would arise from domestic activities in a normal home is described as trade effluent. For instance where it is intended to wash down coaches and other vehicles parked at the facility.

If the applicant is not able to discharge effluent it will be classed as waste and they must then comply with their duty of care responsibilities. In this respect we note that the applicant has indicated on Section 20 'Trade Effluent' of the application form that they do not intend to dispose of trade effluent or waste. If the applicant wishes to discharge effluent after appropriately treating it to groundwater or surface water please contact the Environment Agency (Tel: 03708 506 506) as a permit under the Environmental Permit Regulations will be required.

We recommend that the following condition be appended to any planning permission granted.

**CONDITION:** Surface water draining from areas of hard standing shall be passed through an oil separator or series of oil separators, prior to being discharged into any watercourse, soak away or surface water sewer. The separator(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water or vehicle wash downs and detergents shall not pass through the separator(s) and should be drained instead to foul sewer or sealed system.

**REASON:** To reduce the risk of pollution to the water environment.

### **Natural England**

#### **9.11 Statutory nature conservation sites – no objection**

Natural England has assessed this application using the Impact Risk Zones data (IRZs) and is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the High Wood, Dunmow SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

#### **Protected species**

We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species.

#### **Local sites**

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

#### **Sites of Special Scientific Interest Impact Risk Zones**

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on “Development in or likely to affect a Site of Special Scientific Interest” (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the [data.gov.uk](http://data.gov.uk) website.

### **Essex Wildlife Trust**

#### **9.12 Objects, on the grounds of harmful impacts to the Flitch Way Local Wildlife Site. The proposed landscape buffer will not provide sufficient mitigation to offset the impacts from the development. Potential impacts include noise disturbance, loss of tranquillity/harm to the rural setting of the Flitch Way, increased ‘edge effects’ and consequent biodiversity loss. The applicant has not provided sufficient evidence to demonstrate that the need for the development outweighs the harm to a designated**

Local Wildlife Site.

### **Essex Bridleways Association**

- 9.13 Objects, the Association represents over 600 horse riders in Essex who use public rights of way to exercise their horses. The development of the council depot next to the Flitch Way will seriously impair our rider's enjoyment of this public right of way and their enjoyment of the countryside. The noise, smell and traffic movement within and from the site will be at risk factor for our horse riders.

Strongly oppose the suggested two crossings of the Flitch way to access Hales Farm and the additional heavy traffic on the country lanes as a risk factor for all users of the flitch way.

### **Highways England**

- 9.14 *Letter dated 5 October 2017*

We are still in the process of reviewing the Transport Assessment it is expected that this will be completed by the 24 November 2017. We would be grateful if you did not issue a formal decision until we have reviewed the Transport Assessment.

*Letter date 30 October 2017 (Technical Note 1)*

This Technical Note (TN01) has been prepared by AECOM, on behalf of Highways England to document a review of the Interim Transport Assessment (ITA) relating to the proposed mixed employment land use and council depot development at Land South of B1256, Little Canfield, Uttlesford. The ITA has been produced by WSP | Parsons Brinckerhoff (WSP), on behalf of Kier Services Limited.

AECOM have made a number of comments throughout this TN highlighted in bold underline text, relating to areas of concern regarding the traffic forecasting and junction modelling and information that would enable Highways England to fully understand the impact of the development at the SRN.

AECOM consider that the proposed site access junction on the B1256 is satisfactory in location, layout and visibility splay provision to allow its use not to adversely affect the safe and free flow of traffic at the SRN junction. The B1256 is part of the Local Road Network and, ultimately, it will be for ECC to determine its acceptability.

With regards to the traffic forecasting and junction capacity assessment within the ITA, AECOM consider that further work needs to be done to include committed development in the traffic forecasts and to adopt a trip distribution that can be agreed as robust. There are also a number of potentially significant discrepancies between the junction geometry used in the ARCADY model and those which appear to currently exist on site.

The ARCADY modelling undertaken indicates that the DWI will remain within capacity through to the assessment year of 2027 with the full development in place. However, this cannot be verified until the issues relating to the traffic forecasting and junction geometry are resolved.

Therefore, AECOM recommend that Highways England withhold judgement on the planning application until such time as a revised TA, addressing the points raised in this note, has been provided.

*Letter dated 23 November 2017*

We have requested an update of the Transport Assessment and we will need to review that once it has been completed it is expected that this will be completed by the 28 February 2018. We would be grateful if you did not issue a formal decision until we have reviewed the Transport Assessment.

*Letter dated 13 December 2017 (Technical Note 2)*

This Technical Note (TN02) has been prepared by AECOM, on behalf of Highways England to document a review of the full Transport Assessment (TA) relating to the proposed mixed employment land use and council depot development at Land South of B1256, Little Canfield, Uttlesford. The TA has been produced by WSP | Parsons Brinckerhoff (WSP), on behalf of Kier Services Limited.

This review has identified a number of issues relating to the traffic forecasting and capacity assessments within the TA. AECOMs recommendations regarding these concerns are highlighted by the use of bold underlined text throughout this document. Recommendations requiring immediate action are coloured red. Recommendations that are of concern but are not detrimental to agreement in principle are highlighted in amber.

AECOM recommend that Highways England withhold judgement on the planning application until such time as a revised TA, addressing the points raised in this note, has been provided.

*Letter dated 27 February 2018*

We have requested an update of the Transport Assessment and we will need to review that once it has been completed it was expected that this would be completed by the 27 March 2018.

The review has resulted in some design changes which have recently been submitted, a potential departure issue has been identified within the proposed mitigation

We would be grateful if you did not issue a formal decision until these issues have been addressed. And would expect this to take approximately another 4 weeks if we can respond within this period we will do so

*Letter dated 14 March 2018*

Recommend that conditions should be attached to any planning permission that may be granted.

An application was submitted in September 2017 for a new council depot and associated mixed employment area on a site generally to the south-west of the A120/ B1256 Dunmow West junction. Discussions about the impact of this development and its mitigation have followed since the submission date. It is clear that without mitigation, a queue could form on the A120 eastbound off slip at the A120/ B1256 Dunmow West junction which, at peak times, could potentially extend as far as the diverge from the main A120 eastbound carriageway. This would not be acceptable in road safety terms and would be regarded as a 'Severe Impact' in terms of the National Planning Policy Framework (NPPF) paragraph 32.

In response, the developer has put forward an improvement scheme comprising the local widening of the A120 eastbound off slip road, to provide two lanes of traffic on the immediate approach to the roundabout. Our investigations have concluded that this would significantly improve this situation and effectively mitigate the impact of the proposed development on the A120 and its slip roads. There is an existing

stopping sight distance issue along the eastbound off slip. This will be made slightly worse than at present by the implementation of the proposed improvement scheme and this would require a departure from the highway design standards contained in the Design Manual for Roads and Bridges (DMRB) to be approved. I have discussed this with our departures from standards team and they have said that, given the improvement in conditions that would result from its implementation, they are minded to grant the departure from standard concerned.

This response represents our formal recommendations with regards to UTT/17/2607/OP and has been prepared by Mark Norman.

No development pursuant to this permission is to be brought into beneficial use unless and until a scheme of improvements consistent with those illustrated on WSP Drawing 70032151 WSP 00-ZZ-DR-CE-008\_P3 Rev P3, dated 13th February 2018 have been completed and brought into use to the satisfaction of the local planning authority in consultation with Highways England.

**REASON:** To ensure that the strategic road network can continue to operate as part of the national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 and to satisfy the reasonable requirements of safety for traffic on the strategic road network.

Within 12 months of the grant of permission, Scheme details including drawings and documents shall be submitted and approved in writing showing:-

- How the scheme interfaces with the existing highway alignment and carriageway markings, including lane destination markings.
- Full construction details relating to the highway improvement. This should include any modifications to existing structures or proposed structures with supporting analysis.
- Full signing, lighting and drainage details and details of any modifications to road restraint systems.
- Confirmation of full compliance with Departmental Standards (DMRB) and policies or approved relaxations and/or departures from standards.
- Evidence that the scheme is deliverable within land in the control of either the Highway Authorities or the applicant notwithstanding that this may require a reasonable departure from normal standards.
- An independent Stage 2 Road Safety Audit (taking account of the Stage 1 Road Safety Audit and designers response) carried out in accordance with Departmental Standards and Advice Notes.

**REASON:** To ensure compliance with Department for Transport road design standards.

N.B: Your attention is drawn to the attached informative dated March 2017 and the fact that details of the design and construction will need to be formally agreed.

### **ECC Archaeology**

- 9.15 The following recommendation is in line with the new National Planning Policy Framework.

RECOMMENDATION: An Archaeological Programme of desk based assessment, Trial Trenching followed by Open Area Excavation conditions.

#### **ECC Suds**

- 9.16 Having reviewed the associated documents which accompanied the planning application, we do not object to the granting of planning permission subject to the conditions.

#### **ECC Mineral & Waste**

- 9.17 Having reviewed the location plan associated with App Ref UTT/17/2607/OP, it is considered that the comments supplied with regard to the previous application still stand. These have been forwarded to you below and are to be considered as ECC's response as the Minerals and Waste Planning Authority to the above referenced application.

Please note the issue with regard to having to approximate the size of the application site as this is an important consideration with regard to the application of the mineral safeguarding policy (MLP Policy S8). \*(enclosed map shows more than half of Site B is identified as potentially consisting of sand and gravel).

*“(there are) two active quarries in the locality and several site allocations for future minerals and waste developments.*

#### **Waste**

*The Waste Local Plan site allocations to the west are a significant distance from the proposed employment site and therefore ECC has no comments to make regarding impacts on the waste site allocations.*

#### **Minerals**

- Highwood Quarry and Little Canfield Quarry are located a significant distance from the proposed employment site and therefore ECC has no comments to make regarding the impacts on the continued operation of these mineral developments.*
- As you are aware, part of the proposed employment site is within the Sand and Gravel MSA- by my estimate around 3.5 hectares of the total 8ha site. This is only based on my redrawn boundary of the employment site, and would benefit from checking at your end. If the area of the site within the MSA is less than 5 ha, ECC would not expect any further information regarding the mineral resources- we would not require the preparation of a Mineral Resource Assessment or expect prior extraction.*

*Putting the 5ha threshold aside, the proximity of active and allocated mineral workings indicates that the mineral resource protected by the MSA is likely to be viable for extraction. ECC would encourage the applicant to consider the use of indigenous material as part of the construction of the proposed development.”*

#### **Conservation Officer**

- 9.18 The site subject of this application is in the open countryside some miles from the urban character of the historic town of Great Dunmow and similar distance from the recently intensified development of the village of Takeley. It is extensively farmed

agricultural land framed by the local distributor, Stortford Road and Flitch Way, attractive public trail following disused C19 railway track. It could be said that this site together with other areas of agricultural land in the vicinity forms agrarian buffer between the two more urban zones mentioned above.

The postal address places the site within the historic community of Little Canfield which is relatively rich in designated heritage asset. 4 of the 15 listed buildings within the settlement would be visually affected by the proposed industrial site namely: Live and Let Live Cottages, Greencrofts, Crossing Cottage and Strood Hall.

At present the wider setting of these heritage assets is mostly defined by open, bucolic countryside. The application site would be intensively developed with most of the land being draped in concrete infrastructure with high density industrial building, generally not known for architectural quality, rising from the land to excessive height. Clearly the setting of the listed building would be seriously diminished to the detriment of their significance despite possible mitigating measures.

The National Planning Policy Framework provides policies for the protections of the historic environment and that of designated heritage assets. The Framework requires that great weight to be attributed to the conservation of designated heritage assets, and that any harm should be justified (NPPF, 132). Should proposed work entail harm to the significance of such assets then local planning authorities should weigh that harm against such public benefits as would arise. From the historic environment point of view I can recognise clear public benefit in removing council's depot from the heart of the outstanding Conservation Area of Great Dunmow where unsightly collection of structures affect much greater number of listed buildings and the character of the locality in general.

In conclusion, should the perceived public benefits outweigh the harm to the significance of the heritage assets, detailed and appropriate scheme of mitigating measure should be approved and implemented prior to the development taking place.

### **Environmental Health**

#### **9.19 No objection subject to conditions;**

This proposal comprises a hybrid outline application for a Council Depot (including vehicle workshop, office building, external storage, grounds maintenance storage, parking and associated infrastructure and 4.2Ha of employment land for use classes B1, B2 and B8. The site, which is currently agricultural fields, is to the south of the B1256 junction of the A120 and is in an existing mixed use area with the Winfresh Distribution Centre to the south east and the Hales Farm Industrial Area further to the south. Directly to the north are residential properties and also to the east and west on High Cross Lane East and west of the B1256.

There is a concern that noise from this proposed development may give rise to unacceptable levels of noise to the existing residents both from construction activities, from on-site operational activities and from vehicles on the local road network. However, on balance, given the noise levels in the vicinity from the local road network (the A120 carriageway and vehicles serving the existing industrial/commercial uses to the south) it is considered that with appropriate mitigation and careful design and layout of the proposed land uses residential amenity can be preserved. This, however, may only be with restrictions in the hours

of use available to both the Council depot site to the east and the mixed employment site to the west and with conditions attached to ensure that this is the case. As the sites appear to be separate and distinct and as these two areas may be developed in stages or at different times it may be prudent to offer conditions specific to each site.

With these points in mind, based on the submitted information, I raise no objection to the proposals subject to the imposition of the following conditions.

#### General

Due to the large scale of the development, I recommend that a Construction Environmental Management Plan is agreed prior to the commencement of the development and to this end propose the condition below for your consideration.

#### Council Depot site

In terms of noise from operational activities from the use of the Council depot can either be dealt with by condition restricting the hours of use (the hours that the site will be operational and the hours that HGV's can leave and enter the site) or by using a noise management plan for the site. However, the noise management plan condition will still be required to enable control the use of the site to minimise noise from any activities. To this end please see the proposed conditions below for your consideration.

#### Mixed employment site

Again, the mixed employment site to the west has the potential to affect existing residential premises in terms of light and noise. The noise impacts may result in a restriction in the hours of use that some of the units (B2 and B8) can operate. As identified in the submitted acoustic assessment, activities on this site have the potential to cause an adverse impact dependent on a number of factors including layout, orientation, design (including construction methods) and hours of use. The acoustic assessment also recommends that further work is needed to fully assess potential impacts. To this end, I recommend a condition requesting an additional assessment below along with other conditions concerning standards that we would look for and also confirming details of mitigation already offered in the report (there may be duplication here and so look to the planning officer to take a view on this).

#### **Landscape Officer**

- 9.20 The site is some 6.2ha (15.3 acres) of arable farmland. The proposed development would have a significant detrimental impact on the rural landscape character of the site.

The Environmental Dimension Partnership's (EDP) Landscape Visual Appraisal (LVA) accompanying this application concludes that "For reasons outlined within the report, the proposed development represents a small-scale and visually discrete feature, which is entirely in keeping with the landscape character and would not therefore result in any material landscape or visual effects or policy contraventions."

It is not accepted that the proposed development would be "entirely in keeping with the landscape character and would not therefore result in any material landscape or visual effects". The proposal site is visually separated from the Winfresh depot and Hales Farm trading estate to the south by the Flitch Way which provides a clear delineation between the character of the trading estate and the arable land to the north.

The assertion in EDP's report that this arable land is currently "intensively managed"



and by implication is of some reduced value is not supported by any specific evidence. The site is classified as Grade 2 on the 1:250,000 Series Arable Land Classification Map East Region (Published by Natural England). Grade 2 is classified as "Very Good". This classification may be considered to fall within the category of 'the best and most versatile agricultural land' as described in the adopted Local Plan. It has not been adequately demonstrated in the application submission that opportunities for this proposed development to be accommodated on previously developed site or within existing development limits have been adequately explored; other than the statement that a land search has been undertaken and "The other sites considered were not on agricultural land, but were discounted either because of their location outside the District or because they were not available to accommodate development in the timescales required..". Consequently, it may be considered that the proposed development would be contrary to Policy ENV-5.

The adopted Local Plan states that "In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area", and that "Development will only be permitted if its appearance protects and enhances the particular character of the part of the countryside within it is set or there are special reasons why the development in the form proposed needs to be there." It is considered that the proposed development does not protect or enhance the character of this part of the countryside, and that no special reasons why the development should take place on this site have been satisfactorily demonstrated. Consequently, it is considered that the proposed development would be contrary to Policy S7.

The proposal site is not identified in the Local Plan 2005 for the proposed use, and the site is not allocated for the proposed development in the emerging new Local Plan.

The submission attaches some importance to the provision of new tree and hedge planting to increase biodiversity and to mitigate the effects of the proposed development. The submitted planting details, whilst using native species in the main, does not specify species mixtures which reflect existing agriculture hedgerows, native woodland, or plantations, found in the locality. It is acknowledged that such matters of detail could be addressed by conditions applied to any approval. The biodiversity gains for the proposed development are considered to be relatively minimal.

In order to seek to mitigate the impact of the proposed development on residential properties immediately to the north of the site a buffer zone is proposed. This includes the construction of a 4m high earth bund with tree planting. Generally, the construction of screening bunds is considered not to be desirable within a landscape, unless it is to seek to separate an otherwise incompatible development from the surrounding area.

The proposal site has no special landscape designation, however, it is of some visual quality and affords long distance views to be taken from High Cross Lane to the countryside beyond. These views allow for an appreciation of the line of the Flitch Way over some 2.6km which is considered to be of landscape interest.

#### Policy ENV5 - Protection of Agricultural Land

Development of the best and most versatile agricultural land will only be permitted where opportunities have been assessed for accommodating development on previously developed sites or within existing development limits. Where development of agricultural land is required, developers should seek to use areas of poorer quality except where other sustainability considerations suggest otherwise.

### Policy S7 – The Countryside

The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. There will be strict control on new building. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.

### Planning Policy

- 9.21 The site is identified in our assessment of sites, the conclusion for this site was: “The site is available and notwithstanding the sites location within the countryside, its proximity to the A120 means that the site is considered potentially suitable for employment, and development is considered deliverable.” – see site 09LtCan15, page 54 of the following link:  
<https://www.uttlesford.gov.uk/CHttpHandler.ashx?id=5638&p=0>.

Notwithstanding the assessment identifying the site as potentially suitable for employment uses, the draft Local Plan did not seek to allocate the site.

The assessment of sites is a high level assessment that did not (in the last round of consultation) lead to a proposed allocation in the Local Plan. It does not necessarily mean that employment development is suitable (as it is identified as potentially suitable), and the proposal should be judged on its merits.

### Crime Prevention Officer

- 9.22
1. In relation to the entrance and the location of the buildings. It is always good to have some form of observation and access control over the entrance in order that those entering the site are observed with the opportunity to challenge them. From what I can see the buildings are all to the back of the site away from the entrance with landscaping between them allowing uncontrolled and unobserved access to site? Could be issues in relation to reconnaissance for future crime.
  2. Care should be taken with regards the locking area of the gate onto the Flitch Way, quite often the bolting point can provide a climbing aid unless care is taken with the design of the gate.
  3. I presume that this project will include an efficient CCTV (monitored?) and alarm system.
  4. Where palisade fencing is used it is recommended that shear nuts are used.
  5. Landscaping should not impede any natural surveillance or that from CCTV.
  6. Management practices should also take into account lone worker policies especially in relation to closing up and responding to alarm activations.

### Economic Development Officer

- 9.23 The development of the site to provide light industrial capacity is welcomed as supportive of the Council’s strategic objective of supporting sustainable business growth. The current and forecast supply of commercial workspace in the Great Dunmow area is likely to restrict business growth. I’ve highlighted below key extracts from the April 2015 “Commercial Workspace Study” which concludes that in regard to the Great Dunmow market that “*There is an imperative to ensure that further stock*

*is brought to the market at the earliest possible juncture to relieve the tightness in the market and to minimise any leakage of businesses out of the District to available space elsewhere, such as Harlow, Braintree, Bishop's Stortford, Haverhill or Cambridge."*

#### Great Dunmow

6.56 Great Dunmow is attractive to industry because of a combination of generally thriving industrial estates combined with ready access to the now dualled A120 and hence the M11 and Stansted Airport (see map 4). It would be expected that both airport-related and non-airport-related businesses would be attracted to this location. The rents commanded locally reflect the quality of both the premises and the environment which, whilst variable, is generally of a high standard. Rents are slightly less expensive than those further west nearer to Junction 8 of the M11 and there is a greater availability of choice.

6.57 The Flitch Industrial Estate features a number of B1 uses which is reflected, in part, in an enhanced environment in terms of both the design of the buildings and the associated landscaping. The recent high level of vacancies on the Station Road Estate was as a consequence of a combination of leases terminating concurrently and the recession. Most units are now occupied despite the buildings being now somewhat dated.

6.58 Rents range from £7/sq. ft. for B1/B2/B8 floorspace in high quality premises on the newer, more prestigious estates down to £2 – 3/sq. ft. for more basic accommodation on older, poorer quality estates. The relatively high levels of accessibility, combined with the quality of the commercial estates, results in a much greater degree of churn than in other areas where local circumstances are different.

6.59 The local plan includes an allocation of 9.6 ha. for a proposed Business Park which remains unimplemented despite the dualling of the A120, from Stansted to Braintree, in 2004."

7.12 There is an imperative to ensure that further stock is brought to the market at the earliest possible juncture to relieve the tightness in the market and to minimise any leakage of businesses out of the District to available space elsewhere, such as Harlow, Braintree, Bishop's Stortford, Haverhill or Cambridge.

#### Great Dunmow

7.27 The tightness in the market in Great Dunmow is most apparent in the industrial market. Great Dunmow is an attractive industrial area due to its location on the A120 corridor. Its office function is mostly limited to very small town centre operators.

7.28 The Mantle Estates development to the west of Chelmsford Road would provide the key additional stock for Great Dunmow, with a planning approval that could yield some 9,300 sqm additional commercial floorspace. The approval is for B1, B2 and B8 uses and the final mix of such stock would depend on demand upon development.

7.29 Of the 63 businesses that responded from Great Dunmow, only three stated an intention to relocate premises (5 percent), including two industrial businesses and one office base business.

7.30 Similarly to the analysis for Saffron Walden, the data has been extrapolated to the full business population of Great Dunmow. From ONS business count data, it is estimated that there are approximately 590 businesses in Great Dunmow, of which

about 220 are in the sectors which are typically office based and 100 in the industrial/warehousing sectors. Therefore the business survey received responses from approximately 11 percent of office or industrial/warehouse based businesses.

7.31 It is estimated that potentially some 20-25 office based businesses and 5-7 industrial/warehouse based business in Great Dunmow may have the intention to find alternative premises. Using median floorspaces from the enquiries data, the total floorspace stock of businesses seeking alternative premises is potentially 2,800-3,500 sqm for offices and 1,600-2,300 sqm for industrial/warehouses. Once again, however, this is considered to be an overestimation of the likely number of businesses and total floorspace that would locate in newly built premises, particularly for offices. A more realistic estimate of new stock required in Great Dunmow in the near term to satisfy those with intentions to find alternative premises is likely to be approximately 1,200-1,500 sqm for offices and 1,000-2,000 sqm for industrial/warehouses.

7.32 The approval at the Mantle Estates site is sufficient to supply such additional stock, if developed in the near term. The approval would also provide capacity for businesses from outside the area to relocate to Great Dunmow, which is a necessary level of supply given Great Dunmow's position on the A120. Significantly though, additional stock would be in the control of one developer, leaving the community vulnerable to changes to their development priorities and potentially leaving too much market power in the control of one developer.

7.33 Further stock is likely to be required in the 5-7 year timeframe and additional site(s) would need to be found to satisfy this demand. The reasons businesses are in Great Dunmow are to service the local demand and to have ready access to the A120. Identification of a further site would need to consider these factors and thus should have ready access to the local market and the arterial road network. A continuation of the existing industrial node to the south of the town is preferable if practicable and of sufficient scale to provide some 4,000-5,000 sqm of industrial floor space (up to 1.5 hectares).

## **ECC Highways**

- 9.24 Essex County Council in its capacity as Highway Authority has assessed the highways and transportation information submitted in support of the above planning application, a number of site visits were undertaken as was consultation with Highways England. The assessment of the application and transport assessment was undertaken with reference to the National Planning Policy Framework and in particular paragraph 32, the following aspects were considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.

In terms of capacity on the network, extra testing was required to include all the local committed development and varying distributions of the generated traffic. This showed that the impact on the key junctions on the local network were not severe. Highways England is dealing with the impact on the strategic network (the A120). In order to ensure safe access and limit impact on the B1256 a ghosted right hand turn junction is required to access the proposed employment site (site B). To improve the accessibility of site bus stops, a pedestrian island crossing and pedestrian cycle link into the site have also been required. The impact on the Flitch way which is a Public Right of Way in the form of bridleway has been looked at in transport terms and a contribution to drainage and surfacing work is required to mitigate the potential extra use from two pedestrian/cycle accesses on to it at this location. All details of access on to the Flitch way are to be agreed with the planning authority in consultation with

the highway authority and no additional vehicular accesses on to it are proposed.

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

## **10. REPRESENTATIONS**

10.1 The planning application has been advertised on site and in the local press. Neighbouring occupiers have also been notified of the application of which 1 letter of support and 86 letters of objection have been received raising the following points;

- Impact to Flitch Way;
- Flitch Way is not a cycle track, it is a bridleway, designated public right of way;
- Any alteration, additional access points or crossing points must be made safe and suitable for horse riders;
- Inappropriate development next to Flitch Way;
- Inadequate buffer zone;
- Negative impact upon users of Flitch Way and Wildlife;
- Additional crossings will further damage the Flitch Way;
- Possibility of a link to the industrial units at Hales Farm across the Flitch Way;
- Out of keeping;
- Environmental impact;
- Ecology;
- Eyesore;
- Alternative locations in District/brownfield sites;
- Condition of roads;
- Highway and pedestrian safety;
- Location of new junction is unsafe;
- Traffic
- Impact of houses being built in area;
- Lack of infrastructure;
- Green belt land;
- Blighting green open space;
- Illegally parking;
- Vehicles hit by HGVs and damaged;
- Consultation of Affinity Water local water supply;
- Current and cumulative impact upon water pressure;
- S106 agreement in place to help maintain the Flitchway;
- Not a cost efficient or sustainable location for a depot;
- Increase in crime due to access from Flitch Way;
- Smell/odour of depot site;
- Loss of agricultural land;
- Air, vibration, noise and light pollution in the countryside and for the residents of high cross lane;
- Tracking of vehicles onto Stortford from B1256 currently taking both carriageways;
- Narrow lanes/footpaths;
- Pollution from the refuge centre;
- Impact on health;
- Listed Buildings;
- Loss of views;
- Loss of light;
- Loss of outlook;
- Overlooking;
- Little Canfield is a village not meant for this development;

- Industrial should not be anywhere near residential;
- Interim Transport and traffic count undertaken during summer holiday period;
- Increase in vehicle numbers on B1256;
- Moving vehicular access away from residential properties.
- Unsocial operating hours;
- Building on greenfield is appropriate for housing need but not employment need;
- No evidence for need for large scale facility;
- Impact upon landscape character of area;
- Unsustainable location;
- Cumulative impact of developments upon highway impact;
- The development should take account of committed airport numbers of 35m and Easton Park site.
- Large amount of development already occurring;
- No consultation with existing residents that back onto site;
- Should extend existing estates
- Devaluing properties;
- There is no unemployment issue in area
- Should seek to expand Saffron Walden as large independent employers cease trading;
- Site B is unclear what is being proposed;
- UDC determining an UDC application;
- It's not a new venture so no jobs will be available for people
- Height of buildings being 14m;
- Bacon End used as a rat run;
- Mains sewerage in the area;
- No amenities nearby;
- The Flitch would become an alley way;
- Quoted that MP has an objection to the scheme – not formally received;
- Over development of the banana factory site/area;
- Littering;
- Policy ENV2 impact on listed building;
- Lack of foot paths;
- Pest control;
- Many other vacant industrial units on designated industrial areas;
- Flooding;
- Infill;
- Change character to big industrial park;
- Undesignated area for development;
- Decrease quality of life;
- Damage to properties;
- Impact during winter months;
- Business plan;
- Site not in local plan;
- Does not accord with NPPF - Promoting healthy communities, using brownfield, protecting greenspaces;
- ample employment land across Uttlesford;
- Takeley / Little Canfield / Great Dunmow corridor taken the brunt for development;
- Chain-link fence inappropriate for area;
- Bunding not high enough for proposed development;
- Hours of operation;
- Hours should be restricted to 7am-7pm Monday-Friday and 7am-2pm Saturday;
- Consideration for shift workers amenities;
- Speed control;
- Documents refer to Gatwick;

- Traffic management;
- Built for the "Garden City";
- Out of proportion with existing commercial activities;
- Non relevant cases for reasons for refusal highlighted;
- Not sustainable development;
- Ecological, lighting, pollution control and drainage conditions added on other development;
- Coalescence between Little Canfield and Dunmow;
- Distance of bus stops;
- Archaeology;
- Operation during night hours between 1pm-7am;
- Blighted until any reserved matters are submitted;
- Noise assessment does not consider impact of prevailing winds;
- Site not central for depot operations;
- Duty to assess air quality levels and draw up action plans;

### **Friends of the Flitch Way and Associated Woodlands**

- Our volunteers work for the benefit of the community to conserve, protect and improve the physical and natural environment of the Flitch Way and other sites throughout Essex under the guidance of Essex County Council (ECC) Park Rangers and Public Right of Way teams.
- The Flitch Way is a linear wildlife-rich trail comprising a range of habitats of around 25 km length following the former Braintree to Bishops Stortford Railway Line with a small gap at Great Dunmow.
- Forms a vital long wildlife corridor covering approximately a third of the breadth of Essex.
- It connects the four Essex Wildlife Trust Living Landscape Areas of Hatfield Forest, Pincey Valley, Upper Chelmer and Pods Brook Valley and the nature reserves and open spaces of Hatfield Forest, David Cock Community Woodland (Great Dunmow), Oak Meadow (Rayne), Great Notley Country Park and Hoppit Mead and John Ray Park (Braintree).
- The Flitch Way Country Park is already designated a Local Wildlife Site reference Ufd196 and we are working with ECC Park Rangers to declare it a Local Nature Reserve.
- Disappointed to see the development proposal as this stretch of the Flitch Way has a particularly strong rural feel which will be lost.
- The Flitch Way is under increasing pressure from development and proposals like this will change its character forever.
- Concerned about the current configuration of the site, narrowness of the buffer zone, increased access and restriction of light. If planning is approved we ask that the site be reconfigured to address the concerns.
- The preferred buffer zone between the Flitch Way and proposed development should be at least 20 metres wide and ideally be 100 metres wide.
- The buffer zone should be landscaped sensitively and be attuned to the specific habitat of that part of the Flitch Way.
- Having a wide buffer zone next to the Flitch Way boundary along with the installation of secure boundary fencing would help to mitigate habitat damage.
- It is essential to maintain good light access to maintain as diverse a range of wildlife as possible. One way of achieving this would be to install open metal rail fencing or similar between the Flitch Way and the buffer zone.
- Two new access points are being proposed as this could lead to habitat damage from increased usage around the access points.
- There is an opportunity to use S106 funding to improve and maintain the surface of the Flitch Way path to help mitigate the expected increase in usage. Another

suggestion would be to allow the general public to park their cars when visiting the Flitch Way as there are only a few car parking spaces on the section between Great Dunmow and Start Hill.

## 11. APPRAISAL

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

- A Principle
- B Design
- C Landscape Impact
- D Amenity
- E Affecting setting of Listed Buildings
- F Archaeology
- G Highway Impact
- H Ecology
- I Drainage
- J Infrastructure
- K Other Considerations

### A Principle (S7, E1, E4)

- 11.1 The proposed development would lie within the Countryside whereby Local Plan Policy S7 states that the countryside would be protected for its own sake, there would be strict control over new buildings. Development will only be permitted if its appearance protects or enhances the particular character of this part of the countryside in which it is set or there are special reasons as to whether the development in its form needs to be there.
- 11.2 In terms of whether the Local Plan Policies are compliant with the NPPF a Compatibility Assessment has been undertaken, in July 2012 by Ann Skippers, to assess this. This was adopted by Cabinet for Development Management Purposes September 2012.
- 11.3 This stated that Local Plan Policy S7 is partly compliant with the NPPF in that *"The protection and enhancement of natural environment is an important part of the environmental dimension of sustainable development, but the NPPF takes a positive approach, rather than a protective one, to appropriate development in rural areas. The policy strictly controls new building whereas the NPPF supports well designed new buildings to support sustainable growth and expansion of all types of business and enterprise in rural areas."*
- 11.4 As a result we would need to assess whether the development is appropriate in this location. The application site is not a designated employment site as defined by Policy E1 of the adopted local plan. The local plan is considered to be out of date in terms of the development limits. National Planning Policy Framework states that applications should be considered in the context of the presumption in favour of sustainable development. Notwithstanding this applications have to be considered against the guidance set out in Paragraphs 6 - 15 of the NPPF.
- 11.5 Local Plan Policy E4 relating to farm diversification states;  
  
*"Alternative use of Farmland Alternative uses for agricultural land will be permitted if all the following criteria are met:*  
*a) The development includes proposals for landscape and nature conservation*



enhancement;

b) *The development would not result in a significant increase in noise levels or other adverse impacts beyond the holding;*

c) *The continued viability and function of the agricultural holding would not be harmed;*

d) *The development would not place unacceptable pressures on the surrounding rural road network (in terms of traffic levels, road safety countryside character and amenity)."*

- 11.6 In terms of compliance the Assessment states that the policy is Partly consistent. The NPPF takes a generally more positive approach and there is no requirement to consider the continued viability and function of the agricultural holding. The highway and amenity impact of the scheme would be further considered below.
- 11.7 The proposal will involve the loss of best and most versatile agricultural land. This is defined both by the Local Plan and the NPPF so as to include land in Agricultural Land Classification (ALC) Grade 2. The application will result in the permanent loss of some 6.2 hectares. Local Plan Policy ENV5 does not seek to prevent the loss of Best and Most Versatile land (BMV) agricultural land if there is no lower value land available. Some 80% of the agricultural land within the district is Grade 2 and the rest is Grade 3. Within that context it is not considered that there is sufficient lower grade agricultural land that is sustainably related to existing settlement to meet needs and therefore it is not considered that there is conflict with Policy ENV5. The site forms part of a large parcel of land which is defined as Grade 2. It has been stated within the supporting Planning Statement that the landowner, the joint applicant, farms land comprising 607ha and the loss forming the application site at 6.2ha only forms 1% of the total holding, and hence would not harm the continued viability and function of the holding, which is in accordance with Local Plan Policy E4.
- 11.8 In consideration of the above the Council needs to therefore continue to consider, and where appropriate, approve development which is sustainable and meets its objectives.
- 11.9 Reference has been made within the submitted documentation that the proposed development would facilitate in supporting the housing developments which are committed or proposed. A number of housing developments have been referred to. These include Easton Park Garden Community outlined within the emerging draft local plan.
- 11.10 Easton Park which is earmarked within the draft local plan for 10,000 dwellings is not a committed scheme and holds little weight due to the early stages that the draft local plan is at (Regulation 18 consultations stage). Whilst the use of this draft proposed growth is considered to be a weak argument there is other committed housing growth both in and around Great Dunmow as well as the wider areas, such as Takeley and the Canfields.
- 11.11 In terms of need for the development the site was identified in the assessment of sites in the work for the draft local plan. The conclusion for this site was: *"The site is available and notwithstanding the sites location within the countryside, its proximity to the A120 means that the site is considered potentially suitable for employment, and development is considered deliverable."* It has been stated by the Policy Team that *"Notwithstanding the assessment identifying the site as potentially suitable for employment uses, the draft Local Plan did not seek to allocate the site. The assessment of sites is a high level assessment that did not (in the last round of consultation) lead to a proposed allocation in the Local Plan. It does not necessarily*

*mean that employment development is suitable (as it is identified as potentially suitable), and the proposal should be judged on its merits."*

11.12 In terms of the three sustainability strands identified by the NPPF, Paragraph 6 of the NPPF sets out that the purpose of the planning system is to contribute towards the achievement of sustainable development. Paragraph 7 of the NPPF defines sustainable development as comprising of the following three mutually dependant dimensions:

- **Economic role** - contributing to building a strong responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation, and by identifying and coordinating development requirements, including the provision of infrastructure;
- **Social role** - Supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations, and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural wellbeing, and
- **Environmental role** - contributing to protecting and enhancing our natural, built and historic environment, and, a/s part of this, helping to improve biodiversity, use natural resources prudently minimise waste and pollution, and mitigate and adapt to climate change including moving to low carbon economy.

11.13 It is explained that these three strand need to be looked at collectively and not in isolation as they are mutually dependent upon each other.

11.14 In terms of Economic need the, the Economic Development Officer commented on the proposed development, as highlighted in Section 9.23 above. He stated that there is an unmet need and a gap for employment units. Also, that *"the development of the site to provide light industrial capacity is welcomed as supportive of the Council's strategic objective of supporting sustainable business growth. The current and forecast supply of commercial workspace in the Great Dunmow area is likely to restrict business growth. I've highlighted below key extracts from the April 2015 "Commercial Workspace Study" which concludes that in regard to the Great Dunmow market that " There is an imperative to ensure that further stock is brought to the market at the earliest possible juncture to relieve the tightness in the market and to minimise any leakage of businesses out of the District to available space elsewhere, such as Harlow, Braintree, Bishop's Stortford, Haverhill or Cambridge."*

11.15 The Economic Development Strategy 2016-18 outlines that it retains its focus of facilitating growth in jobs and sustainable businesses. It highlighted the various issues which face Uttlesford District as a whole in the following table;

strengths	<ul style="list-style-type: none"> <li>□ high-level skills</li> <li>□ well educated resident population (40% with NVQ4 or above, 29% nationally)</li> <li>□ high employment rate</li> <li>□ town centres with large proportions of independent traders and Town Teams</li> <li>□ high average earnings of residents</li> <li>□ some excellent connectivity (road/rail/air/ports access)</li> <li>□ London Stansted Airport UK's third largest airport and key local economic driver i.e. employs 1 in 12 Uttlesford residents</li> <li>□ Good or high quality of living</li> <li>□ high quality natural environment</li> <li>□ arts, cultural and heritage assets</li> <li>□ good quality employment locations</li> <li>□ varied existing business base including rural businesses</li> <li>□ existing clusters and drivers i.e. London Stansted Airport and Chesterford Research Park</li> </ul>
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	<ul style="list-style-type: none"> <li>□ proximity to London and Cambridge (internationally recognised brands, markets, world city functions and academic research)</li> <li>□ promotional brands of Think Cambridge and London Stansted Cambridge Consortium</li> </ul>
opportunities	<ul style="list-style-type: none"> <li>□ pool of people with the skills and resources to start and stay in business</li> <li>□ existing planned business expansions</li> <li>□ visitor economy including "staycation" trend and Tour de France legacy</li> <li>□ cluster development e.g. London Stansted Airport and Chesterford Research Park</li> <li>□ joint promotion with adjoining Councils and partners to attract investment through Think Cambridge and London Stansted Cambridge Consortium</li> <li>□ town centres</li> <li>□ highly skilled and experienced resource of "volunteers" with business experience in the District</li> </ul>
issues	<ul style="list-style-type: none"> <li>□ high levels of out commuting</li> <li>□ access to superfast broadband</li> <li>□ rural issues e.g. accessing employment</li> <li>□ relative anonymity</li> <li>□ relative costs e.g. commercial space and house prices</li> <li>□ competition for jobs and investment i.e. Greater London/Thames Gateway/Cambridge/Harlow Enterprise Zone</li> <li>□ tightness of supply of commercial property impacting on the ability to attract inward investment or expansions</li> <li>□ low development activity</li> <li>□ difficulty recruiting suitable staff</li> </ul>

Sources: Local Futures – Place Profile 2011, Employment Land Study 2010, Employer and Business Survey 2009, Commercial Workspace Review 2015

- 11.16 The study highlights the suitability of business locations, the London-Stansted-Cambridge corridor opportunity, the varied business base and skilled opportunities within the district. However, the report also identifies the weakness within the district in terms of out of district leaking of investment, low development activity and the tightness of commercial property supply. This suggests that there is a demand and general need within the district to facilitate in economic development.
- 11.17 The report goes onto to highlight the aim to *“Promote specific and targeted propositions to attract inward investment and facilitate local business expansion. Both will grow the Council’s business rates revenues.”* And highlights that commercial investment deals have focused on the M11/Stansted corridor two key clusters being - the Greater Cambridge biotech research and development and M11/Stansted corridor including travel and logistics related businesses close proximity to international recognised brands in London and Cambridge the international connectivity of London Stansted Airport. The proposed development could therefore facilitate in boosting local investment and local business expansion, which could also help in increasing visitors to the district and general sustainable growth, in which in turn would result in social prosperity in local investments.
- 11.18 The *Economic Development Strategy and Action Plan 2018-21* was considered for adoption by the Cabinet on Thursday 15 February 2018. This states amongst other things;

*“In addition to setting out work delivered by the Economic Development Team and many other teams across the Council, this strategy focuses on four areas:*

- 1. Supporting the expansion and promotion of key sectors in the local economy. Initially this will be life sciences, research and innovation; the rural economy; and the visitor economy which includes the town centres;*
- 2. Maximise the local and regional opportunities that arise from the location at London Stansted Airport;*
- 3. Establishing local economic strategies for each of the three proposed new garden communities in the district; and*
- 4. Support the delivery and exploitation of high levels of connectivity including superfast broadband.*

*There are a number of additional sectors this strategy could potentially focus on such as advanced manufacturing. To maximise the impact of the strategy requires a targeted approach and hence why initially three sectors have been chosen. The emerging Uttlesford Local Plan will deliver significant new growth in the district with three proposed new garden communities being built over the next twenty five to thirty years. The Local Plan provides for over 14,100 houses and 14,600 new jobs and opportunities being brought forward by 2033. This will support an economy that helps create more jobs nearer to homes and increased opportunities for local people to work locally. The new Economic Development Strategy addresses the challenges and opportunities that this development could bring to the local economy, and works to maximise the benefits to both existing businesses and residents and those who will move into the new developments.”*

11.19 The *Economic Development Strategy and Action Plan 2018-21* goes onto highlight;

*“New business start-ups – Uttlesford has a higher proportion of micro businesses than the GB average (ONS 2016). A baseline estimate for the last 3 years of net change in the number of new business starts up will be established and appropriate percentage growth target agreed.*

*Businesses relocating into the district – Uttlesford attracts a number of relocating businesses each year into the district. An average number of relocations per annum will be estimated and growth target agreed.*

*Expansion of existing businesses - a number of existing Uttlesford businesses expand each year. The average growth achieved per annum in terms of square footage and net additional jobs will be estimated and growth target agreed.*

*Local jobs for local people – the district currently has 17.5k people commuting out of the district to work and as many people coming into the district for work. The action plan will seek to enable jobs to be created plus self-employment so that more people who live in the district can also work here.*

*Town centres – footfall is a key driver in the vitality and viability of the districts centres. The action plan will established current levels and trends in footfall and growth targets agreed. Homeworkers - increases in the number of people working and operating businesses from home has many economic benefits including reducing commuting and supporting local suppliers. The current number of people working from home will be established and growth target agreed.”*

11.20 The proposed development is considered to be consistent with this and the *Economic Development Strategy 2016-18*.

11.21 In terms of other aspects of sustainability the siting of the proposed development is considered to be accessible by reason of its location and relationship to the B1256 Stortford Road, A120 junction and the sites distance from Dunmow, Stansted, M11 and other surrounding Villages such as Little and Great Canfield, Bacon End, Rodings and Hatfield Broad Oak. There are four local bus services which run along the B1256, serving Galleywood to Stansted Airport (42A &42B), Colchester to Stansted Airport (133) and Highwood to Stansted Mounfitchet (M1). Whilst the site is slightly isolated and not considered fully sustainable in terms of the level of transport provision and there would be a greater reliance upon private vehicles. The site is strategically located in terms of road network and within the District in terms of the provision of services that the proposed Council Depot is required to undertake and the servicing of the proposed employment units.

- 11.22 The location of the subject site it would be located near existing employment activities of the Winfresh banana warehouse distribution factory, Hales Farm and Bluegates. The location of the Depot would be seen against the back drop of the Winfresh banana warehouse distribution factory to the south of the Flitch Way. This is thereby considered to minimise the impact upon the countryside in accordance with Local Plan Policy S7. However, this will be discussed in detail in Section C below.
- 11.23 It is stated within the supporting Planning Statement that alternative potential sites have been looked at in terms of relocating the depots, including those which were not located on agricultural land but were stated to have been discounted due to their location, availability, and/or timescales. However, details of these alternative sites have not been provided and there is no requirement for this as each application has to be assessed on its merits.
- 11.24 In terms of the social aspect of the scheme there would be the opportunity for job creation. As Site B is speculative it is unclear the amount of employment the scheme could generate. Site A would see the retaining of 98 jobs. The generation of employment could help to alter the socio demographics of the area. The development could as a result bring new economic opportunities and investment to the area and wider areas, as well as support existing businesses and settlements.
- 11.25 In terms of environment there would be impact resulting from the scheme both in terms of amenity on neighbouring residential occupiers, visual impact, and increased vehicle impact with associated pollution (air and noise) and upon ecology. These would need to be assessed further within this report.
- 11.26 As part of the proposed development it would result in the relocation of three Council Depots (Saffron Walden, Newport and Dunmow) to the one central location, which would have its own benefits. It would result in removing one of the existing Depots from the historic core of Dunmow, New Street and the constrained town centre which is surrounded by residential properties. This could be seen as an environment benefit.
- 11.27 On balance in considering the above the proposed development is concluded to be partly sustainable and consistent with policy in so much as the economic and social aspects, and therefore partly sustainable, with regards to the environmental aspect this needs to be assessed further below.
- 11.28 The application site is located within a minerals safeguarding zone as identified by ECC mineral safeguarding policy (MLP Policy S8). A map provided shows more than half of Site B is identified as potentially consisting of sand and gravel. It has been stated by ECC Minerals team to consist estimate around 3.5 hectares of the total 8ha site. If the area of the site within the MSA is less than 5 ha, ECC would not expect any further information regarding the mineral resources and would not require the preparation of a Mineral Resource Assessment or expect prior extraction. On this basis there is no objection in this regard relating to Policy MLP Policy S8.

## **B Design (GEN2)**

- 11.29 Local Plan Policy GEN2 states that "Development will not be permitted unless its design meets all the following criteria and has regard to adopted Supplementary Design Guidance and Supplementary Planning Documents.

- a) It is compatible with the scale, form, layout, appearance and materials of surrounding buildings;
  - b) It safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate;
  - c) It provides an environment, which meets the reasonable needs of all potential users.
  - d) It helps to reduce the potential for crime;
  - e) It helps to minimise water and energy consumption;
  - f) It has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan.
  - g) It helps to reduce waste production and encourages recycling and reuse.
  - h) It minimises the environmental impact on neighbouring properties by appropriate mitigating measures.
  - i) It would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing"
- 11.30 The application site covers an area of 6.2 hectares which is split between the proposed developments. Site A covers an area of 2ha which is proposed to site the Council Depot. This part of the scheme is a fully detailed planning application. The details of the Council Depot element have been described above in Sections 3.4 to 3.7.
- 11.31 The proposed main building would be located adjacent to the southern boundary of the site with all the parking and temporary phasing units to the front of the site. The proposed depot would be set off the shared boundary with the Flitch Way by 8m combining a 6m deep landscaping buffer. Landscaping is proposed to the sites perimeters which include 25-28m deep landscape buffer from the rear boundaries of properties fronting High Lane and 16.5m wide buffer from the proposed access of the site to the shared boundary with the nearest property, 1 The Thatched Cottages Stortford Road.
- 11.32 Whilst an area is earmarked on the submitted plans for future development to the front of the Site A this does not form part of this application for determination.
- 11.33 The design of the depot would be generally modest in size and scale, and have a general industrial appearance. The building would be sited near the Winfresh building and would be of a similar height. It is considered that the proposed building would read to some degree as part of the existing commercial buildings, even though separated by the Flitch Way.
- 11.34 Due to the design, layout and siting of the Depot building visual impact upon neighbouring properties has been mitigated. Whilst properties fronting onto Stortford Road to the north currently overlook the fields a 25m deep and 4 m high landscape buffer would be created at the ends of their 5m length short gardens. A field is proposed to be set aside to the west of Site A which provides relief to the properties located to the west on High Cross Lane East. However, it should be noted that this does not appear to be within the same ownership as the application site.
- 11.35 Fencing is proposed for the Depot site to keep the site and its operations secure. Whilst fencing is acceptable concern is raised with regards the use of palisade fencing along the south and eastern boundaries of the site and the proposed 2m high weldmesh fence to the rear gardens of properties on Stortford Road. However, should planning permission be granted this aspect can be conditioned.

- 11.36 The proposed Depot would be a modern design and built form, which would need to accord with today's Building Regulation standards.
- 11.37 In terms of Site B this element of the scheme is for outline planning for a speculative mixed use Class of B1 offices, and light industrial, B2 general industrial and/or B8 warehouse distribution would be sited on 4.2ha. All matters are reserved apart from access which is proposed to be taken from the B1256. Parameters which have been provided regarding the mixed use outline element is that the proposed buildings would have a maximum height of up to 14m. However, within the Design and Access Statement it states that this is dependent on the roof span, which suggests that the buildings would be higher. The D & A Statement goes on to state that the heights of the proposed buildings have been kept to 14m to prevent landscape impact. Whilst a parameter has been provided the acceptability of buildings this high is questionable as they exceed the existing Winfresh buildings to the south east of Site B. It is acknowledged further to site inspections that the ground levels drop gradually southwest of the site and greatly around the junction with Stortford Road and B1256.
- 11.38 The details of the design, scale, layout, appearance and landscaping of the proposed development located within Site B is reserved for a later date should planning permission be granted. Therefore, the visual impact upon the neighbouring residential properties is unable to be assessed at this stage in relation to Site B and the indicative plans showing the introduction of landscaping demonstrates a level of mitigation in terms of visual impact.
- 11.39 In terms of points which have been raised by the Crime Prevention Officer points 2-5 are detailed design points, which can be conditioned should planning permission be granted. Similarly whilst the Depot building is set back there are windows which would be overlooking the yard area. Details of the gates and other means of security could be conditioned should planning permission be granted. With point 6 being an operational and not a planning matter for when the buildings are in use.
- 11.40 In so far as the information submitted for consideration the proposed development accords with Policy GEN2 of the Local Plan.

**C Landscape Impact (GEN7, ENV3, ENV8, S7)**

- 11.41 Policy GEN7 seek to protect nature conservation and habitats that would support wildlife. This is reflected in Policy ENV8 which also states that development that affects landscape elements... will only be permitted if the following criteria apply: a) The need for the development outweighs the need to retain the elements for their importance to wild fauna and flora; b) Mitigation measures are provided that would compensate for the harm and reinstate the nature conservation value of the locality. Appropriate management of these elements will be encouraged through the use of conditions and planning obligations.
- 11.42 Policy ENV3 states "*The loss of traditional open spaces, other visually important spaces, groups of trees and fine individual tree specimens through development proposals will not be permitted unless the need for the development outweighs their amenity value.*"
- 11.43 Due to the site's location within the countryside and its landscaping along the perimeter of the site, a Landscape and Visual Appraisal has been submitted in support of the application. The appraisal describes the context of the application site

in terms of existing surrounding dwellings and commercial units. It identifies the site as having boundaries formed by mature hedgerows and large trees on three sides and open agricultural land to the east. With the Fitch Way located to the south. It outlines that landscape mitigation forms part of the scheme including the retention and buffering of boundary vegetation and extensive planting of new trees and hedgerows throughout. The boundaries of the site are seen as a 'soft transition to the countryside'.

- 11.44 The report identified vantage points from a 1km distance sometime further. References have been made to the sensitive listed buildings, Public Rights of Way and the SSSI to the north of the site, and other woodland areas.
- 11.45 It has been concluded through the study that the site in terms of landscape character was ordinary. The report highlights that there is very little potential for clear views of the site from any of the surrounding PRow mainly due to the frequency of woodland blocks and belts.
- 11.46 It states *"This appraisal finds that the proposal would yield limited harm on the landscape character of the site itself. Minor and localised re-grading of the site will be required for the proposed development, including the provision of planted acoustic bunding to provide a visual and acoustic screen for the existing residents and listed building along Stortford Road. However, the proposals give rise to the potential for beneficial effects on landscape fabric and biodiversity through the retention and enhancement of existing boundary features and the provision of new trees around and within the site. The development parameters, including maximum heights have been informed by the baseline conditions and surrounding built context such that views of it will remain extremely limited."*
- 11.47 *This appraisal finds that the visual effects within 1km of the site are extremely limited by topography and mature landscape features within the wider landscape – the pattern of which would be reinforced by new tree planting within the proposals and the strengthening of perimeter hedgerows and tree margins. The undulating topography and road infrastructure surrounding the site further ensures that notable visual effects are only recorded for receptors within close proximity of the site. This relates predominantly to existing residents immediately adjacent to the site who experience views from an existing urbanised setting.*
- 11.48 *The scale, form and appearance of the development would reflect and enhance the positive characteristics of the surrounding area. Being well-integrated with the surrounding areas, the development would appear as a logical addition to the existing commercial complex to the immediate south and transport corridor to the north. For these reasons, it is considered that the proposed development is entirely consistent with the existing landscape character."*
- 11.49 The Landscaping Officer has been consulted of the application. He has stated *"The site is some 6.2ha (15.3 acres) of arable farmland. The proposed development would have a significant detrimental impact on the rural landscape character of the site."*
- 11.50 *The Environmental Dimension Partnership's (EDP) Landscape Visual Appraisal (LVA) accompanying this application concludes that "For reasons outlined within the report, the proposed development represents a small-scale and visually discrete feature, which is entirely in keeping with the landscape character and would not therefore result in any material landscape or visual effects or policy contraventions."*
- 11.51 *It is not accepted that the proposed development would be "entirely in keeping with*



*the landscape character and would not therefore result in any material landscape or visual effects". The proposal site is visually separated from the Winfresh depot and Hales Farm trading estate to the south by the Flitch Way which provides a clear delineation between the character of the trading estate and the arable land to the north.*

- 11.52 *The assertion in EDP's report that this arable land is currently "intensively managed" and by implication is of some reduced value is not supported by any specific evidence. The site is classified as Grade 2 on the 1:250,000 Series Arable Land Classification Map East Region (Published by Natural England). Grade 2 is classified as "Very Good". This classification may be considered to fall within the category of 'the best and most versatile agricultural land' as described in the adopted Local Plan....."*
- 11.53 *The policy aspect of the principle of the scheme has been looked at in details above in Section A. In terms of the above statements the proposed development would undoubtable change the character of the landscape. The visual landscape impact is considered would be more localised rather than wider. Fundamentally altering from an open field in the wider countryside to an urbanised built form. Therefore, the level of impact would need to be assessed.*
- 11.54 *The Landscape Officer goes onto state "the submission attaches some importance to the provision of new tree and hedge planting to increase biodiversity and to mitigate the effects of the proposed development. The submitted planting details, whilst using native species in the main, does not specify species mixtures which reflect existing agriculture hedgerows, native woodland, or plantations, found in the locality. It is acknowledged that such matters of detail could be addressed by conditions applied to any approval. The bio-diversity gains for the proposed development are considered to be relatively minimal.*
- 11.55 *In order to seek to migrate the impact of the proposed development on residential properties immediately to the north of the site a buffer zone is proposed. This includes the construction of a 4m high earth bund with tree planting. Generally, the construction of screening bunds is considered not to be desirable within a landscape, unless it is to seek to separate an otherwise incompatible development from the surrounding area.*
- 11.56 *The proposal site has no special landscape designation, however, it is of some visual quality and affords long distance views to be taken from High Cross Lane to the countryside beyond. These views allow for an appreciation of the line of the Flitch Way over some 2.6km which is considered to be of landscape interest."*
- 11.57 *As details of the landscaping can be condition this is not a reason for refusal in itself. The impact upon ecology will be assessed below. Whilst it is agreed that landscaping does not make an unacceptable development acceptable, if the level of harm can be minimised to an acceptable level through various mitigation then this is a material consideration that would need to be taken into account. The impact upon amenity regarding the development has been assessed below. The Landscape Visual Appraisal has undertaken a series of impact assessment from various specified vantage points from in and around the site. The assessment looks at the suggested proposed mitigation measures outlined in Section 5.4 of the LVA. The assessment had shown the impact of the scheme at high-very high in year one of the development being completed. In year 15 the impact after the landscaping has fully matured is stated to have been reduced to acceptable levels.*

- 11.58 It has been concluded from the appraisal that the proposed development would have limited harm upon the landscape character of the site itself. Minor and localised regarding of the site is proposed, including the provision of a planted acoustic bund to provide a visual and acoustic screen for the existing residents and the listed building along Stortford Road.
- 11.59 As a result whilst it is not ideal, on balance considering the siting of the development with the proposed mitigation, proximity of the site in terms of access to main infrastructure, in consideration of the LVA findings and the site's assessment within the call for sites as part of the draft local plan process the development is considered to comply with Local Plan Policies GEN7, ENV3, ENV8, S7.

**D      Amenity (GEN4, GEN5, ENV11 , ENV13)**

- 11.60 Policies GEN4, GEN5, ENV11 and ENV13 of the Local Plan seek to protect the amenity of neighbouring existing and future occupiers, together with the amenity of the locality and surrounding area. The NPPF states that high quality design and a good standard of amenity for all existing and future occupants of land and buildings should be secured. It also states *"In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework."*
- 11.61 A number of third party representations have raised objections, including the Essex Bridleways Association. Essex Bridleways Association objects on the basis that, the Association represents over 600 horse riders in Essex who use public rights of way to exercise their horses. The development of the council depot next to the Flitch Way will seriously impair our rider's enjoyment of this public right of way and their enjoyment of the countryside. The noise, smell and traffic movement within and from the site will be at risk factor for our horse riders. Strongly oppose the suggested two crossings of the Flitch way to access Hales Farm and the additional heavy traffic on the country lanes as a risk factor for all users of the flitch way. Other objections which have been raised relate to amenity. These are looked at in detail below.
- 11.62 In terms of Site B, the impact from the design of the proposed development is unable to be assessed under this application due to this matter being reserved. Whilst landscaping buffer has been indicated which demonstrates how the scheme could be mitigation, this is also a reserved matter relating to Site B. These details however have been confirmed for Site A. The visual impact of the depot has been discussed above in Section B.
- 11.63 The proposed development would see that the vehicles for Site A, the Depot, being accessed from Stortford Road. This would undoubtedly see the increase in the number of vehicles coming and going along this stretch of road and pass the properties located here. This combined with the vehicular access adjacent to 1 The Thatched Cottages Stortford Road would cause an increase in noise and disturbance. As discussed in Section B above, the activity from the Depot would be mitigated by the dense landscaping propose along the shared boundary by the landscaping. Whether the landscaping is appropriate has been discussed in Section C above. Further mitigation of noise and disturbance could be achieved from control of hours of use. This would be further discussed below.
- 11.64 Access from the site onto the Flitch has been amended to solely be pedestrian/cycle access. Vehicular access from Site B to Hales Farm has been deleted from the

scheme. The main vehicular access for Site B would be from the B1256. The nearest properties to this access would be Strood Hall, Strood Court and Bluegates Lodge which are located to the north and west of the site. In terms of impact from the access this would introduce a new point of entry resulting in the increase of vehicles entering and exiting the site, with the associated noise and disturbance.

- 11.65 There would be a change in the character of the area from rural field to urban industrial estate. How the scheme is overall designed and laid out on Site B can facilitate in mitigating the level of visual impact that would occur on the immediate locality and upon the wider area.
- 11.66 In terms of loss of light and over shadowing none is considered from the proposed development. Due to the nature of the landscape buffer this would need to be managed and maintained to ensure this would not result in amenity issues for the occupiers of the properties fronting Stortford Road due to their short gardens and minimal light received into the dwellings due to the design of the dwellings.
- 11.67 Similarly, light pollution cannot be assessed at this stage on either sites as this information has not been submitted. There would naturally be more impact of light pollution during the evenings especially in the winter months, however, again this could be mitigated depending on the details of the lighting, design of Site B and landscaping.
- 11.68 In terms of overall noise, a Noise Impact Assessment has been undertaken and submitted as part of the application. This has been undertaken to identify existing noise levels where the proposed development would be sited, identifying appropriate mitigation measures to achieve acceptable noise levels in the finished development and assess potential impact of noise emissions from operational activities associated with the development at existing sensitive receptors in the area (residential properties) and where required identifying appropriate mitigation measures to achieve acceptable noise levels at those locations.
- 11.69 As part of the assessment neighbouring residential properties have been identified within the report. The proposed activities for the two sites have been identified also within the report. It has been also specified that the application site as a whole is located beyond the 54LEQ aircraft contour at night and day and has no existing noise constraints.
- 11.70 The existing noise levels were monitored and during this period the average, background and maximum noise levels were generally dictated to by road traffic noise from the surrounding road network including Stortford Road, B1256 and the A120.
- 11.71 In terms of activities the Depot would be used for;
- Refuse freighter parking and maintenance facility for up to 20 freighters;
  - Ground maintenance store;
  - Offices
- 11.72 It has been confirmed within the application that the depot would not be used for the transportation or processing of refuse. The proposed hours of operation would be 7am-6pm with refuse staff arriving on site from 6.30-7am.
- 11.73 In terms of noise source from Site A this has been identified as being the following;
- Staff arriving and parking for work;
  - Refuse freighters leaving site from 7am and arriving back during the afternoon;

- Ground maintenance team leaving with vans for work around the district;
  - Maintenance of the refuse freighters including servicing and repairs;
  - Visitors arriving and parking;
  - Ground maintenance team arriving, unloading and cleaning vans with pressure washer(s);
  - Refuse freighters arriving and parking at the site between 2-4.30pm;
  - Staff and visitors leaving site.
- 11.74 In order to assess the potential impact of the noise this was measured at the existing Shire Hill Depot, in Saffron Walden. It is stated within the assessment that the proposed 4m high landscaped earth bund would act as a noise buffer zone to mitigate and reduce the level of noise from the Depot. Worst case scenarios were looked at within the assessment.
- 11.75 Night noise was considered in terms of vehicles arriving to the site prior to 7am and the level of maximum internal noise that would be experienced from noise sensitive properties with their windows open. This was calculated as being well below the 45dB LAFmax criteria within the properties with their windows open, with typical noise level of car doors being shut on site at 28dB LAFmax and cars driving to site at 10-20 dB LAFmax. Therefore, this aspect of the activities would accord with relevant guidelines and standards.
- 11.76 Any mechanical plant required in association with the ventilation etc. of the building would require further assessment, however would be subject to the same noise limits identified within the report. Details of the proposed electricity transformer required to support the proposed development would also be required.
- 11.77 The noise report also considered the mitigation of noise within the Depot development for areas of study and working requiring concentration such as offices and meeting rooms. It was concluded that the internal noise levels through the use of standard materials would be acceptable and meet standards.
- 11.78 In terms of the mixed use activities on Site B for B1, B2 and B8 uses the precise use and layout of the buildings is still to be determined. By the nature of the proposed uses they are noise generating uses and due to the fact the end user/precise use have not been identified the noise implications cannot be assessed until this has been identified. However, a combination of uses including a worst case scenarios, with B2 having the potential to create higher operational noise have been considered within the noise assessment.
- 11.79 It has been stated that B1 uses are capable of being sited within residential areas without having an impact upon amenity. Therefore, from a noise perspective B1 (Light industrial and offices) this element of use is considered to be generally acceptable.
- 11.80 B8 uses (storage or distribution centres) the greater noise generated from deliveries, HGV movement and the use of fork lift trucks. Data has been used for similar activities with different sized units in order to assess the potential impact for this. This concluded that with the use of 4m high earth bund as for the depot the noise level were likely to be below background noise levels at 48-49 dB LAeq T and therefore would be likely to have a low impact.
- 11.81 It is outlined within the assessment the importance of that the layout of the site could have upon the mitigation of noise generating uses/activities, with higher noise generating uses, such as B2 being located further away from sensitive properties.

This would need to be investigated further at reserved matters stage should planning permission be granted. If B8 uses were located further away from residential properties this could drop the noise levels by 8dB and significantly below background noise levels.

- 11.82 Class B2 for general industrial use including manufacturing was also assessed using historical data, with the worst case nature of uses being assessed. The predicted noise level at the worst affected residential property, from equipment likely to be used inside the building, would be around 49dB LAeq,T. This is likely to be reduced based on the siting of such uses and mitigation. Also, there is possible lesser noise generating uses that would fall within the same use class. It is advised that further noise assessments are submitted with each unit/phase of development under reserved matters should planning permission be granted, with the noise impact assessment taking into account;

- Building construction (materials);
- Ventilation system;
- Site layout;
- Number and size of units;
- Proximity to nearby residential properties;
- Height of units;
- Operation hours

- 11.83 Environmental Health was consulted of the application and the accompanying Noise Impact Assessment. It was acknowledged that unacceptable noise could be generated from not only the operation of the development but also from the construction of the development too. It has been stated that "*However, on balance, given the noise levels in the vicinity from the local road network (the A120 carriageway and vehicles serving the existing industrial/commercial uses to the south) it is considered that with appropriate mitigation and careful design and layout of the proposed land uses residential amenity can be preserved. This, however, may only be with restrictions in the hours of use available to both the Council depot site to the east and the mixed employment site to the west and with conditions attached to ensure that this is the case. As the sites appear to be separate and distinct and as these two areas may be developed in stages or at different times it may be prudent to offer conditions specific to each site.*" As a result no objection has been raised subject to conditions should planning permission be granted in order to mitigate the impact of the development.

- 11.84 In consideration of the above the development is considered to be in accordance with Local Plan Policies GEN2, GEN4, GEN5, ENV11 and ENV13, also in accordance with the NPPF.

## **E Affecting setting of Listed Buildings (ENV2)**

- 11.85 Local Plan Policy ENV2 states "*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 characteristics of a listed building will not be permitted. In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building and its architectural and historic characteristics and its setting*"
- 11.86 Paragraph 132 of the NPPF seeks the protection of designated Heritage assets.

Paragraph 133 of the NPPF states “*Where the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply;*

- *The nature the heritage asset prevents all reasonable uses of the site; and*
- *No viable use of the heritage asset itself can be found in the medium terms through appropriate marketing that will enable its conservation; and through appropriate marketing that will enable its conservation; and*
- *Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
- *The harm or loss is outweighed by the benefits of bringing the site back into use.”*

- 11.87 Paragraph 134 also states that “*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.*”
- 11.88 A Heritage Assessment has been submitted as part of the application as a result of the proximity of the application site to Listed Buildings. This looks into the setting and significance of the listed buildings in proximity of the site, Strood Hall, Greencrofts, Old Station House and Cottage west of the junction with High Cross Lane, also the impact that the development would have upon this.
- 11.89 The Heritage Assessment outlines planning policy and guidance stating that any development harming the significance of the setting of listed buildings would be resisted. It is stated within the report that the application site makes limited contribution to the setting of Strood Hall and other listed buildings nearby by the undeveloped parcel of land. It has been highlighted that the settings of the listed buildings have been evolving over years with the establishment of the railway, new access to the A120 and the erection of the Winfresh depot to the south of the application site, which have increased traffic and noise within the vicinity of the area and has in turn altered the rural character of the area.
- 11.90 It is acknowledged that the proposed development would permanently change and affect the setting of the nearby listed buildings. However, the report states that the effect would not be detrimental to the listed building's significance and there are no known cumulative effects.
- 11.91 In terms of seasonal effect the report states that an element of the site would be partially screening by existing landscaping. This is considered to be true to a degree and taking into account changing ground levels. However, the proposed development on both site areas would be largely visible from Stortford Road, High Cross Lane and the B1256. The proposed landscaping for the Depot site would facilitate in largely screening this development and the illustrative landscaping on Site B is capable of improving the level of screening. It is stated however the introduction of landscaping would again alter the setting of the listed buildings. It is noted nonetheless that Greencroft, and Old Station House are more isolated and screened through their existing on site landscaping. Strood Hall cannot be seen from within the site.
- 11.92 The most effected cottage is that west of the junction with High Cross Lane, where the garden backs onto the application site. The outlook from the cottage will alter, however, the impact is considered would be neutralised as a result of the proposed

landscape buffer that is proposed on Site A.

- 11.93 The Heritage Statement outlined that the application site makes a limited contribution to the setting of the listed buildings.
- 11.94 The Conservation Officer has been consulted of the application and stated that *“4 of the 15 listed buildings within the settlement would be visually affected by the proposed industrial site namely: Live and Let Live Cottages, Greencrofts, Crossing Cottage and Strood Hall.*
- 11.95 *At present the wider setting of these heritage assets is mostly defined by open, bucolic countryside. The application site would be intensively developed with most of the land being draped in concrete infrastructure with high density industrial building, generally not known for architectural quality, rising from the land to excessive height. Clearly the setting of the listed building would be seriously diminished to the detriment of their significance despite possible mitigating measures.”*
- 11.96 The Conservation Officer goes on to state *“From the historic environment point of view I can recognise clear public benefit in removing council’s depot from the heart of the outstanding Conservation Area of Great Dunmow where unsightly collection of structures affect much greater number of listed buildings and the character of the locality in general.*
- 11.97 *In conclusion, should the perceived public benefits outweigh the harm to the significance of the heritage assets, detailed and appropriate scheme of mitigating measure should be approved and implemented prior to the development taking place.”*
- 11.98 In consideration of the above the benefit of the removal of the depot from Great Dunmow Conservation Area should have little weight in the determination of this application, whilst it is a consequence of the development it is not a direct impact from the scheme which is a material consideration. Nonetheless, it is clear that there would be a significant effect upon the setting of the listed buildings. However, in terms of the relationship of the buildings to the site, the buildings most affected would be the cottage to the west of High Cross Lane also known as Thatched Cottages on Stortford Road. The impact, as discussed above, is considered would be neutralised as a result of the proposed landscape buffer that is proposed on Site A.
- 11.99 On balance in consideration of the Heritage Statement and the Conservation Officers comments the proposed development and works is therefore considered to be in accordance with Local Plan Policy ENV2 and the NPPF, subject to conditions should planning permission be granted.

#### **F Archaeology (ENV4)**

- 11.100 ECC Archaeology have assessed this information and raise no objection to the development in this respect is in accordance with Policy ENV4 subject to conditions.

#### **G Highway Impact (GEN1, GEN8)**

- 11.101 Development will only be permitted if it meets all of the following criteria:
- a) Access to the main road network must be capable of carrying the traffic generated by the development safely.
  - b) The traffic generated by the development must be capable of being

- accommodated on the surrounding transport network.
- c) The design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired.
  - d) It must be designed to meet the needs of people with disabilities if it is development to which the general public expect to have access.
  - e) The development encourages movement by means other than driving a car.
- 11.102 In terms of highway and highway safety implication. An Interim Transport Assessment followed by a Final Transport Assessment was submitted as part of the application. Both ECC Highways and Highways England have been consulted of the application. A series of further information and work has been sought by both regarding the implications of the scheme, both in terms of the local network and upon the functioning of the A120. Information has been provided regarding traffic count, junction capacity surveys including assessments of personal injury data, visibility splays and speeds was undertaken.
- 11.103 Within the reports it has been outlined that the Depot's movements for staff and refuse vehicles would be mostly outside of the peak hours of travel between 6.30am and 7am and arrive back at site between 2.30pm and 5pm, with office staff being on site between 8.30am and 5.30pm.
- 11.104 The information provided states that between the hours of 8-9am there would be 26 car arrivals and 3 departures and between 5-6pm 3 arrivals and 21 departures from the Depot. Also, the proposed mixed use is estimated to generate 126 arrival and 25 departures AM and 13 arrivals and 101 departures PM. This highlights that 81% of trip generation would be via private car.
- 11.105 Overall it is estimated that the whole site would generate a multimodal trips of the magnitude of 187 arrivals and 34 departures in the AM peak and 18 arrivals and 151 departures in the PM peak.
- 11.106 Further work has been undertaken in terms of cumulative impact assessment and sensitivity testing. The information has been used and distributed over the network to assess the impact of the proposed development.
- 11.107 From the information provided it has been concluded that the proposed development will have only minimal impact upon the traffic flows on the local highway network, namely B1256 Stortford Road/Woodside Way junction with a significant additional capacity being available in the 2022 and 2027 based on future baseline 'with development' scenarios.
- 11.108 One of the technical notes produced by WSP (Technical Note 2 12.02.2018) states "The results of the revised junction capacity modelling show that with the exception of the A120 west off-slip the junction is predicted to operate within capacity in 2022 and 2027 with the additional development generated vehicle trips.... The mitigation consists of widening of the A120 west off-slip (northern roundabout) to a two lane flared approach. The proposed improvements can be achieved through modest adjustments to the existing nearside kerb line. The length of the two lane approach has been informed by the results of the 'with mitigation' 2022 'with development' junction capacity assessment." The report goes onto state that within mitigation and with development the slip road would operate within capacity. "The 2027 'with development' junction capacity assessment results therefore show that the mitigation is predicted to provide a significant improvement to the operation of the A120 / B1256 grade separated junction (northern roundabout) compared to the 2027 future



baseline situation.” It has been concluded within the studies that there would be ‘nil detriment’ and the impact of the scheme would be mitigated.

- 11.109 In terms of parking, Policy GEN8 of the local plan seeks to secure parking provision based on the nature of uses. The most relevant parking standards which have been adopted for commercial uses are the Essex Parking Standards (2009). The Parking standards seeks the following;

Use	Vehicle	Cycle	PTW	Disabled
	Maximum	Minimum	Minimum	Minimum
B1	1 space per 30 sqm	1 space per 100 sqm for staff plus 1 space per 200sqm for visitors	1 space, + 1 per 20 car spaces (for 1 <sup>st</sup> 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	<b>200 vehicle bays or less</b> = 2 bays or 5% of total capacity, whichever is greater, <b>Over 200 vehicle bays</b> = 6 bays plus 2% of total capacity

Use	Vehicle	Cycle	PTW	Disabled
	Maximum	Minimum	Minimum	Minimum
B2	1 space per 50 sqm	1 space per 250 sqm for staff plus 1 space per 500 sqm for visitors	1 space, + 1 per 20 car spaces (for 1 <sup>st</sup> 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	<b>200 vehicle bays or less</b> = 2 bays or 5% of total capacity, whichever is greater, <b>Over 200 vehicle bays</b> = 6 bays plus 2% of total capacity

Use	Vehicle	Cycle	PTW	Disabled
	Maximum	Minimum	Minimum	Minimum
B8	1 space per 150 sqm	1 space per 500 sqm for staff plus 1 space per 1000 sqm for visitors	1 space, + 1 per 20 car spaces (for 1 <sup>st</sup> 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	<b>200 vehicle bays or less</b> = 2 bays or 5% of total capacity, whichever is greater, <b>Over 200 vehicle bays</b> = 6 bays plus 2% of total capacity
B8 with retail element	1 space per 150 sqm +1 space per 20 sqm retail area for customer parking			

- 11.110 Whereby only Site A is detailed the parking standards can only be applied to this element of the application. Based on the Depot comprising the following;

1,685m<sup>2</sup> offices (B1 use);  
430m<sup>2</sup> workshop (B2 use); and  
380m<sup>2</sup> storage (B8 use)

- 11.112 The following parking is required;

67 car parking spaces as a maximum;  
29 cycle spaces as a minimum;

4 motorcycle bays as a minimum  
3 disabled parking bays as a minimum

- 11.113 The scheme provides 142 car parking spaces, 6 cycle bays and 7 disabled bays. It is acknowledged that the sites proposed parking provision for the Site A does not comply with the standards, as the parking provision exceeds the maximum standards and the cycle provision is reduced. This is considered due to the sites location and level of difficulty to get to by other means other than a private vehicle. The site's level of accessibility and location has been discussed above in paragraph 11.21.
- 11.114 A walking and cycle accessibility study and journey to work mode of travel has been looked at as part of the TA. A workplace travel plan is stated would be prepared prior to the first occupation of the employment site, should planning permission be granted. Within the TA it has stated that a new bus stop closer to the site would be provided along the B1256, with the bus stop that would be located to the south of the B1256 connecting to the sites new footway. Also, a new informal crossing facility close to the primary access junction on B1256 is proposed, together with new pedestrian and cycle connections to the Flitch Way. A contribution of ££35,750 for the works to mitigate the increased impact on Flitch Way, such works to include but not be limited to resurfacing, drainage improvements, signing and access improvements.
- 11.115 Air quality has not been raised as a concern by either the Highway Authorities or by Environmental Health. Whilst the site is near the A120 which has a level of poor air quality the application site is at least 111m away from this and falls outside of the zone.
- 11.116 Following the highway assessment and the additional work which has been required to be undertaken no objection is now raised by ECC Highway and Highways England subject to conditions. As a result the proposed development is now considered to be in accordance with policy.

## **H Ecology (GEN7 and ENV7,)**

- 11.117 Policy GEN7 and ENV8 have been discussed above in terms of seeking to protect nature conservation. This outlines that development that would have a harmful effect on wildlife or geological features will not be permitted unless the need for the development outweighs the importance of the feature to nature conservation. Where the site includes protected species or habitats suitable for protected species, a nature conservation survey will be required. Measures to mitigate and/or compensate for the potential impacts of development, secured by planning obligation or condition, will be required. The enhancement of biodiversity through the creation of appropriate new habitats will be sought.
- 11.118 This is also reflected in Policy ENV7 which states "*Development proposals that adversely affect areas of nationally important nature conservation concern, such as Sites of Special Scientific Interest and National Nature Reserves, will not be permitted unless the need for the development outweighs the particular importance of the nature conservation value of site or reserve. Development proposals likely to affect local areas of nature conservation significance, such as County Wildlife sites, ancient woodlands, wildlife habitats, sites of ecological interest and Regionally Important Geological/ Geomorphological Sites, will not be permitted unless the need for the development outweighs the local significance of the site to the biodiversity of the District. Where development is permitted the authority will consider the use of conditions or planning obligations to ensure the protection and enhancement of the*

*site's conservation interest."*

- 11.119 Great Dunmow Neighbourhood Plan Policy NE1 states that ancient woodland, SSSI and sites of high biodiversity within the plans designated area identified, their settings are to be protected and any development which impacts upon them must contribute rather than detract from their bio diversity and setting value.
- 11.120 Ecological surveys have been submitted in support the application.
- 11.121 Site is located within 2km of a SSSI - north east High Woods Dunmow ancient woodland, which is identified within Policy NE1. It is separated by A120 and therefore it is not linked by habitats. There will also not be any direct loss or impact upon the SSSI by development and hence limited impact in terms of use due to development not being residential.
- 11.122 The site is stated to be near a water body which is located to the west of the site.
- 11.123 Whilst the application site is not on derelict or railway land the Flitch is. The Flitch Way is located to the southern boundary of the site which is a designated local wildlife site, where there are presence of protected wildlife species such as slow worms, bats, brown hares and Great Crested Newts. It has been stated within the application that there would not be any direct or indirect impact upon the Flitch as a result of the development. It would be protected through buffering during the course of the development. However, as part of the application pedestrian/cycle access is proposed directly onto the Flitch Way, which will in turn increase the level of use and footfall along the Flitch Way and would have a degree of impact.
- 11.124 Loss of agricultural land whereby there would be the loss of margins and possible habitats, would in itself have an impact upon habitats. The site itself consists of landscaping and hedgerows that is largely retained in the scheme. The site is identified as likely to have the presence bats, snakes and common lizards.
- 11.125 The surveys state that the hedgerows are 'defunct' and are poor species. There would be the loss of a section of hedgerow due to the creation of vehicular access. Nonetheless, enhancements including SUD features are proposed as part of the application. Buffer zones adjacent to the ditch is recommended to be up to 10m including a semi natural edge of the ditch with semi improved grassland habitat, including the provision of habitat for small mammal and reptiles, and details of lighting. Various mitigation measures have been recommended during the course of construction work.
- 11.126 ECC Ecology, Natural England and Wildlife Trust have been consulted of the application, including the Flitch Way Ranger.
- 11.127 No objection has been raised by ECC Ecology subject to conditions. Natural England have also raised no objection. They have stated to have assessed this application using the Impact Risk Zones data (IRZs) and is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the High Wood, Dunmow SSSI has been notified. They advised the SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws attention to Section 28(I) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

11.128 However, the Wildlife Trust have raised an objection on the basis of harmful impacts to the Flitch Way Local Wildlife Site. They have stated that the proposed landscape buffer will not provide sufficient mitigation to offset the impacts from the development. Potential impacts include noise disturbance, loss of tranquillity/harm to the rural setting of the Flitch Way, increased 'edge effects' and consequent biodiversity loss. Also, that the applicant has not provided sufficient evidence to demonstrate that the need for the development outweighs the harm to a designated Local Wildlife Site.

11.129 The applicants response to the Wildlife Trust comments are;

*"Essex Wildlife Trust identified Flitch Way as; 'This disused railway line has been taken over by the County Council as a bridle/pathway which in addition acts as a valuable wildlife corridor throughout the south of the district, as well providing a good series of habitats in its own right.' This site is a length of 15miles, with 70+ access points, the majority of which are Public Rights of Way as well as part of National Cycle Network route 16. The site is considered to be a wildlife corridor connecting four Essex Wildlife Trust Living Landscape Areas. The proposed development does not result in any land loss, take, fragmentation or isolation of the Flitch Way. No trees or scrub will be lost along the southern edge, with the current vegetation being maintained. As such the development will not result in any direct impacts. The development proposes a landscaped edge which will further protect the adjacent tree lines from impacts. Planting a range of native tree species, which would reflect what is there currently, and native species of local value, will provide a robust linear feature and screen the development. Indirect impacts from development must also be considered. Indeed these are in terms of the biodiversity officer, who sets out in a condition that a construction environmental management plan (CEMP) must be delivered prior to development. This will ensure that impacts on adjacent habitats are reduced to impacts which would not be considered significant. Aspects such as noise, dust and sensitive working practises are to be included in this condition. With regards to edge effects and biodiversity loss, the development does not lead to decrease or fragmentation of habitats of the Flitch Way, which would, in essence lead to an increase in edge effects.*

*Indeed the proposals provide enhanced tree planting and shrub planting, creating a wider linear feature along the southern aspect of the site, alongside Flitch Way. Furthermore, planting along the middle of the site (which dissects the two plots) and along the northern, western and eastern aspect, provide new landscape features which also provide habitat creation, linkages and buffering, further reducing any conceived edge impacts.*

*Flitch Way is open to the public, so any additional use of the site, can be accommodated in so far as the site has numerous access points already, and is maintained as a walkway / cycle way. Therefore the site is robust in terms of wear and tear. As such, any additional use of this public feature, is not considered to be of detriment to the habitats present. These habitats are already well used.*

*With regards to tranquillity / harm to the rural setting. I would reference landscape plans as this would not be considered an ecological issue. The proposed development will be undertaken under a CEMP, alongside a range of other conditions, which will ensure that off-site habitats are protected and enhanced. Enhancements as detailed in the PEA, can provide new habitats on site and the potential to increase the sites biodiversity value. Currently the site, a largely monoculture field, is of limited interest. With the conditions provided and linked to the PEA, there is a real opportunity to provide some significant ecological benefits as*

*a result of the development.”*

- 11.130 In considering the supporting information submitted as part of the application, the proposed mitigation and enhancement measures proposed and the comments received, the proposed development is considered to accord with policy in this respect and minimal impact is considered upon ecology, subject to conditions should planning permission be granted.

## **I Drainage (GEN3)**

- 11.131 Amongst other things Local Plan Policy GEN3 states “...*Outside flood risk areas development must not increase the risk of flooding through surface water run-off. A flood risk assessment will be required to demonstrate this. Sustainable Drainage Systems should also be considered as an appropriate flood mitigation measure in the first instance.*” The application site lies within Flood Plain Risk Zone 1 whereby there is a low risk of fluvial flooding.
- 11.132 The site covers an area greater than 1ha thereby an Interim Flood Risk Assessment (FRA) has been provided as part of the application submission.
- 11.133 The FRA outlined the fact that the proposed use is classified as least vulnerable use type and the fact that the site is located within the least vulnerable area for flooding with no record of flooding in the area. The topography of the site has been identified as being 1 in 50 across the length of the whole site.
- 11.134 There is a watercourse along the western boundary of the site, which is an unnamed river flowing into the River Roding approximately 2km south of the site. There is a ditch which runs along the northern boundary of the site. The reports identifies that ground water flooding is low. And, surface water flooding as modelled by the EA is low to the western edge of the houses north of the site down the south-western corner of the site, with a very low risk to the eastern and centre sections of the site.
- 11.135 The report states that the development would be engineered to provide positive drainage, preventing ponding and channels flow away from residential dwellings during exceedance events, therefore accumulation of standing water would not occur. The proposed development is stated would provide for 1 in 100 year event plus 40% allowance.
- 11.136 The surface water is to be managed on site with SUDs features, including permeable paving, swales and cellular attenuation tanks. All off site discharge is to be to watercourses located on the site's boundary at a greenfield discharge rate.
- 11.137 A method statement in the managing of surface water during construction has been submitted as part of the Flood Risk Assessment outlining processes in how this would be handled. A SUDs Maintenance and Management Plan also forms part of the FRA. It is stated that the all onsite drainage would remain the responsibility and be managed through a private management company for all residents contributing towards the landscaping and infrastructure maintenance.
- 11.138 The Environment Agency have commented regarding the discharge of foul water and how this should be connected to the main sewer. If this is not the case then a licence would be required from the EA. No objection has been raised by the EA subject to condition relating to surface water draining or hard standing areas and the use of interceptors. This point has been also raised by Thames Water. It has been confirmed within the Drainage Report that interceptors would be used to help

manage water quality. Therefore, should planning permission be granted a condition would be imposed to secure this, in accordance with Local Plan Policy ENV12.

- 11.139 No objection has been raised by ECC SUDs subject to conditions. Based on the above the proposed development accordance with Local Plan Policies ENV12, and GEN3 and the NPPF.

## **J Infrastructure (GEN6)**

- 11.140 Local Plan Policy GEN6 seeks that *“Development will not be permitted unless it makes provision at the appropriate time for community facilities, school capacity, public services, transport provision, drainage and other infrastructure that are made necessary by the proposed development. In localities where the cumulative impact of developments necessitates such provision, developers may be required to contribute to the costs of such provision by the relevant statutory authority.”*
- 11.141 In terms of the mitigation of the proposed development should planning permission be granted a number of the measures discussed to mitigate the development can be secured by way of conditions. A couple of measure which have been sought by ECC Highways such as monitoring fees and monies towards the mitigation of the Flitch Way impacts would need to be secured via a Section 106 Agreement in accordance with Policy GEN6. The mitigation requests are considered to be relevant to planning and the development, reasonable and necessary in accordance with Paragraph 206 of the NPPF and Community Infrastructure Levy Regulations.

## **K Other Considerations**

- 11.142 No objections have been raised by Aerodrome Safeguarding or NATS regarding implications upon the airports daily operations.
- 11.143 Due to the current nature of the site and in relation to the proposed use of the site little contamination or risk is considered. This is particularly considered to be the case as the site lies outside of ground protection zone 2 and therefore reduced risk of polluting ground water sources. Thames Water have asked for a condition seeking that petrol/oil interceptors are to be fitted in all car parks, washing and repair facilities again to prevent/reduce the pollution of watercourse, should planning permission be granted. This is in accordance with Policies ENV12 and ENV14.
- 11.144 In terms of utilities it is stated by Thames Water that there is sufficient capacity for the proposed development.
- 11.145 Cadent and UK Power Network have confirmed that there are utilities present on and near the site in the form of extra high voltage equipment in terms of lines and/or plant and gas pipes. There are easements which would need to be adhered to. The companies would need to be contacted prior to any commencement of works or reserved matters being submitted should planning permission be granted.

## **12. CONCLUSION**

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

- 12.1 The proposed development has been concluded to be sustainable in terms of economically and socially as there is a need for the provision of further employment particularly in this part of the District, along the London-Stansted-Cambridge corridor. The development could help facilitate in the facilitating boosting local investment and

business expansions, in accordance with Economic Development Strategy and Action Plan 2016-18 and 2018-21.

- 12.2 The development would retain 98 jobs as part of the Council Depot element and the further jobs would be created as part of the speculative element of the application. This aspect is considered to be in accordance with NPPF aspirations of sustainable economic development.
- 12.3 The site is partly accessible due to the degree of public transport access in the area the ability to walk from some of the local villages to the site, but it has been noted within the report that there would be greater reliance on private vehicles which has been acknowledged within the Transport Assessment which has been submitted in support of the application.
- 12.4 The provision of employment opportunities particularly in close proximity to committed residential developments would facilitate in sustaining growth. The application site is read against commercial activity on Winfresh, Hales Farm and Bluegates, thereby the impact upon the wider countryside is considered to be reduced in accordance with Local Plan Policy S7.
- 12.5 The loss of 1% of the agricultural holding has been stated would not harm the continued viability and functioning of the overall agricultural holding, in accordance with Policy E4. In terms of Easton Park this is within draft allocation in the emerging draft local plan which currently carries little weight therefore cannot be considered as it is not a committed development.
- 12.6 The proposed development is considered to be economically and socially sustainable. The Environmental aspects of the development have been considered separately.
- 12.7 It has been stated by ECC Minerals team to consist estimate around 3.5 hectares of the total 8ha site. If the area of the site within the MSA is less than 5 ha, ECC would not expect any further information regarding the mineral resources - we and would not require the preparation of a Mineral Resource Assessment or expect prior extraction. On this basis there is no objection in this regard relating to Policy MLP Policy S8.
- 12.8 The design of the depot would be generally modest in size and scale, and have a general industrial appearance. The building would be sited near the Winfresh building and would be of a similar height. It is considered that the proposed building would read to some degree as part of the existing commercial buildings, even though separated by the Flitch Way.
- 12.9 The proposed landscape buffer as part of the Site A would provide mitigation in terms of visual and residential amenity.
- 12.10 The details of the design, scale, layout, appearance and landscaping of the proposed development located within Site B is reserved for a later date should planning permission be granted. Therefore, the visual impact upon the neighbouring residential properties is unable to be assessed at this stage in relation to Site B and the indicative plans showing the introduction of landscaping demonstrates a level of mitigation in terms of visual impact.
- 12.11 In so far as the information submitted for consideration the proposed development accords with Policy GEN2 of the Local Plan.

- 12.12 On balance considering the siting of the development with the proposed mitigation, proximity of the site in terms of access to main infrastructure, in consideration of the LVA findings and the site's assessment within the call for sites as part of the draft local plan process the development is considered to comply with Local Plan Policies GEN7, ENV3, ENV8, S7.
- 12.13 The impact of amenity has been fully considered in section D of the main report. It has been concluded that there would undoubtedly be an increase in impact upon residential and visual amenity as a result of the proposed development.
- 12.14 The impact that is likely to result of the proposed development can be mitigated through the use of conditions relating to details of lighting, landscaping, hours of operation and details of any mechanical plant, plus no external storage of goods and no working outside of units.
- 12.15 Due to the fact that part of the application is in outline a number of aspects are reserved for further consideration at a later stage should planning permission be granted, such as layout, location of certain uses, design and landscaping.
- 12.16 No objection has been raised by Environmental Health subject to conditions.
- 12.17 In consideration of the above the development is considered to be in accordance with Local Plan Policies GEN2, GEN4, GEN5, ENV11 and ENV13, also in accordance with the NPPF.
- 12.18 In consideration of the above the benefit of the removal of the depot from Great Dunmow Conservation Area should have little weight in the determination of this application, whilst it is a consequence of the development it is not a direct impact from the scheme which is a material consideration. Nonetheless, it is clear that there would be a significant effect upon the setting of the listed buildings. However, in terms of the relationship of the buildings to the site, the buildings most affected would be the cottage to the west of High Cross Lane also known as Thatched Cottages on Stortford Road. The impact, as discussed above, is considered would be neutralised as a result of the proposed landscape buffer that is proposed on Site A.
- 12.19 On balance in consideration of the Heritage Statement and the Conservation Officer's comments, the proposed development and works is therefore considered to be in accordance with Local Plan Policy ENV2 and the NPPF, subject to conditions should planning permission be granted.
- 12.20 ECC Archaeology have assessed this information and raise no objection to the development in this respect is in accordance with Policy ENV4 subject to conditions.
- 12.21 In terms of highway and highway safety implication. An Interim Transport Assessment followed by a Final Transport Assessment was submitted as part of the application. A series of further information and work has been sought by both regarding the implications of the scheme, both in terms of the local network and upon the functioning of the A120. Information has been provided regarding traffic count, junction capacity surveys including assessments of personal injury data, visibility splays and speeds was undertaken. The impact of the scheme has been taken into account with committed developments in the area.
- 12.22 It has been concluded within the studies that there would be 'nil detriment' and the impact of the scheme would be mitigated. It has also been concluded that there



would be betterment to the A120/B1256 west slip road as a result of mitigation works.

- 12.23 The proposed car parking standard for Site A is acknowledged does not accord with Parking standard as it exceeds the maximum requirement. This is considered due to the sites level of accessibility, location and nature of the use. Details of parking remains a reserved matter for Site B.
- 12.24 A workplace travel plan is proposed prior to first occupation of which will be conditioned should planning permission be granted.
- 12.25 Within the TA it has stated that a new bus stop closer to the site would be provided along the B1256, with the bus stop that would be located to the south of the B1256 connecting to the sites new footway. Also, a new informal crossing facility close to the primary access junction on B1256 is proposed, together with new pedestrian and cycle connections to the Flitch Way. This will facilitate in encouraging alternative use of private vehicles to the site.
- 12.26 Air quality has not been raised as a concern by either the Highway Authorities or by Environmental Health. Whilst the site is near the A120 which has a level of poor air quality the application site is at least 111m away from this and falls outside of the zone.
- 12.27 ECC Highway and Highways England now raised no objection subject to conditions. As a result the proposed development is now considered to be in accordance with Local Plan Policy GEN1, GEN8 and ENV13.
- 12.28 Wildlife Trust has raised objections to the proposed application and the impact upon the Flitch Way. This has been addressed through the report and through the submission of an Ecological Surveys.
- 12.29 No objection has been raised by ECC Ecology subject to conditions. Natural England has also raised no objection.
- 12.30 In considering the supporting information submitted as part of the application, the proposed mitigation and enhancement measures proposed and the comments received, the proposed development is considered to accord with policy in this respect and minimal impact is considered upon ecology, subject to conditions should planning permission be granted.
- 12.31 Following the submission of a Flood Risk Assessment no objection has been raised by ECC SUDs, Environmental Agency or Thames Water subject to conditions. Based on the above the proposed development accordance with Local Plan Policies ENV12, and GEN3 and the NPPF.
- 12.32 In terms of the mitigation of the proposed development should planning permission be granted a number of the measures discussed to mitigate the development can be secured by way of conditions. A couple of measure which have been sought by ECC Highways such as monitoring fees and monies towards the mitigation of the Flitch Way impacts would need to be secured via a Section 106 Agreement in accordance with Policy GEN6. The mitigation requests are considered to be relevant to planning and the development, reasonable and necessary in accordance with Paragraph 206 of the NPPF and Community Infrastructure Levy Regulations.

- 12.33 Overall subject to measures secured by way of condition and S106 Agreement the impacts of the proposed development can be mitigated. The proposed development is considered on balance to be sustainable meeting all three strands in accordance with the NPPF and Local Plan Policies.

### **RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO S106 LEGAL OBLIGATION**

(I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 29 June 2018 the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Head of Legal Finance, in which case he shall be authorised to conclude such an obligation to secure the following:

- (i) Submission of travel plan
- (ii) Payment of monies relating to travel plan monitoring
- (iii) Highway Works (parking survey, bus stop and informal crossing and related traffic orders)
- (iv) Contribution of £35,750 mitigation works to Flitch Way
- (v) Pay Councils reasonable costs
- (vi) Pay monitoring costs

(II) In the event of such an obligation being made, the Assistant Director Planning shall be authorised to grant permission subject to the conditions set out below:

(III) If the freehold owner shall fail to enter into such an obligation, the Assistant Director Planning shall be authorised to refuse permission in his discretion at any time thereafter for the following reason:

- (i) Submission of travel plan
- (ii) Payment of monies relating to travel plan monitoring
- (iii) Highway works
- (iv) Contribution of £35,750 mitigation works to Flitch Way

### **Conditions**

#### **FULL APPLICATION**

Site A – Full Planning permission relating to the “Detailed application for Construction of a new Council Depot comprising vehicle workshop, office building, external storage, grounds maintenance storage, parking, landscaping, vehicular access and all supporting infrastructure”

- Site A  
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- Site A  
2. Prior to the erection of the development hereby permitted samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the

approved details.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 and ENV2 of the Uttlesford Local Plan (adopted 2005).

- Site A  
3. Prior to the erection of the development hereby permitted full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority and thereafter these works shall be carried out as approved. These details shall include [for example]:-

- i. proposed finished levels or contours;
- ii. means of enclosure;
- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. maintenance details of landscaping

Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- Site A  
4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- Site A  
5. Prior to the development of any individual building or individual phase hereby approved a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed before the use hereby permitted individual building or individual phase is commenced. The development shall thereafter be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the site and area in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- Site A  
6. If within a period of 5 years from the date of planting the tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the Local Planning Authority gives its written consent to any variation.

REASON: To ensure the suitable provision of landscaping within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan

(adopted 2005).

- Site A  
7. All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (The Ecology Partnership, September 2017) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: To ensure all protected and priority species constraints are dealt with in a lawful manner, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework

- Site A  
8. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following.

- Risk assessment of potentially damaging construction activities.
- Identification of “biodiversity protection zones”.
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of protecting biodiversity, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework

- Site A  
9. A landscape and ecological management plan (LEMP)/ Habitat or Biodiversity Management Plan shall be submitted to, and be approved in writing by, the Local Planning Authority prior to occupation of the development. The content of the LEMP shall include the following;

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the

management body (ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON: In the interests of conserving and enhancing biodiversity, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework and to ensure some form of covenant is in place to ensure that the management body that takes on long-term responsibility for implementation of the LEMP (management of the ecological areas) is to do so in strict accordance with the details contained therein.

- Site A  
10. Surface water draining from areas of hardstanding shall be passed through an oil separator or series of oil separators, prior to being discharged into any watercourse, soakaway or surface water sewer. The separator(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water or vehicle washdowns and detergents shall not pass through the separator(s) and should be drained instead to foul sewer or sealed system.

REASON: To reduce the risk of pollution to the water environment in accordance with Local Plan Policy ENV12 and ENV14 (adopted 2005).

- Site A  
11. a) No development or preliminary groundworks can commence until a desk based assessment and programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which shall be submitted to and approved by the Local Planning Authority.

b) A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the Local Planning Authority following the completion of this work.

c) No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the Local Planning Authority in consultation with ECC Archaeology.

d) A post-excavation assessment shall be submitted to and approved in writing by the Local Planning Authority within three months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority. This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

The development shall thereafter be carried out in accordance with the approved details.

REASON: The Historic Environment Record identifies the development site to be located in an area of extensive known archaeological deposits. The planning application contains a heritage assessment of the listed buildings but fails to assess any of the known heritage assets that relate to below ground archaeological deposits. This is disappointing considering the extensive deposits known to exist in the area. Immediately to the north of the site lies the main Roan Road (EHER 4698)

from Colchester to Braughing which is known to have a wide range of Roman and later occupation along it. Immediately to the north of the site during the construction of the A120 a large late Iron Age and Roman settlement was excavated (EHER 19455). Bronze Age occupation has also been recorded in the immediate area, again during excavations on the A120 (EHER 45260)

The first phase of archaeological work will comprise a programme of desk based assessment followed by trial trenching across the site. An archaeological brief defining the work can be provided from this office. It should be expected that the initial trial trenching will lead onto open area excavation before any development commences. This is in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

Site A  
12. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:

- Infiltration testing and groundwater testing in line with BRE 365. If infiltration is demonstrated not to be feasible, run-off rates should be restricted back to the 1 in 1 greenfield rate calculated from the area draining to the surface water drainage network for all events up to and including the 1 in 100 year rate plus allowance for climate change.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus climate change event. Details of half drain times should also be provided.
- Final modelling and calculations for all areas of the drainage system. If any flooding is shown in the modelling, it should be clearly shown how this will be managed. If any surcharging is expected at the outfalls, this should be included in any modelling and calculations.
- The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented in accordance with the approved details prior to occupation.

REASON:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

In accordance with policy GEN2 and GEN3 of the Uttlesford Local Plan (adopted

2005) and the NPPF.

- Site A  
13. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall subsequently be implemented as approved.

REASON: The National Planning Policy Framework paragraph 103 and paragraph 109 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

In accordance with policy GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site A  
14. No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site. In accordance with policy GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site A  
15. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk. In accordance with policy GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site A  
16. No development of the Council Depot shall commence until a Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. Such a management plan shall:

- identify measures to control noise emanating from the hereby permitted facility;
- establish acceptable noise levels for the use of plant, machinery or equipment serving the Council Depot site;
- consider the amenity of nearby dwellings, following the recommendations identified in the Cass Allen report (Ref: RP01-17299) dated 8th September 2017; and
- provide specific noise mitigation measures for weekend and bank or public holiday working..

Any identified measures shall be implemented in accordance with the approved plan at all times.

REASON: To protect the amenity of neighbouring residents, in accordance with policy GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site A  
17. Prior to the commencement of development a suitable lighting design scheme, including details of lux levels and impact assessment for the Council Depot site, devised to eliminate any detrimental effect caused by obtrusive light from the development on neighbouring land uses, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be prepared by a suitably qualified lighting engineer in accordance with relevant publications and standards. Only the details thereby approved shall be implemented.

REASON: To protect the amenity of neighbouring residents, in accordance with policy GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site A  
18. The premises shall not be used except between 0600 hours and 1900 hours and no operations shall take place at the weekends and Bank or Public Holidays unless in accordance with the Noise Management Plan agreed pursuant to condition 19.

REASON: To protect the amenity of neighbouring residents, in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site A  
19. The movement of heavy goods vehicles leaving or entering the site shall not occur except between 0700 hours and 1800 hours and no movements shall take place at the weekends and Bank or Public Holidays unless in accordance with the Noise Management Plan agreed pursuant to condition 19.

REASON: To protect the amenity of neighbouring residents, in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site A  
20. Prior to the commencement of the development, including any ground works or demolition, a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- The construction programme and phasing
- Hours of operation, delivery and storage of plant and materials used in constructing the development
- Parking of site operatives and visitors and loading arrangements of plant and materials
- Details of hoarding
- Management of traffic to reduce congestion
- Control of dust and dirt on the public highway
- Details of consultation and complaint management with local businesses and



- neighbours
- Waste management proposals
- Mechanisms to deal with environmental impacts such as noise, air quality, light and odour.
- wheel and underbody washing facilities

The development shall thereafter be implemented in accordance with the approved details.

REASON: In the interests of highway safety and the control of environmental impacts, in accordance with policy GEN2, GEN1, GEN8, ENV13, ENV14 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF. Also, to ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

- Site A  
21. No outdoor storage of any materials, goods, equipment, plant or machinery of any description shall take place on any part of the site except in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority.

REASON: To prevent harm to the character and amenity of the area, in accordance with Policy S7, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site A  
22. Prior to first occupation of Site A (the depot) the access on to Stortford Road and associated visibility splays, (2.4m by 160m to the west, and 2.4m by 120m to the east) as shown in principle on drawing 70032151-WSP-00-ZZ-DR-CE-002-S2 Rev P02 shall be provided and thereafter be maintained in perpetuity thereafter.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in accordance with Policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN2 and GEN1 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site A  
23. There shall be no vehicular access across the Flitch way associated with the development hereby approved.

REASON: To prevent harm to the character and amenity of the area, in accordance with Policy S7, GEN2, GEN7 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site A  
24. Prior to first occupation of Site A the provision of temporary bus stops on the B1256 at the locations shown in principle on drawing 70032151-WSP-00-ZZ-DR-CE-005-P4 Rev P04, which shall comprise bus stop marking, flags timetable casings and hard standing on the southern side of the B1256 shall be provided in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority in consultation with ECC Highways Authority prior to the commencement of development. Thereafter the bus stops shall be implemented in accordance with the approved details.

REASON: To provide convenient access to bus services in accordance with DM7 of the Development Management Policies as adopted as County Council

Supplementary Guidance in February 2011 and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- Site A  
25. Prior to commencement of the development, details of the proposed pedestrian/cycle accesses on to the Flitch Way (as shown in principle on drawing 1376.4.04 v1) including any necessary gates/ barriers, associated work, and precise location, shall be submitted to and agreed in writing with the Local Planning Authority, in consultation with the Highway Authority. Thereafter, the development shall be implemented in accordance with the approved details before first occupation.

REASON: To increase the accessibility of the site for pedestrian and cyclists. in accordance with policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

- Site A  
26. Prior to first occupation of Site A the car parking spaces as shown in principle on the submitted plan of a minimum size of 5m by 2.5m, shall be provided, hard surfaced, sealed and 10 cycle parking places shall be provided. A further 10 cycle spaces shall be provided before occupation of the Depot Office (phase 2 of the site A). All 20 cycle parking spaces shall be covered secure and located in convenient positions close to the building it is serving. Motor cycle parking shall be provided in accordance with the Essex Parking Standards.

REASON: To provide appropriate parking in accordance with policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

- Site A  
27. No development pursuant to this permission is to be brought into beneficial use unless and until a scheme of improvements consistent with those illustrated on WSP Drawing 70032151 WSP 00-ZZ-DR-CE-008\_P3 Rev P3, dated 13th February 2018 have been completed and brought into use, in agreement with details to be submitted to and approved in writing by the Local Planning Authority, in consultation with Highways England, prior to the commencement of development.

REASON: To ensure that the strategic road network can continue to operate as part of the national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 and to satisfy the reasonable requirements of safety for traffic on the strategic road network, and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- Site A  
28. Within 12 months of the grant of permission, a Scheme with details including drawings and documents shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Highways England, showing the following:-

- How the scheme interfaces with the existing highway alignment and carriageway markings, including lane destination markings.
- Full construction details relating to the highway improvement. This should include any modifications to existing structures or proposed structures with supporting analysis.
- Full signing, lighting and drainage details and details of any modifications to road restraint systems.
- Confirmation of full compliance with Departmental Standards (DMRB) and policies or approved relaxations and/or departures from standards.

- Evidence that the scheme is deliverable within land in the control of either the Highway Authorities or the applicant notwithstanding that this may require a reasonable departure from normal standards.
- An independent Stage 2 Road Safety Audit (taking account of the Stage 1 Road Safety Audit and designers response) carried out in accordance with Departmental Standards and Advice Notes.

Thereafter the scheme shall be implemented in accordance with the approved details.

REASON: To ensure compliance with Department for Transport road design standards and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

#### OUTLINE APPLICATION

Site B – Outline Planning permission relating to “Outline proposals for up to 4.2ha of employment land comprising Business, General Industrial and Storage and Distribution uses (Use Class B1, B2 and/or B8) (with all matters reserved except for access).”

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

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

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

(B) The development hereby permitted shall be begun 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.

- Site B 3. Prior to the erection of any individual building or individual phase hereby approved samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 and ENV2 of the Uttlesford Local Plan (adopted 2005).

- Site B 4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- Site B  
5. The landscaping bund shall be implemented in accordance and as specified in the EDP Soft Landscape Design Drawings EDP4353/08.

REASON: In the interests of the appearance of the site and area in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- Site B  
6. Prior to the development of any individual building or individual phase hereby approved a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment(s) shall be completed before the use hereby permitted individual building or individual phase is commenced. Development shall thereafter be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the site and area in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- Site B  
7. If within a period of 5 years from the date of planting the tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent to any variation.

REASON: To ensure the suitable provision of landscaping within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- Site B  
8. All ecological measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (The Ecology Partnership, September 2017) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: To ensure all protected and priority species constraints are dealt with in a lawful manner, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework

- Site B  
9. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- Risk assessment of potentially damaging construction activities.
- Identification of "biodiversity protection zones".
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.
- Responsible persons and lines of communication.

- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

NOTE See BS 42020:2013, Clause 10, for a comprehensive list of issues and activities that may be considered and included within a CEMP.

REASON: In the interests of protecting biodiversity, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework

- Site B  
10. A landscape and ecological management plan (LEMP)/ Habitat or Biodiversity Management Plan shall be submitted to, and be approved in writing by, the Local Planning Authority prior to occupation of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON: In the interests of conserving and enhancing biodiversity, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework and to ensure some form of covenant is in place to ensure that the management body that takes on long-term responsibility for implementation of the LEMP (management of the ecological areas) is to do so in strict accordance with the details contained therein.

- Site B  
11. Surface water draining from areas of hardstanding shall be passed through an oil separator or series of oil separators, prior to being discharged into any watercourse, soakaway or surface water sewer. The separator(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water or vehicle washdowns and detergents shall not pass through the separator(s) and should be drained instead to foul sewer or sealed system.

REASON: To reduce the risk of pollution to the water environment in accordance

with Local Plan Policy ENV12 and ENV14 (adopted 2005).

Site B  
12. a) No development or preliminary groundworks can commence until a desk based assessment and programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

b) A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the Local Planning Authority following the completion of this work.

c) No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the Local Planning Authority, in consultation with ECC Archaeology.

d) A post-excavation assessment shall be submitted to and approved in writing by the Local Planning Authority within three months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority. This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

The development shall thereafter be carried out in accordance with the approved details.

REASON: The Historic Environment Record identifies the development site to be located in an area of extensive known archaeological deposits. The planning application contains a heritage assessment of the listed buildings but fails to assess any of the known heritage assets that relate to below ground archaeological deposits. This is disappointing considering the extensive deposits known to exist in the area. Immediately to the north of the site lies the main Roan Road (EHER 4698) from Colchester to Braughing which is known to have a wide range of Roman and later occupation along it. Immediately to the north of the site during the construction of the A120 a large late Iron Age and Roman settlement was excavated (EHER 19455). Bronze Age occupation has also been recorded in the immediate area, again during excavations on the A120 (EHER 45260)

The first phase of archaeological work will comprise a programme of desk based assessment followed by trial trenching across the site. An archaeological brief defining the work can be provided from this office. It should be expected that the initial trial trenching will lead onto open area excavation before any development commences. This is in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

Site B  
13. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:

- Infiltration testing and groundwater testing in line with BRE 365. If infiltration is demonstrated not to be feasible, run-off rates should be restricted back to the 1 in 1 greenfield rate calculated from the area draining to the surface water drainage network for all events up to and including the 1 in 100 year rate plus allowance for

climate change.

- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus climate change event. Details of half drain times should also be provided.
- Final modelling and calculations for all areas of the drainage system. If any flooding is shown in the modelling, it should be clearly shown how this will be managed. If any surcharging is expected at the outfalls, this should be included in any modelling and calculations.
- The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented in accordance with the approved details prior to occupation.

REASON:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

In accordance with policy GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site B  
14. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall subsequently be implemented as approved.

REASON: The National Planning Policy Framework paragraph 103 and paragraph 109 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

In accordance with policy GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site B  
15. No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site. In accordance with policy GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site B  
16. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk. In accordance with policy GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site B  
17. No individual building or individual phase hereby approved shall be occupied until a Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. Such a management plan shall:

- identify measures to control noise emanating from the proposed operation;
- establish acceptable noise levels for the use of plant, machinery or equipment serving the proposed operation; and
- consider the amenity of nearby dwellings, following the recommendations identified in the Cass Allen report (Ref: RP01-17299) dated 8th September 2017.

Any identified measures shall be implemented in accordance with the approved plan at all times.

REASON: To protect the amenity of neighbouring residents, in accordance with policy GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF

- Site B  
18. Prior to the commencement of development a suitable lighting design scheme, including lux levels and impact assessment for the mixed employment site devised to eliminate any detrimental effect caused by obtrusive light from the development on neighbouring land uses shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be prepared by a suitably qualified lighting engineer in accordance with relevant publications and standards. Only the details thereby approved shall be implemented.

REASON: To protect the amenity of neighbouring residents, in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.



Site B  
19. Prior to the commencement of any individual building or individual phase hereby approved, hours of operation shall be agreed in writing with the Local Planning Authority for that individual building or phase.

REASON: To protect the amenity of neighbouring residents, in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

Site B  
20. Prior to the commencement of any individual building or individual phase hereby approved, including any ground works or demolition, a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- The construction programme and phasing
- Hours of operation, delivery and storage of plant and materials used in constructing the development
- Parking of site operatives and visitors and loading arrangements of plant and materials
- Details of hoarding
- Management of traffic to reduce congestion
- Control of dust and dirt on the public highway
- Details of consultation and complaint management with local businesses and neighbours
- Waste management proposals
- Mechanisms to deal with environmental impacts such as noise, air quality, light and odour.
- wheel and underbody washing facilities

The development shall thereafter be implemented in accordance with the approved details.

REASON: In the interests of highway safety and the control of environmental impacts, in accordance with policy GEN2, GEN1, GEN8, ENV13, ENV14 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF. Also, to ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM1 of the Highway Authority's Development Management Policies February 2011.

Site B  
21. No outdoor storage of any materials, goods, equipment, plant or machinery of any description on any part of the site except in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority for any individual building or individual phase hereby approved.

REASON: To prevent harm to the character and amenity of the area, in accordance with Policy S7, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

Site B  
22. No processes shall be carried out or power tools, equipment, machinery or plant of any kind shall be used at any time except in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority for any individual building or individual phase hereby approved.

REASON: To protect the amenities of the occupiers of adjoining properties, in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005)

and the NPPF.

- Site B  
23. Prior to first occupation site B (the employment site), the access on to the B1256 and associated visibility splays (4.5m by 215m in both directions) and pedestrian island crossing as shown in principle in drawing number 70032151-WSP-00-ZZ-DR-CE-005-P4 Rev P04 along with a 3m wide shared cycleway/footway to the east of the access into the site (in the place of proposed footway currently shown on the drawing) shall be provided and thereafter be maintained in perpetuity thereafter.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and cyclists and pedestrians have access to the site from the existing shared footway/cycleway to the north of the B1256 in accordance with Policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN2 and GEN1 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site B  
24. There shall be no vehicular access across the Flitch way associated with the development.

REASON: To prevent harm to the character and amenity of the area, in accordance with Policy S7, GEN2, GEN7 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- Site B  
25. Prior first occupation of Site B the provision of two bus stops on the B1256 as shown in principle on drawing 70032151-WSP-00-ZZ-DR-CE-005-P4 Rev P04, which shall comprise (but not be limited to) the following facilities: shelters; seating; raised kerbs; bus stop markings; flags timetable casings and footway from the proposed access shall be provided in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority in consultation with ECC Highways Authority prior to the commencement of development. Thereafter the bus stops shall be implemented in accordance with the approved details.

REASON: To provide convenient access to bus services in accordance with DM7 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- Site B  
26. The parking provision on Site B shall be in accordance with those standards set down within Essex County Council's Parking Standards Design and Good Practice, September 2009 and Uttlesford Local Residential Parking Standards February 2013.

REASON: To ensure that appropriate parking is provided in the interests of highway safety and efficiency in accordance with policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 *and in accordance with Policy GEN8 of the Uttlesford Local Plan (adopted 2005).*

- Site B  
27. Prior to commencement of the development, details of the proposed pedestrian/cycle accesses on to the Flitch Way (as shown in principle on drawing 1376.4.04 v1) including any necessary gates/ barriers, associated work, and precise location, shall be submitted to and agreed in writing with the Local Planning authority, in consultation with the Highway Authority. Thereafter, the development shall be implemented in accordance with the approved details before first occupation.

REASON: To increase the accessibility of the site for pedestrian and cyclists in

accordance with policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

- Site A  
28. No development pursuant to this permission is to be brought into beneficial use unless and until a scheme of improvements consistent with those illustrated on WSP Drawing 70032151 WSP 00-ZZ-DR-CE-008\_P3 Rev P3, dated 13th February 2018 have been completed and brought into use, in agreement with details to be submitted to and approved in writing by the Local Planning Authority, in consultation with Highways England, prior to the commencement of development.

REASON: To ensure that the strategic road network can continue to operate as part of the national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 and to satisfy the reasonable requirements of safety for traffic on the strategic road network, and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- Site A  
29. Within 12 months of the grant of permission, a Scheme with details including drawings and documents shall be submitted to and approved in writing by the by the Local Planning Authority, in consultation with Highways England, showing the following:-

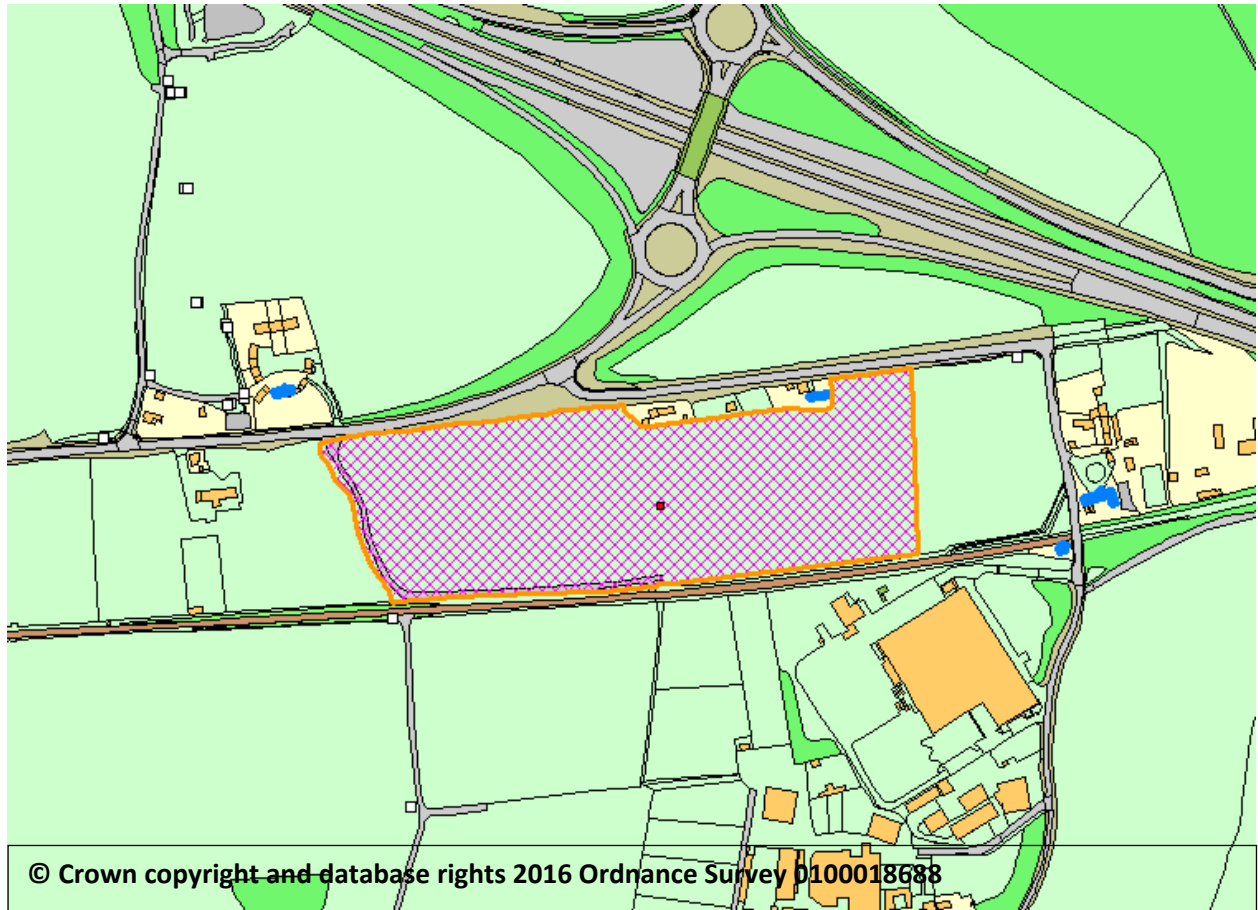
- How the scheme interfaces with the existing highway alignment and carriageway markings, including lane destination markings.
- Full construction details relating to the highway improvement. This should include any modifications to existing structures or proposed structures with supporting analysis.
- Full signing, lighting and drainage details and details of any modifications to road restraint systems.
- Confirmation of full compliance with Departmental Standards (DMRB) and policies or approved relaxations and/or departures from standards.
- Evidence that the scheme is deliverable within land in the control of either the Highway Authorities or the applicant notwithstanding that this may require a reasonable departure from normal standards.
- An independent Stage 2 Road Safety Audit (taking account of the Stage 1 Road Safety Audit and designers response) carried out in accordance with Departmental Standards and Advice Notes.

Thereafter the scheme shall be implemented in accordance with the approved details.

REASON: To ensure compliance with Department for Transport road design standards and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

Application: UTT/17/2607/OP

Address: Land To The South of B1256 Little Canfield



Organisation: Uttlesford District Council

Department: Planning

Date: 24 May 2018

## UTT/17/3751/OP – (UGLEY)

(Major)

**PROPOSAL:** Hybrid application - full planning permission for the erection of a new residential autism facility comprising of 8 no. 1 bedroom flats, staff accommodation, parking and associated works on land at "The Orchard" including part demolition of the northern boundary wall to create access. Outline application with all matters reserved except for access for up to 3 no. dwelling houses on "Land west of Pound Lane"

**LOCATION:** HFT Bradley Resource Centre Pound Lane Ugley

**APPLICANT:** Home Farm Trust

**AGENT:** ADP Architecture Limited

**EXPIRY DATE:** 1 May 2018 (Extension of Time)

**CASE OFFICER:** Maria Shoesmith

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### 1. NOTATION

- 1.1 Outside Development Limits, Aerodrome safeguarding zone, 2km of SSSI, Sand & Gravel, Curtilage Listed Wall.

### 2. DESCRIPTION OF SITE

- 2.1 The application site is located 0.8m from Stansted, and 5m to the M11 London-Cambridge corridor. There are bus services that run along the Cambridge Road (B1383) and Pound Lane. With railway stations Elsenham 1.3 miles and Stansted 1.6 miles away.
- 2.2 The application site consists of an area of 1.23ha located southwest off Pound Lane in Ugley. The site currently forms part of the HFT Bradley Resource Centre which is a registered charity and facility to support people with learning disabilities and autism.
- 2.3 The campus at present provides various care and support including residential accommodation, supported living, residential and day support, all with the handful of buildings on site.
- 2.4 The application site is two parcels of land within the campus site which is grassland and enclosed by landscaping along the boundaries. These are both relatively flat.
- 2.5 The parcel of land to the north is bounded by landscaping, wooden fencing and Pound Lane which winds along its northern and eastern boundaries. This is adjacent to overflow parking area.
- 2.6 The parcel of land to the south is located to the other side of the sites access road, and a listed brick garden wall which is related to the original Orford Hall, which is now in separate ownership.

- 2.7 Orford Hall, Shingay House and Admiralty House are the nearest listed buildings and residential properties to the Resource Centre to the west fronting onto Cambridge Road (B1383), with Barfleur further north (26m from corner of redline) and the cottages to the east on Pound Lane (60m from corner of redline). These are all located at a distance from the application site.
- 2.8 The area is characterised by clusters of buildings, of which the application site forms part of and linear built form along Cambridge Road. To the north and south of the application site are open fields, with Halls Quarry/landfill located to the north.
- 2.9 West of the southern parcel of land is a garden centre which is operated by the Resource Centre. Plants are grown by people supported by HFT to sell to the local community and visitors. Dove Cottage and Peartree Cottage currently provides accommodation and support for people with higher support requirements including support for people with dementia, and those with complex communication and behavioural needs.

### **3. PROPOSAL**

- 3.1 The planning application is a hybrid application, which splits the scheme into two developments; the required autism facility forming part of the full application and; the enabling development for three dwellings which is an outline application with all matters reserved except for access.
- 3.2 Full planning permission is sought for the construction of a new facility which would provide new and additional autism residential facilities. The proposed facility would be located to the south of the access road and would provide a single storey building which consists of 8 x 1 bedroom flats with individual garden area and communal secure garden. It will also have a multi-use space, staff welfare office, training room, plant room and stores. These will all be internally linked by a circular corridor. The facility will be built to lifetime homes standards.
- 3.3 This will all be housed by a single storey building ranging 3.52m to 6.6m in height. The proposed building would cover an area of 1,106m<sup>2</sup>. Total parcel covers an area of 0.52ha. This would be constructed from black timber rain screen, zinc roof seam, dark grey roof cladding to roof lights, and dark grey frames to windows and doors. The roof would consist of Sedum green roof and there would be PV panels.
- 3.4 Nine car parking spaces are provided and one disabled parking space. These measure at 2.4m x 4.8m with the disabled parking bay being 3m x 4.8.
- 3.5 Externally other than the proposed parking, an area for cycling bays is proposed together with an allotment, a mini orchard, wildlife area and landscaped garden to the front.
- 3.6 In terms of boundary treatment a new 1.8m high fence along the entrance to the site, around the private garden areas, the orchard and allotments. A new entrance gate is also proposed. A number of trees within the site are proposed to be removed, including two large mature trees, to allow for the proposed development. New hedgerow planting and fencing is proposed along the perimeter of the site. New native trees are proposed to replace those that would be required to be removed.
- 3.7 Access for the facility is proposed to be taken through an existing brick wall to allow for a 13.9m vehicular entrance which will also allow for visibility, pedestrian access

and approximately 9.5m to allow vehicles to leave the internal main access road into the site without causing obstruction. A separate Listed Building Consent application has also been submitted parallel to the planning application to assess the implications of creating a new access through the listed brick wall.

- 3.8 Access to both the schemes will be taken from the existing access into the main site, off Pound Lane.
- 3.9 It is proposed that the facility would create 5 jobs.
- 3.10 The outline element of the application is for 3 dwellings with all matters reserved except access. These are proposed to enable the development which will be delivered through funding. This parcel of land covers an area of 0.72ha.

#### **4. ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 Town and Country Planning (Environmental Assessment):  
The proposal constitutes a 'Schedule 2' development that is one which falls within Schedule 2 of the above Regulations. (Class 10(a) industrial estate development project where the development exceeds 0.5 hectare) thereby the proposed development would be required to be screened. The application has been screened whereby it has been concluded that an EIA is not required.

And

Human Rights Act considerations:

There may be implications under Article 1 and Article 8 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

#### **5. APPLICANT'S CASE**

- 5.1 The application includes the following documents;
- Planning Supporting Statement
  - Design, Access And Heritage Statement
  - Arboricultural Impact Assessment
  - Arboricultural Method Statement
  - Archaeological Desk-Based Assessment
  - Pre-Application Public Consultation
  - Drainage Strategy
  - Flood Risk Assessment
  - Preliminary Ecological Appraisal
  - Part L Compliance Report
  - Topographical Survey
  - Suds Checklist
  - Biodiversity Checklist
  - Drainage Layout
  - Tree Protection Plan
  - Tree Protection Plan
  - Location Plan
  - Existing Site Plan
  - Proposed Site Plan

- Planning Application Boundaries
- Sectional Perspectives
- Proposed Ground Floor Plan
- Proposed Roof Plan
- Proposed North And South Elevations
- Proposed East And West Elevations
- Access And Security Strategy
- Proposed Landscape Plan
- Proposed Site Plan - Residential Unit
- Listed Wall - Plans And Elevations

5.2 *“HFT, founded in 1962, has become one of the largest and longest established charities supporting around 2,500 adults nationwide with learning disabilities. The charity, regulated by the Care Quality Commission (CQC), is registered to provide personal care and accommodation for persons who require personal care. The variety of ways in which HFT provides care and support to those with autism, learning disabilities and other profound and complex needs is summarised below:*

■ **Supported Living:** *HFT often helps those moving from residential care or family homes into their own place or a shared house with friends. HFT then provides tailored support to the individual’s needs, which could be around the clock or for selected tasks. HFT assists in finding accommodation suited to the person’s individual needs via Housing Associations and private landlords.*

■ **Domiciliary Care:** *This provision is to provide extra support to individuals to live independently in their own homes. HFT’s Domiciliary Care services are registered with the Care Quality Commission (CQC), who regulates care activities in England.*

■ **Residential:** *These are residential care homes, adapted to meet the requirements of the individuals living there. Where appropriate, many residents living in HFT’s care homes use specialist equipment and personalised technology to help them live as independently as possible.*

■ **Day Opportunities/Service Centres:** *Staff supports people finding hobbies they enjoy, while helping them build their independence, in accordance with the objectives of the Care Act and the Transforming Care Agenda.*

■ **Short Breaks and Respite Care:** *This could be a stay in one of the local service centres on a mini break, or domiciliary care so that families can take a short break for themselves.*

■ **Housing:** *In order to manage supported living tenancies, and to act as a management agency for third party landlords, HFT has its own dedicated housing department.*

■ **Transition:** *HFT supports young people with learning difficulties make the transition from children’s support services to adult social care services.*

■ **Support with Finances:** *HFT ensures that the people they support receive Department for Work and Pensions benefits, and any other benefits that they are entitled to, by offering an ‘Appointeeship’ service.*

■ **Family Carer Support Service:** *HFT provides a free Family Carer Support Service for relatives and friends that support someone who has a learning disability.*

■ **Personalised Technology:** *HFT is a market leader in the use of Personalised or Assistive Technology, which supports people with learning difficulties to increase safety, privacy and independence.”*



5.3 The Ugley Campus specialises in providing support for people with autism, Prader Willi Syndrome, complex needs and challenging behaviour.

5.4 The supporting information submitted states;

*"This type of facility will be the first offered by HFT. It is planned to repeat the offer elsewhere at other HFT facilities.*

*HFT already has 4 referrals from Essex CC for people who would benefit from living in the proposed residential autism facility.*

*The Service will provide and identify sensory presentations of individuals with ASD. This will lead to developing an understanding, and implementing strategies to support individual sensory presentations, within an integrated sensory environment. The property will have the flexibility to address the needs of both Hypo, and Hyper sensitivity to a significant range of sensory requirements. Through environmental adjustments and specific high quality training, the team will enable individuals to develop coping strategies, enabling increased independence. It is then envisaged that over time, individuals can move on to more independent living, with less support.*

*The majority of individuals that will benefit from this facility would otherwise be residing in hospital, where the management of the transition between an institutional environment to living relatively independently in the community is limited. It is thought that this will be the first facility of its kind in the country."*

5.5 The design of the scheme responds to the identified needs of young people living with autism. A tranquil environment is proposed so carers can engage with residents.

5.6 The building has been designed to benefit from as much north facing natural light as possible. The allotments and garden areas proposed will help with social interaction between residents. Opaque glazing is proposed around the internal courtyard area for the privacy of residents.

5.7 Materials chosen are in keeping with the rural setting and local vernacular. The use of black stained larch and glazing externally and internally, around the courtyard area white render, unstained larch and glazing will be used.

#### **Statement of Community Engagement**

5.5 A Statement of Community Involvement has been submitted as part of the application submission. This states that a consultation was carried out with Local Commissioners (clinically led statutory NHS body responsible for planning and commissioning health care services in the local area). As a result this resulted in the rear access for the individual apartments and an external sensory garden to be included as part of the scheme.

5.6 A presentation to Committee Members was undertaken to explain the scheme and for Members to ask any questions.

5.7 A Public Consultation open day was undertaken Tuesday 14<sup>th</sup> November 2017, 10am-3.30pm. Leaflets were distributed locally and an advert was published within the Saffron Walden Local. 23 people were stated to have attended which included

members of the Parish Council, local commissioners, Paul Miller Estate Agents, Saunders Auctioneers, local social workers, also both existing and prospective future family members of people/residents of the centre.

## **6. RELEVANT SITE HISTORY**

- 6.1 There is no relevant history relating to the application site however the most relevant is the following;

UTT/1393/04/FUL – Erection of two-storey building to provide residential care.  
Erection of day centre with parking and alterations to access (Bradbury Resource Centre, Pound Lane) – Granted 10.05.2006

UTT/18/0051/LB – Part demolition of northern boundary wall to create access – currently under determination jointly as part of this application.

## **7. POLICIES**

### **National Policies**

- 7.1 National Planning Policy Framework

### **Uttlesford Local Plan (2005)**

- 7.2 Policy S7 – Countryside  
Policy GEN1 – Access  
Policy GEN2 – Design  
Policy GEN3 – Flood Protection  
Policy GEN4 – Good Neighbourliness  
Policy GEN5 – Light Pollution  
Policy GEN6 – Infrastructure Provision to Support Development  
Policy GEN7 – Nature Conservation  
Policy GEN8 – Vehicle Parking Standards  
Policy ENV2 – Development Affecting Listed Buildings  
Policy ENV3 – Open Spaces and Trees  
Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance.  
Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation  
Policy ENV12 – Protection of Water Resources  
Policy ENV14 – Contamination

### **Supplementary Planning Documents/Guidance:**

- 7.3 ECC Parking Standards (2009)

## **8. PARISH COUNCIL COMMENTS**

- 8.1 Ugley Parish Council would like to make the following objections to the above planning application.

On the 'Pre-application Public Consultation' statement, it states that members of Ugley Parish Council had attended; this is not correct, no members of the Parish Council were present at the meeting and have never been consulted on this application.

Ugley Parish Council considers that this is over development of this site.

Ugley is a very rural village with many listed buildings; the proposed design of the building is not in keeping with the area. It does not respect the local character and history of the village

Ugley Parish Council does not consider that Highways have addressed all the issues related to this application. This site borders a busy narrow lane; there is no pedestrian footpath, thus residents exiting the site on foot, will be required to walk on the road.

The Parish Council is also appalled at the intention to knock down part of the northern boundary listed wall to create an access.

## **9. CONSULTATIONS**

### **ESP Utilities**

- 9.1 I can confirm that ESP Utilities Group Ltd has no gas or electric apparatus in the vicinity of this site address and will not be affected by your proposed works. ESP is continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

### **UK Power Networks**

- 9.2 Should your excavation affect our Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), please contact us to obtain a copy of the primary route drawings and associated cross sections.

### **Affinity Water**

- 9.3 You should be aware that the proposed development site is located close to or within an Environment Agency defined groundwater Source Protection Zone (GPZ). This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the sites then the appropriate monitoring and remediation methods will need to be undertaken.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction – guidance for consultants and contractors".

### **Aerodrome**

- 9.4 No safeguarding objection.

### **NATS**

- 9.5 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

### **Crime Prevention Officer**

- 9.6 Unfortunately we are unable to read the Design and Access Statement on this application, we would hope that it contains reference to UDC Local Plan Policy GEN2 - Design (d) which states "It helps reduce the potential for crime". We would welcome the opportunity to assist the developer in compliance with the above and to seek to achieve a Secured by Design award in respect of this proposed development. From experience pre-planning consultation is always preferable in order that security, environmental, and lighting considerations for the benefit of the intended residents and those neighbouring the development are agreed prior to a planning application. A Secured by Design award would also provide evidence of Approved Document "Q" compliance.

### **ECC Infrastructure Planning**

- 9.7 As the proposed development is less than 20 dwellings and is below employment thresholds no education contribution is requested.

### **ECC Archaeological**

- 9.8 No objection subject to condition on trial trenching followed by open area excavation.

### **ECC Ecology**

- 9.9 No objection subject to conditions to secure ecological mitigation and enhancement measures

The proposals are limited in scale/scope and according to the Preliminary Ecological Appraisal (EECOS, Sept 2016) are unlikely to impact designated sites, protected/priority species or priority habitats.

The OPDM Circular 06/05 is clear that further surveys are only required if there is a reasonable likelihood of biodiversity being impacted. Given the low ecological value of the site, further surveys are not required.

### **ECC Highway**

- 9.10 The proposal is accessed from a private road, which leads to Pound Lane. The impact on the network has been assessed and will be minimal. Although the visibility is limited from the access by the existing wall, the speeds will be low due to the nature of the private road and the proposed traffic calming; in addition the number of vehicles will be low. Although the site is in a rural area there is access to

local bus services and parking provision is adequate. A pedestrian/cycle link through the site has been recommended to improve accessibility.

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

### **ECC SUD**

- 9.11 Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission.

### **Environmental Health**

- 9.12 This proposal comprises the development of presently undeveloped land (save for a small car parking area) and the erection of a new residential autism facility with 8 no. 1 bedroom flats & staff accommodation plus the construction of 3 no. dwelling houses on land to the north of the residential facility. The applicants are HFT Bradley Resource Centre who already operates a centre adjacent to the proposed development site. There is also a garden centre located adjacent to west of the proposed residential facility development site.

In principle, I can see no reason to object to the application subject to the following condition being imposed in order to help protect the health of future residential occupiers.

### **Land Contamination:**

The development proposes to introduce sensitive receptors onto a presently undeveloped site with an unknown history. There is a garden centre located to the west of the site, a small grassed car park area to the north of the residential facility site (south of the proposed market housing site) and an existing septic tank located to the west of the market housing development site. As the proposed future use of the site will involve residential occupancy with gardens, and with a communal allotment garden and mini orchard, it is essential to ensure that any contamination risks that may be present on site are identified, assessed and where necessary suitably remediated to protect the health of future occupiers.

With these matters in mind, I would recommend (that the following) condition is imposed on any consent granted for the development of both the residential autism facility and market housing sites.

### **Landscaping Officer**

- 9.13 The illustrative layout shows the felling of 31 trees (1 oak, 2 field maple, 1 apple, 1 beech, 1 lime, 23 Norway spruce, and 2 yews). Only two of the trees proposed to be felled are considered to be significant and these are a pollard lime and a copper beech tree (T26 and T27 as show on the arboricultural survey). The beech tree is a well-formed mature specimen and is required to be removed to accommodate the illustrated facility building. Whilst this tree is a fine specimen it does not make a significant contribution to the wider landscape. The lime tree proposed to be felled is a mature specimen which has been maintained as a pollard. This tree is shown to be removed because of its close proximity to the proposed access road. This tree does have some areas of decay in its main stem. Whilst this is a fine tree it has limited importance in the wider landscape.

Any approval should be subject to conditions requiring protective measures for trees to be retained, and a fully detailed scheme of landscaping.

### **Conservation Officer**

- 9.14 The wall subject of this application is listed by the virtue of the curtilage with Orford Hall, grade II\* listed building. The proposal is for demolition of part of northern boundary wall to create access to HFT Bradley Resource Centre which is an independent use of the site. I consider that as the proposed opening would not be along the principle elevation of the heritage asset its setting would not be unduly diminished. Consequently I suggest approval subject to the following condition.

- The exposed edges of the wall as well as any coping to be made good to match existing.
- Design of any necessary gates to be approved.

## **10. REPRESENTATIONS**

The planning application has been advertised on site and in the local press. Neighbouring occupiers have also been notified of the application of which 1 letter was received raising the following points;

- No objection to proposed facility.
- Insufficient information regarding 3 dwellings and will wait until reserved matters are applied for.

## **11. APPRAISAL**

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

- A Principle;
- B Design & Amenity;
- C Archaeology & Impact upon Listed Buildings/Structures
- D Landscaping and Ecology;
- E Highways;
- F Drainage
- G Infrastructure
- H Other issues;

### **A Whether the principle is acceptable;**

- 11.1 The proposed development would lie within the Countryside whereby Local Plan Policy S7 states that the countryside would be protected for its own sake, there would be strict control over new buildings. Development will only be permitted if its appearance protects or enhances the particular character of this part of the countryside in which it is set or there are special reasons as to whether the development in its form needs to be there.
- 11.2 In terms of the whether the Local Plan Policies are compliant with the NPPF a Compatibility Assessment has been undertaken, in July 2012 by Ann Skippers, to assess this. This was adopted by Cabinet for Development Management Purposes September 2012.
- 11.3 This stated that Local Plan Policy S7 is partly compliant with the NPPF in that "*The protection and enhancement of natural environment is an important part of the*

*environmental dimension of sustainable development, but the NPPF takes a positive approach, rather than a protective one, to appropriate development in rural areas. The policy strictly controls new building whereas the NPPF supports well designed new buildings to support sustainable growth and expansion of all types of business and enterprise in rural areas.”*

- 11.4 In terms of the three sustainability strands identified by the NPPF, Paragraph 6 of the NPPF sets out that the purpose of the planning system is to contribute towards the achievement of sustainable development. Paragraph 7 of the NPPF defines sustainable development as comprising of the following three mutually dependant dimensions:
- Economic role - contributing to building a strong responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation, and by identifying and coordinating development requirements, including the provision of infrastructure;
  - Social role - Supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of the present and future generations, and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural wellbeing, and
  - Environmental role - contributing to protecting and enhancing our natural, built and historic environment, and, as part of this, helping to improve biodiversity, use natural resources prudently minimise waste and pollution, and mitigate and adapt to climate change including moving to low carbon economy.

It is explained that these three strands need to be looked at collectively and not in isolation as they are mutually dependent upon each other.

- 11.5 As a result we would need to assess whether the development is appropriate in this location. The proposed autism facility would provide an exemplar facility, the first of its kind in the County, and the Country. The facility would provide an extension of the existing resource centre and a bespoke facility to meet the needs of residents. There is stated to be a current waiting list within the County to be able to use and access such a facility.
- 11.6 The erection of new autism residential facilities and residential dwellings at the Site would provide a natural extension and increased diversity to the existing extra care accommodation at the Site. The NPPF facilitates natural growth of businesses/ facilities located in rural areas. The scheme would create additional 5 new jobs, and would also create temporary jobs during the construction of the developments. Due to this and the nature of the facility the development would meet the economic and social dimension of the three sustainability strands. The environmental aspect will be discussed in details below.
- 11.7 The need for the proposed market housing in this location has been identified that it would be an enabling development which would cross fund the facility proposed. Without the market housing element a proportion of the funding would not be able to be met. Due to the locality of the proposed market housing where normally it would not necessarily be supported in the countryside a viability report has been submitted as part of the application.
- 11.8 The viability report outlines that HFT is a registered charity supporting people with learning disabilities. The open market executive housing (the outline element) will

assist HFT in 'cross-funding' the construction costs of the proposed residential autism facility. The charity's sale of the land for up to three dwellings will not however cover the whole cost of the autism facility. The purpose of the Viability Appraisal is to justify the type and level of proposed market housing. Build costs have been provided for three options for the new facility. The total build cost was looked at together with the professional fees incurred and the predicted sales of the market dwellings based on local market sales. The report highlights that from research there is a demand for up to 3 large dwellings in the area. However, the market dwellings would not fully meet the funding required to develop the facility the large gap would need to be met through charitable fundraising, and the RLV (Residential Land Value) needs to be maximised (as far as possible) to ensure the impact on the charity's finances are minimised.

- 11.9 The Council's retained viability consultant (KCL) has been consulted to independently review the submitted viability report. As a result he has stated that none of the residual land values calculated by JLL or KCL would cover the cost of developing out the residential autism facility. KCL can validate the JLL Development Viability Assessment in that it demonstrates that the capital receipt generated from selling the land west of Pound Lane would assist in going some way in covering some of the cost of the new facility. The viability report validates the requirement of the 3 market dwellings to support the autism facility.
- 11.10 Nonetheless, it is recognised in Section 2.1 that the application site is within close proximity of bus services along the Cambridge Road (B1383) and Pound Lane. It is also located 0.8m from Stansted, and 5m to the M11 London-Cambridge corridor. With railway stations Elsenham 1.3 miles and Stansted 1.6 miles away. There is a village hall in close proximity on Cambridge Road. The application site is considered to be relatively sustainable and therefore the market housing and the development as a whole is in accordance with Policy S7 and the NPPF.

## **B Design & Amenity**

- 11.11 Local Plan Policy GEN2 states that *"Development will not be permitted unless its design meets all the following criteria and has regard to adopted Supplementary Design Guidance and Supplementary Planning Documents.*
- a) It is compatible with the scale, form, layout, appearance and materials of surrounding buildings;*
  - b) It safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate;*
  - c) It provides an environment, which meets the reasonable needs of all potential users.*
  - d) It helps to reduce the potential for crime;*
  - e) It helps to minimise water and energy consumption;*
  - f) It has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan.*
  - g) It helps to reduce waste production and encourages recycling and reuse.*
  - h) It minimises the environmental impact on neighbouring properties by appropriate mitigating measures.*
  - i) It would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing"*
- 11.12 The design of the proposed autism units has been specifically design to take account of the needs of the future residents. The needs and reasoning behind the



design of the scheme has been outlined above in Section 5. The scheme has been design following consultation with medical and qualified professionals in this field. The proposed development would provide the residents with the ability of independent living and supported living dependant on individual resident's needs. There would be private and communal space, training areas and sensory areas. Noisy activities have been located in one area of the proposed building.

- 11.13 The scheme has been design to provide a mixture of communal and quiet spaces. The provision of both stimulating and solitary spaces will ensure that the residents are no overwhelmed. The building layout has been designed so that residents can quickly exit and alter their environment. The unit is stated would be an exemplar scheme and one of the first to be provided.
- 11.14 The siting of the facility would be located within an isolated area of the site which is well screened along its boundaries, however will still read as part of the overall complex. The building's single storey nature, choice of materials, design and setback into the site would ensure that the development is not imposing or dominating within its surroundings. The development would be assimilated within the existing mature landscape.
- 11.15 Indicative plans have been provided of how the market housing could be laid out, parking, boundaries and an indication that these are likely to be larger 5 bedroom dwellings in order to provide the finial return required to part fund the autism facility. However, this is a reserved matter and for consideration at a later date should planning permission be granted.
- 11.16 All the accommodation will meet the minimum requirement of Building Regulations in terms of accessibility and adaptations under Part M Category 2. It has been stated within the submission that the dwellings would meet Lifetime homes standards and at least one of the units will be to category 3 wheelchair user's standards.
- 11.17 The supporting information highlights that the facility would be designed to be sustainable in design and materials used and to also reduce the level for energy that would be consumed in the form of lighting, ventilation, and low water use sanitary ware etc. Renewable energy in the form of solar panels is also proposed as part of the development. The facility has been designed to reduce carbon emissions by 10% or off set 10% of energy consumption through passive and active design measures. This is in accordance with Policy GEN2 of the Local Plan.
- 11.18 Policies GEN4 and GEN5 of the Local Plan seek to protect the amenity of neighbouring existing and future occupiers, together with the amenity of the locality and surrounding area. The NPPF states that high quality design and a good standard of amenity for all existing and future occupants of land and buildings should be secured. It also states *"In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment. Plans should allocate land with the least environmental or amenity value, where consistent with other policies in this Framework."*
- 11.19 Due to the location of the proposed facility there would be no to limited impact upon the amenity of the neighbouring properties outside of the boundaries of the resource centre.
- 11.20 In terms of the impact upon the residential and visual amenities of properties to the west of the application site as a result of the proposed market dwellings, the neighbouring properties that are listed are at a distance and minimal impact is

considered. However, this would be fully assessed at reserved matters stage should planning permission be granted.

- 11.21 No details of lighting have been provided as part of the application. Should planning permission be granted this aspect would be a condition.
- 11.22 The proposed development overall is considered to be in accordance with Local Plan Policies GEN2, GEN4 and GEN5.

### **C Archaeology & Impact upon Listed Buildings/Structures**

- 11.23 Due to the historic significance of the area an Archaeological Desk-Based Assessment has been submitted as part of the application. This identified that *“The assessment area lies within the estate of Orford House and the area has been considerably changed in recent times, with modern buildings and associated landscaping. There is medium potential for Late Iron Age - Roman archaeology in the area and low potential for medieval and post-medieval archaeology. Disturbance of the northern area is likely to have truncated any archaeological deposits and the presence of trees in the 19th - 20th century may have also caused some disturbance. There would be no impact on historic buildings outside the area. There would be a slight impact on the setting of the Listed dovecote, although this already lies within a modern development. There will be a change from rural grassland to residential; however the impact on the historic landscape character will be low.”*
- 11.24 ECC Archaeology has assessed this information and raise no objection to the development in this respect is in accordance with Policy ENV4 subject to conditions.
- 11.25 Local Plan Policy ENV2 states *“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 characteristics of a listed building will not be permitted. In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building and its architectural and historic characteristics and its setting”*
- 11.26 Paragraph 132 of the NPPF seeks the protection of designated Heritage assets. Paragraph 133 of the NPPF states *“Where the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply;*
- The nature the heritage asset prevents all reasonable uses of the site; and*
  - No viable use of the heritage asset itself can be found in the medium terms through appropriate marketing that will enable its conservation; and through appropriate marketing that will enable its conservation; and*
  - Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
  - The harm or loss is outweighed by the benefits of bringing the site back into use.”*

11.27 Paragraph 134 also states that *“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should*

*be weighed against the public benefits of the proposal, including securing its optimum viable use."*

- 11.28 A Heritage Assessment has been submitted as part of the application as a result of the proximity of the application site to Listed Buildings and the demolition of part of a curtilage listed wall to provide access to the proposed facility.
- 11.29 The wall forming part of the application originally was part of the Grade II\* Listed Orford House. The wall itself is not noted but is curtilage listed due to it being a pre1948 structure. As a result a listed building application has been submitted. The D & A statement outlines that 13.9m of the 110m length wall would be demolished in order to provide the facility would have a limited impact upon the integrity of the wall and its historic significance and the neighbouring listed buildings. The removal of 13.9m of the curtilage listed wall is considered to be significant, however in relation to the level of remaining wall and the developments public benefit outweighs the overall harm that is considered would result. This is in accordance with Paragraph 134 of the NPPF. Substantial harm to or total loss of significance of a designated heritage asset is not considered to occur, which is in accordance with paragraph 133 of the NPPF.
- 11.30 The proposed development would have some impact upon the historic setting of the landscape however due to the size, scale and design of the facility building it is considered the proposed building has been sensitively designed to respect its surroundings, particularly through the use of its materials. In terms of the market dwellings this would be assessed at reserved matters stage should planning permission be granted.
- 11.31 The Conservation Officer has been consulted of the application and has stated that the proposed opening would not be along the principle elevation of the heritage asset and therefore its setting would not be unduly diminished. As a result no objection has been raised and recommended approval subject to conditions.
- 11.32 In so far as the information submitted for consideration the proposed development accords with Policy GEN2 of the Local Plan. In consideration of the Heritage Statement and the Conservation Officers comments the proposed development and works is therefore considered to be in accordance with Local Plan Policy ENV2 and the NPPF, subject to conditions should planning permission be granted.

## **D Landscaping and Ecology**

- 11.33 Policy GEN7 seeks to protect nature conservation and habitats that would support wildlife. This is reflected in Policy ENV8 which also states *"that development that affects landscape elements... will only be permitted if the following criteria apply: a) The need for the development outweighs the need to retain the elements for their importance to wild fauna and flora; b) Mitigation measures are provided that would compensate for the harm and reinstate the nature conservation value of the locality. Appropriate management of these elements will be encouraged through the use of conditions and planning obligations."*
- 11.34 Policy ENV3 states *"The loss of traditional open spaces, other visually important spaces, groups of trees and fine individual tree specimens through development proposals will not be permitted unless the need for the development outweighs their amenity value."*

- 11.35 Whilst there is some loss of landscaping in order to provide the development, the scheme would be assimilated into the wider landscaping on site. Two mature trees would be lost from the southern site, and three smaller trees and a group of less mature trees to the southeast corner. Four small trees would also be lost from the site to the north. An Arboricultural Assessment has been submitted as part of the application together with landscaping proposals, which show various new landscaped areas as part of the proposed development and additional planting around the perimeter and within the site. The Landscape Officer has been consulted of the application and has raised no objections to the development subject to conditions. The development is considered to comply with Local Plan Policies GEN7, ENV3, ENV8, and S7.
- 11.36 Policy GEN7 and ENV8 have been discussed above in terms of seeking to protect nature conservation. This outlines that development that would have a harmful effect on wildlife or geological features will not be permitted unless the need for the development outweighs the importance of the feature to nature conservation. Where the site includes protected species or habitats suitable for protected species, a nature conservation survey will be required. Measures to mitigate and/or compensate for the potential impacts of development, secured by planning obligation or condition, will be required. The enhancement of biodiversity through the creation of appropriate new habitats will be sought.
- 11.37 This is also reflected in Policy ENV7 which states *“Development proposals that adversely affect areas of nationally important nature conservation concern, such as Sites of Special Scientific Interest and National Nature Reserves, will not be permitted unless the need for the development outweighs the particular importance of the nature conservation value of site or reserve. Development proposals likely to affect local areas of nature conservation significance, such as County Wildlife sites, ancient woodlands, wildlife habitats, sites of ecological interest and Regionally Important Geological/ Geomorphological Sites, will not be permitted unless the need for the development outweighs the local significance of the site to the biodiversity of the District. Where development is permitted the authority will consider the use of conditions or planning obligations to ensure the protection and enhancement of the site’s conservation interest.”*
- 11.38 Ecological surveys have been submitted in support the application. This identified that there are five Local Wildlife Sites within one kilometre of the HFT Campus with the nearest being 500m from the site. The report goes onto state that there were no habitats of high ecological importance at the surveyed site and there are no significant impacts upon habitats associated with the proposed development or upon local designated nature conservation sites. It highlighted that there would be the loss of potential bat foraging habitat by way of trees and scrub etc. The impact upon nesting birds as well as Hedgehogs is also discussed in details together with a list of various mitigation measures and enhancements being proposed.
- 11.39 Lighting is stated would be designed to minimise pollution that would disturb wildlife. With the additional proposed planting insert hotels, bird and bat boxes would be provided to encourage wildlife.
- 11.40 In considering the supporting information submitted as part of the application, the proposed mitigation and enhancement measures proposed and the comments received, the proposed development is considered to accord with policy in this respect and minimal impact is considered upon ecology. No objections have been raised by ECC Ecology; subject to conditions should planning permission be granted. This is in accordance with Local Plan Policy GEN7 and ENV8.

## **E Highways**

- 11.41 Local plan policy GEN1 states “development will only be permitted if it meets all of the following criteria;
- a) Access to the main road network must be capable of carrying the traffic generated by the development safely.
  - b) The traffic generated by the development must be capable of being accommodated on the surrounding transport network.
  - c) The design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired.
  - d) It must be designed to meet the needs of people with disabilities if it is development to which the general public expects to have access.
  - e) The development encourages movement by means other than driving a car.”
- 11.42 Local Plan Policy GEN1 seeks sustainable modes of transport which is reflected within National Planning Policy Framework.
- 11.43 A Transport Statement has been submitted as part of the application.
- 11.44 The proposed development will be accessible to more sustainable modes of transport as discussed above. There is a regular bus service which operates within close proximity of the application site. There are footpaths which link the village to the neighbouring villages where there are more services. In consideration of the above the subject site is considered to be located within a generally sustainable location in accordance with Local Plan Policy GEN1 and in accordance with the golden thread of the NPPF.
- 11.45 The Transport Statement submitted emphasises the site’s location however also states that the majority of the users would arrive to the site by car. The development would accommodate 8 residents diagnosed with autism which will stay at the facility for two years. The development will be staffed by 3 and 5 people per shift, with the shifts covering 7am-10pm daily. Other visitors would be for the residents. Activities would be offered each week, together with traveling to medical appointments etc. The facility would have its own mini bus for group excursions. Other vehicle trips would be from staff, visitors, deliveries and servicing. Plus those associated with the proposed three market dwellings. Access would be primarily taken from the existing access on Pound Lane. Within the statement examples were looked at which were acknowledged to be larger than the development proposed, 14-49 dwellings however demonstrated that the trip rates generated by such development were as low as 13 vehicle movements daily during peak hours. The predicted vehicle movement for the proposed development as a whole would be 7 in and 8 out daily during the hours of 7am-7pm, having a minimal impact upon the highway network and no mitigation measures would be required as result.
- 11.46 In terms of parking, Policy GEN8 of the local plan seeks to secure parking provision based on the nature of uses. The most relevant parking standards which have been adopted for commercial uses are the Essex Parking Standards (2009). The Parking standards seeks the following;

**Parking Standards for Use Class C2:  
Residential Institutions**

Residential Care Homes, Hospitals, Nursing Homes, Boarding  
Schools, Residential College and Training Centres

**Standard:**

Use	Vehicle	Cycle	PTW	Disabled
Min/Max/ Advised	Maximum	Minimum	Minimum	Minimum
Residential care home	1 space per full time equivalent staff + 1 visitor space per 3 beds	1 space per 5 staff	1 space, + 1 per 20 car spaces (for 1st 100 car spaces), then 1 space per 30 car spaces (over 100 car spaces)	Dependent on actual development, on individual merit, although expected to be significantly higher than business or recreational development requirements
Hospital	To be considered on a case by case basis	1 space per 4 staff Visitors - to be considered on a case by case basis		
Treatment Centres (e.g. ISTC* with over night facilities)	To be considered on a case by case basis	1 space per 4 staff Visitors - to be considered on a case by case basis		
Residential Education Establishments – Primary/ Secondary	1 space per full time equivalent staff	1 space per 5 staff + 1 space per 3 Students		1 bay or 5% of total capacity, whichever is greater
Residential Education Establishments – Further/ Higher	1 space per full time equivalent staff + 1 space per 5 students	1 space per 5 staff + 1 space per 3 students		

\* Independent Sector Treatment Centre

- 11.47 Adequate parking provision is proposed as part of the application in accordance with the above table. The bay sizes indicated on the submitted plans do not accord with standard sizes however this can be conditioned as there is ample room on site should planning permission be granted.
- 11.48 The existing overspill parking would remain on site to the north with a more organised layout to allow for the market housing, therefore there would not be any displacement of parking.
- 11.49 ECC Highways have stated *“The proposal is accessed from a private road, which leads to Pound Lane. The impact on the network has been assessed and will be minimal. Although the visibility is limited from the access by the existing wall, the speeds will be low due to the nature of the private road and the proposed traffic calming; in addition the number of vehicles will be low. Although the site is in a rural area there is access to local bus services and parking provision is adequate. A pedestrian/ cycle link through the site has been recommended to improve accessibility. From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions.”*
- 11.50 As part of the application a length of the existing historic wall would be removed in order to improve visibility splays. No objections have been raised both by Conservation and by Highways as a result of this.
- 11.51 In considering the above, the proposed development is acceptable in terms of highways and it is also therefore in accordance with Policies GEN1, GEN2, and GEN8 of the adopted Local Plan (2005).

## **F Drainage**

- 11.52 Amongst other things Local Plan Policy GEN3 states *“...Outside flood risk areas development must not increase the risk of flooding through surface water run-off. A flood risk assessment will be required to demonstrate this. Sustainable Drainage Systems should also be considered as an appropriate flood mitigation measure in the first instance.”*

- 11.53 Due to the scale of the proposed development a Flood Risk Assessment and a Drainage Strategy has been submitted as part of the application. The Flood Risk Assessment has looked at both scheme options and the vulnerability of the various uses has been taken into account. The site falls within Flood Risk Zone 1 whereby there is low probability of flooding as a result of watercourses or the sea, less than 1 in 1000 annual probability. Due to the nature of the ground there is a low probability of flooding from ground water. As a result of the site's classification no sequential or exception test will be required. Also, no flood compensation measures will be required either.
- 11.54 Due to the location of the site and the proposed use of soak ways and permeable paving this would facilitate surface water runoff minimising the risk of flooding. The proposed green roof would also help with the attenuation of water. The Drainage Strategy states *"SuDS will be utilised on site in the form of cellular soakaway and permeable paving. There will be no discharged flow from the site therefore peak runoff will not exceed the current flow rates for the 1 in 1 year rainfall event and the 1 in 100 year rainfall event with an allowance for climate change. There is no additional discharged volume as the proposed impermeable areas will be drained into the cellular soakaway and permeable paving therefore it will not exceed the current volume for each storm. The system will be designed in accordance with CIRIA SuDS manual with no flooding in the 30 year event and no flood water leaving the site for the 100 year + 40% climate change critical storm event."*
- 11.55 ECC SUDs have been consulted of the application and the submitted FRA. As a result ECC SUDs raise no objections subject to conditions. The development is therefore considered to be in accordance with Policy GEN3 of the adopted Local Plan and the NPPF.

## **G Infrastructure**

- 11.56 Local Plan Policy GEN6 seeks that *"Development will not be permitted unless it makes provision at the appropriate time for community facilities, school capacity, public services, transport provision, drainage and other infrastructure that are made necessary by the proposed development. In localities where the cumulative impact of developments necessitates such provision, developers may be required to contribute to the costs of such provision by the relevant statutory authority."*
- 11.57 Due to the nature of the site no additional infrastructure or mitigation is required. However, a S106 Agreement would be required to secure that the market housing to come forward would support the autism facility in coming forward. The development therefore complies with Local Plan Policy GEN6.

## **H Other issues**

- 11.58 The proposed development would introduce sensitive uses such as garden and allotment areas. To ensure no risk to human health a condition has been recommended by Environmental Health in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).
- 11.59 The proposed development site is located close to or within an Environment Agency defined groundwater Source Protection Zone (GPZ). The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

## **12. CONCLUSION**

- 12.1 The proposed autism facility would provide an exemplar facility, the first of its kind in the County, and the Country. The facility would provide an extension of the existing resource centre and a bespoke facility to meet the needs of residents.
- 12.2 The scheme would create additional 5 new jobs, and would also create temporary jobs during the construction of the developments. Due to this and the nature of the facility the development would meet the economic and social dimension of the three sustainability strands.
- 12.3 The proposed market housing would be an enabling development which would cross fund the facility proposed. Without the market housing element a proportion of the funding would not be able to be met. This has been supported by a viability report which has been verified by an independent consultant.
- 12.4 The application site is considered to be relatively sustainable due to its location and therefore the market housing and the development as a whole is in accordance with Policy S7 and the NPPF.
- 12.5 The design of the proposed autism units has been specifically design to take account of the needs of the future residents. The needs and reasoning behind the design of the scheme has been outlined above in Sections 5 and Section 11 B.
- 12.6 Indicative plans have been provided of how the market housing is a reserved matter for a later date and the principle and access is only for determination within the outline element of the report.
- 12.7 The facility would be sustainably designed both in terms of materials and facilities to be provided.
- 12.8 Due to the location of the proposed facility there would be no to limited impact upon the amenity of the neighbouring properties outside of the boundaries of the resource centre.
- 12.9 In terms of the impact upon the residential and visual amenities of properties to the west of the application site as a result of the proposed market dwellings, the neighbouring properties that are listed are at a distance and minimal impact is considered. However, this would be fully assessed at reserved matters stage should planning permission be granted.
- 12.10 The proposed development overall is considered to accordance with Local Plan Policies GEN2, GEN4 and GEN5.
- 12.11 ECC Archaeology has assessed this information and raise no objection to the development in this respect is in accordance with Policy ENV4 subject to conditions.
- 12.12 The proposed development would have some impact upon the historic setting of the landscape however due to the size, scale and design of the facility building it is considered the proposed building has been sensitively designed to respect its surroundings, particularly through the use of its materials. In terms of the market dwellings this would be assessed at reserved matters stage should planning permission be granted.



- 12.13 The Conservation Officer has been consulted of the application and no objection has been raised and recommended approval subject to conditions.
- 12.14 The proposed development accords with Policy GEN2 and ENV2 of the Local Plan and the NPPF, subject to conditions should planning permission be granted.
- 12.15 In terms of Landscaping whilst there would be some loss of existing planting to be able to accommodate the proposed development this is considered to be acceptable with minimal impact resulting. The Landscape Officer has been consulted of the application and has raised no objections to the development subject to conditions. The development is considered to comply with Local Plan Policies GEN7, ENV3, ENV8, and S7.
- 12.16 No objections have been raised by ECC Ecology; subject to conditions should planning permission be granted. This is in accordance with Local Plan Policy GEN7 and ENV8.
- 12.17 The proposed vehicle movement as a result of the development would have a minimal impact upon the local highway network and no mitigation measures would be required as result.
- 12.18 Adequate parking provision is proposed as part of the application in accordance with the above table. The bay sizes indicated on the submitted plans do not accord with standard sizes however this can be conditioned as there is ample room on site should planning permission be granted.
- 12.19 In considering the above, the proposed development is acceptable in terms of highways and it is also therefore in accordance with Policies GEN1, GEN2, and GEN8 of the adopted Local Plan (2005).
- 12.20 ECC SUDs have been consulted of the application and the submitted FRA. As a result ECC SUDs raise no objections subject to conditions. The development is therefore considered to be in accordance with Policy GEN3 of the adopted Local Plan and the NPPF.
- 12.21 Overall, the proposed development accords with policy and all three strands of sustainability are considered to be fulfilled. Therefore, approval is recommended subject to conditions and a S106 Agreement.

#### **RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO S106 LEGAL OBLIGATION**

I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 29 June 2018 the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Director: Legal & Governance, in which case he shall be authorised to conclude such an obligation to secure the following:

- (i) Securing monies from the sale of 3 x market housing to enable the facility to be implemented
- (ii) Pay Councils reasonable costs
- (iii) Pay monitoring costs

(II) In the event of such an obligation being made, the Assistant Director Planning shall be authorised to grant permission subject to the conditions set out below:

(III) If the freehold owner shall fail to enter into such an obligation, the Assistant Director Planning shall be authorised to refuse permission in his discretion at any time thereafter for the following reason:

- (i) Development of market housing in a countryside location where it would not normally be acceptable

**FULL Application**  
**Site A**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Before development commences full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) proposed finished levels [earthworks to be carried out]
- b) means of enclosure
- c) car parking layout
- d) vehicle and pedestrian access and circulation areas
- e) hard surfacing, other hard landscape features and materials
- f) existing trees, hedges or other soft features to be retained
- g) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
- h) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- i) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- j) location of service runs
- k) management and maintenance details

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policy GEN2,

GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

**Outline Application  
Site B**

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

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

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

(B) The development hereby permitted shall be begun 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. Prior to the erection of the development hereby permitted samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 and ENV2 of the Uttlesford Local Plan (adopted 2005).

**Both Sites A & B**

5. No development or preliminary groundworks can commence until a programme of archaeological trial trenching and excavation has been secured and undertaken in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

REASON: The Essex Historic Environment Record and the desk based archaeological assessment provided with the application shows the development to have potential for Late Iron Age and Roman occupation. The site lies immediately adjacent to the historic complex at Orford House which contains a range of listed buildings and is likely to have its origins in the medieval period. The original road, now forming the southern boundary of Orford House was moved in the post medieval period to run to the north of the Orford House complex. It is possible that the origins of the road lie in the medieval period and occupation maybe identified along it.

The archaeological work would comprise initial trial trenching to identify the extent

and the depth of the archaeological deposits followed by open area excavation if archaeological deposits are identified. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology.

This is in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

6. All ecological measures and/or works shall be carried out in accordance with the details contained in section 7 of the Biodiversity Statement and Mitigation Plan (EECOS, Jan 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: In the interests of conserving biodiversity, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

7. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

Discharging surface water runoff via infiltration for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change. Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event. Final modelling and calculations for all areas of the drainage system.

The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753. Detailed engineering drawings of each component of the drainage scheme. A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features. A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site. In accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

8. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON: The National Planning Policy Framework paragraph 103 and paragraph 109 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

In accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

9. No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site. In accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

10. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk. In accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

11. Parking, storage facilities and wheel cleaning facilities to be provided on site from commencement and throughout the period of construction.

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that there is a facility to allow provision for wheel cleaning on site so that there that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011 and in accordance with Policies GEN1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

12. Prior to first occupation of any part of the application site/phase, the access and associated visibility splays, footway, traffic calming, and turning area to be

implemented as shown in the submitted drawings SK001 P3, SK006 P1 and A1035 Rev 2 and maintained in perpetuity thereafter.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and that appropriate parking is provided in accordance with Policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policies GEN1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

13. Prior to first occupation of the facility the vehicular parking and secured covered cycle parking as shown in submitted drawings A1035 Rev 2 to be implemented and retained thereafter for that purpose.

REASON: To provide appropriate parking in accordance with policy D8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February and in accordance with Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

14. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policies GEN1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

15. Prior to first occupation of the facility a 2.5m shared use cycleway/footway (unfenced on either side), the alignment as shown in principle on drawing number A1035 Rev, linking the unnamed road with Pound Lane and with drop kerb access on to carriageways either end to be provided, details of which to be agreed with the local planning authority.

REASON: To provide appropriate access for pedestrians and cyclists in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

16. The outline residential dwellings and the facility shall be provided with parking in compliance with the Essex Parking Standards 2009.

REASON: To provide appropriate parking in accordance with policy D8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February and in accordance with Policies GEN8 of the Uttlesford Local Plan (adopted 2005).

17. No development approved by this permission shall take place until a Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination has been submitted to and approved in writing by the Local Planning Authority. This report shall adhere to BS10175:2011.

Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175:2011 shall be submitted to and approved in writing by the Local Planning Authority.

Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 remediation scheme shall be submitted for approval in writing by the Local Planning Authority. This scheme shall detail measures to be taken to mitigate any risks to human health, groundwater and the wider environment. Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied.

The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

REASON: To protect human health and the environment in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

18. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

19. If within a period of 5 years from the date of planting the tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the Local Planning Authority gives its written consent to any variation.

REASON: To ensure the suitable provision of landscaping within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

20. Details of any lighting, including lux levels, shall be submitted to and approved in writing by the Local Planning Authority before any of the buildings or each individual phase(s) are occupied. Thereafter the development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN4 and GEN5 of the Uttlesford Local Plan (adopted 2005).

21. (a) No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree or shrub be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree or shrub is removed, uprooted or destroyed or dies, another tree or shrub shall be planted at the same place and that tree or shrub shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shrub or hedge shall be undertaken in accordance with details approved in writing by the local planning authority to comply with the recommendation of British Standard 5837:2005 (Trees in relation to construction) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority. No fires shall be lit within 20 metres of the retained trees and shrubs.

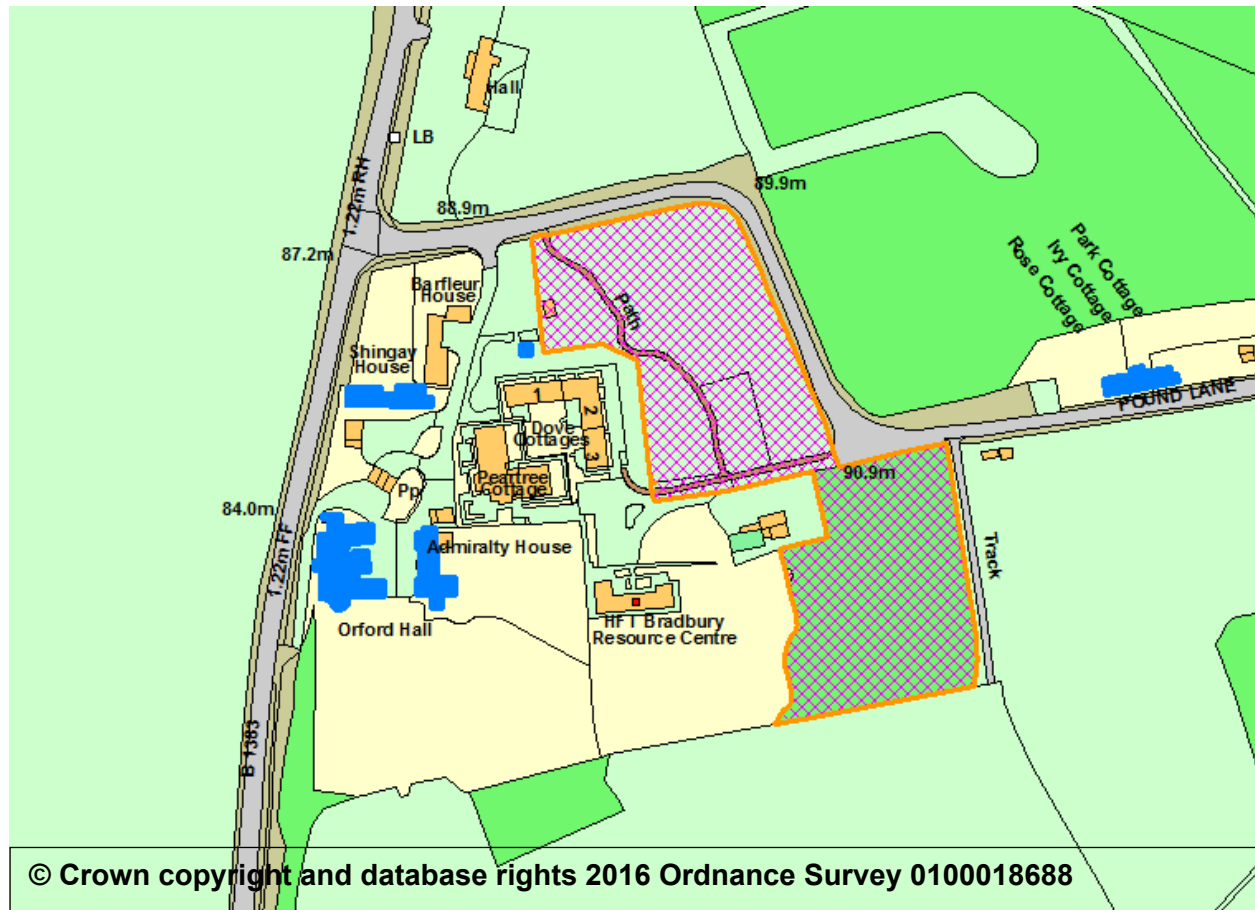
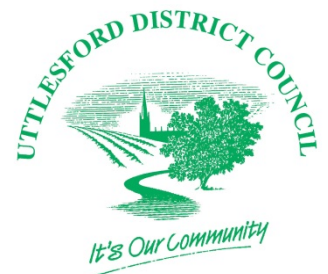
In this condition "retained tree or shrub" means an existing tree or shrub, as the case may be, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the date of the occupation of the building for its permitted use.

REASON: To protect the existing trees, shrubs and hedgerows in the interest of visual amenity in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).



Application: UTT/17/3751/OP

Address: HFT Bradbury Resource Centre, Pound Lane, Ugley



Organisation: Uttlesford District Council

Department: Planning

Date: 24 May 2018

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## UTT/18/0051/LB – (UGLEY)

(Other)

**PROPOSAL:** Part demolition northern boundary wall to create access

**LOCATION:** HFT Bradley Resource Centre Pound Lane Ugley

**APPLICANT:** Home Farm Trust

**AGENT:** ADP Architecture Limited

**EXPIRY DATE:** 27 March 2018 (Extension of Time)

**CASE OFFICER:** Maria Shoesmith

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### **1. NOTATION**

- 1.1 Outside Development Limits, Aerodrome safeguarding zone, 2km of SSSI, Sand & Gravel, Curtilage Listed Wall.

### **2. DESCRIPTION OF SITE**

- 2.1 The application site is located 0.8m from Stansted, and 5m to the M11 London-Cambridge corridor. There are bus services that run along the Cambridge Road (B1383) and Pound Lane. With railway stations Elsenham 1.3 miles and Stansted 1.6 miles away.
- 2.2 The application site consists of an area of 1.23ha located southwest off Pound Lane in Ugley. The site currently forms part of the HFT Bradley Resource Centre which is a registered charity and facility to support people with learning disabilities and autism.
- 2.3 The campus at present provides various care and support including residential accommodation, supported living, residential and day support, all with the handful of buildings on site.
- 2.4 The application site is two parcels of land within the campus site which is grassland and enclosed by landscaping along the boundaries. These are both relatively flat.
- 2.5 The parcel of land to the north is bounded by landscaping, wooden fencing and Pound Lane which winds along its northern and eastern boundaries. This is adjacent to overflow parking area.
- 2.6 The parcel of land to the south is located to the other side of the sites access road, and a listed brick garden wall which is related to the original Orford Hall, which is now in separate ownership.
- 2.7 Orford Hall, Shingay House and Admiralty House are the nearest listed buildings and residential properties to the Resource Centre to the west fronting onto Cambridge Road (B1383), with Barfleur further north (26m from corner of redline) and the cottages to the east on Pound Lane (60m from corner of redline). These are all located at a distance from the application site.

- 2.8 The area is characterised by clusters of buildings, of which the application site forms part of and linear built form along Cambridge Road. To the north and south of the application site are open fields, with Halls Quarry/landfill located to the north.
- 2.9 West of the southern parcel of land is a garden centre which is operated by the Resource Centre. Plants are grown by people supported by HFT to sell to the local community and visitors. Dove Cottage and Peartree Cottage currently provides accommodation and support for people with higher support requirements including support for people with dementia, and those with complex communication and behavioural needs.

### **3. PROPOSAL**

- 3.1 A hybrid planning application, which splits the scheme into two developments; the required autism facility forming part of the full application and; the enabling development for three dwellings, which is an outline application with all matters reserved except for access, has been submitted and is being determined under reference UTT/17/3751/OP. This application is for Listed Building consent for the part demolition of a curtilage listed wall in order to provide the access into the proposed new autism facility.
- 3.2 Access for the facility is proposed to be taken through an existing brick wall to allow for a 13.9m vehicular entrance which will also allow for visibility, pedestrian access and approximately 9.5m to allow vehicles to leave the internal main access road into the site without causing obstruction.

### **4. ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 Town and Country Planning (Environmental Assessment):  
The proposal constitutes a 'Schedule 2' development that is one which falls within Schedule 2 of the above Regulations. (Class 10(a) industrial estate development project where the development exceeds 0.5 hectare) thereby the proposed development would be required to be screened. The application has been screened whereby it has been concluded that an EIA is not required.

And

Human Rights Act considerations:

There may be implications under Article 1 and Article 8 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

### **5. APPLICANT'S CASE**

- 5.1 The application includes the following documents;
- Design, Access And Heritage Statement;
  - Listed Wall - Plans And Elevations
- 5.2 *"HFT, founded in 1962, has become one of the largest and longest established charities supporting around 2,500 adults nationwide with learning disabilities. The charity, regulated by the Care Quality Commission (CQC), is registered to provide personal care and accommodation for persons who require personal care. The variety of ways in which HFT provides care and support to those with autism,*

*learning disabilities and other profound and complex needs is summarised below:*

- **Supported Living:** *HFT often helps those moving from residential care or family homes into their own place or a shared house with friends. HFT then provides tailored support to the individual's needs, which could be around the clock or for selected tasks. HFT assists in finding accommodation suited to the person's individual needs via Housing Associations and private landlords.*
- **Domiciliary Care:** *This provision is to provide extra support to individuals to live independently in their own homes. HFT's Domiciliary Care services are registered with the Care Quality Commission (CQC), who regulates care activities in England.*
- **Residential:** *These are residential care homes, adapted to meet the requirements of the individuals living there. Where appropriate, many residents living in HFT's care homes use specialist equipment and personalised technology to help them live as independently as possible.*
- **Day Opportunities/Service Centres:** *Staff supports people finding hobbies they enjoy, while helping them build their independence, in accordance with the objectives of the Care Act and the Transforming Care Agenda.*
- **Short Breaks and Respite Care:** *This could be a stay in one of the local service centres on a mini break, or domiciliary care so that families can take a short break for themselves.*
- **Housing:** *In order to manage supported living tenancies, and to act as a management agency for third party landlords, HFT has its own dedicated housing department.*
- **Transition:** *HFT supports young people with learning difficulties make the transition from children's support services to adult social care services.*
- **Support with Finances:** *HFT ensures that the people they support receive Department for Work and Pensions benefits, and any other benefits that they are entitled to, by offering an 'Appointeeship' service.*
- **Family Carer Support Service:** *HFT provides a free Family Carer Support Service for relatives and friends that support someone who has a learning disability.*
- **Personalised Technology:** *HFT is a market leader in the use of Personalised or Assistive Technology, which supports people with learning difficulties to increase safety, privacy and independence."*

5.3 The Ugley Campus specialises in providing support for people with autism, Prader Willi Syndrome, complex needs and challenging behaviour.

5.4 The supporting information submitted states;

*"This type of facility will be the first offered by HFT. It is planned to repeat the offer elsewhere at other HFT facilities.*

*HFT already has 4 referrals from Essex CC for people who would benefit from living in the proposed residential autism facility.*

*The Service will provide and identify sensory presentations of individuals with ASD. This will lead to developing an understanding, and implementing strategies to support individual sensory presentations, within an integrated sensory environment. The property will have the flexibility to address the needs of both Hypo, and Hyper sensitivity to a significant range of sensory requirements. Through environmental adjustments and specific high quality training, the team will enable individuals to*

*develop coping strategies, enabling increased independence. It is then envisaged that over time, individuals can move on to more independent living, with less support.*

*The majority of individuals that will benefit from this facility would otherwise be residing in hospital, where the management of the transition between an institutional environment to living relatively independently in the community is limited. It is thought that this will be the first facility of its kind in the country."*

- 5.5 The design of the scheme responds to the identified needs of young people living with autism. A tranquil environment is proposed so carers can engage with residents.
- 5.6 The building has been designed to benefit from as much north facing natural light as possible. The allotments and garden areas proposed will help with social interaction between residents. Opaque glazing is proposed around the internal courtyard area for the privacy of residents.
- 5.7 Materials chosen are in keeping with the rural setting and local vernacular. The use of black stained larch and glazing externally and internally, around the courtyard area white render, unstained larch and glazing will be used.

#### **Statement of Community Engagement:**

- 5.8 A Statement of Community Involvement has been submitted as part of the application submission. This states that a consultation was carried out with Local Commissioners (clinically led statutory NHS body responsible for planning and commissioning health care services in the local area). As a result this resulted in the rear access for the individual apartments and an external sensory garden to be included as part of the scheme.
- 5.9 A presentation to Committee Members was undertaken to explain the scheme and for Members to ask any questions.
- 5.10 A Public Consultation open day was undertaken Tuesday 14<sup>th</sup> November 2017, 10am-3.30pm. Leaflets were distributed locally and an advert was published within the Saffron Walden Local. 23 people were stated to have attended which included members of the Parish Council, local commissioners, Paul Miller Estate Agents, Saunders Auctioneers, local social workers, also both existing and prospective future family members of people/residents of the centre.

#### **6. RELEVANT SITE HISTORY**

- 6.1 There is no relevant history relating to the application site however the most relevant is the following;

UTT/1393/04/FUL – Erection of two-storey building to provide residential care.  
Erection of day centre with parking and alterations to access (Bradbury Resource Centre, Pound Lane) – Granted 10.05.2006

UTT/17/3751/OP - Hybrid application - full planning permission for the erection of a new residential autism facility comprising of 8 no. 1 bedroom flats, staff accommodation, parking and associated works on land at "The Orchard" including part demolition of the northern boundary wall to create access. Outline application with all matters reserved except for access for up to 3 no. dwelling houses on "Land west of Pound Lane"

## **7. POLICIES**

### **National Policies**

- National Planning Policy Framework

### **Uttlesford Local Plan (2005)**

Policy ENV2 – Development Affecting Listed Buildings

## **8.0 PARISH COUNCIL COMMENTS**

- 8.1 Ugley Parish Council would like to make the following objections to the above planning application.

On the 'Pre-application Public Consultation' statement, it states that members of Ugley Parish Council had attended; this is not correct, no members of the Parish Council were present at the meeting and have never been consulted on this application.

Ugley Parish Council considers that this is over development of this site.

Ugley is a very rural village with many listed buildings; the proposed design of the building is not in keeping with the area. It does not respect the local character and history of the village.

Ugley Parish Council does not consider that Highways have addressed all the issues related to this application. This site borders a busy narrow lane; there is no pedestrian footpath, thus residents exiting the site on foot, will be required to walk on the road.

The Parish Council is also appalled at the intention to knock down part of the northern boundary listed wall to create an access.

## **9. CONSULTATIONS**

### **Historic England**

- 9.1 Do not wish to offer any comments.

### **Conservation Officer**

- 9.2 The wall subject of this application is listed by the virtue of the curtilage with Orford Hall, grade II\* listed building. The proposal is for demolition of part of northern boundary wall to create access to HFT Bradley Resource Centre which is an independent use of the site. I consider that as the proposed opening would not be along the principle elevation of the heritage asset its setting would not be unduly diminished. Consequently I suggest approval subject to the following condition.

- The exposed edges of the wall as well as any coping to be made good to match existing.
- Design of any necessary gates to be approved.

## 10. REPRESENTATIONS

The planning application has been advertised on site and in the local press. Neighbouring occupiers have also been notified of the application of which 1 letter was received raising the following points;

- No objection to proposed facility.
- Insufficient information regarding 3 dwellings and will wait until reserved matters are applied for.

## 11. APPRAISAL

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

A Impact upon Listed Buildings/Structures

### A Impact upon Listed Buildings/Structures

- 11.1 Local Plan Policy ENV2 states *“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 characteristics of a listed building will not be permitted. In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building and its architectural and historic characteristics and its setting”*
- 11.2 Paragraph 132 of the NPPF seeks the protection of designated Heritage assets. Paragraph 133 of the NPPF states *“Where the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply;*
- The nature the heritage asset prevents all reasonable uses of the site; and*
  - No viable use of the heritage asset itself can be found in the medium terms through appropriate marketing that will enable its conservation; and through appropriate marketing that will enable its conservation; and*
  - Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
  - The harm or loss is outweighed by the benefits of bringing the site back into use.”*
- 11.3 Paragraph 134 also states that *“where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”*
- 11.4 A Heritage Assessment has been submitted as part of the application as a result of the proximity of the application site to Listed Buildings and the demolition of part of a curtilage listed wall to provide access to the proposed facility.
- 11.5 The wall forming part of the application originally was part of the Grade II\* Listed Orford House. The wall itself is not noted but is curtilage listed due to it being a pre1948 structure. As a result a listed building application has been submitted. The D & A statement outlines that 13.9m of the 110m length wall would be demolished in order to provide the facility and the visibility splays. It would have a limited impact



upon the integrity of the wall and its historic significance and the neighbouring listed buildings. The removal of 13.9m of the curtilage listed wall is considered to be significant, however in relation to the level of remaining wall and the developments public benefit outweighs the overall harm that is considered would result. This is in accordance with Paragraph 134 of the NPPF. Substantial harm to or total loss of significance of a designated heritage asset is not considered to occur, which is in accordance with paragraph 133 of the NPPF.

- 11.6 The Conservation Officer has been consulted on the application and has stated that the proposed opening would not be along the principle elevation of the heritage asset and therefore its setting would not be unduly diminished. As a result no objection has been raised and recommended approval subject to conditions.
- 11.7 In consideration of the Heritage Statement and the Conservation Officer's comments the works is therefore considered to be in accordance with Local Plan Policy ENV2 and the NPPF, subject to conditions should planning permission be granted.

## **12. CONCLUSION**

- 12.1 The removal of 13.9m of the curtilage listed wall is considered to be significant, however in relation to the level of remaining wall and the developments public benefit outweighs the overall harm that is considered would result. This is in accordance with Paragraph 134 of the NPPF. Substantial harm to or total loss of significance of a designated heritage asset is not considered to occur, which is in accordance with paragraph 133 of the NPPF.
- 12.2 The Conservation Officer has raised no objection subject to conditions.
- 12.3 The proposed development accords with Policy ENV2 of the Local Plan and the NPPF, subject to conditions should planning permission be granted.

## **RECOMMENDATION – CONDITIONAL APPROVAL**

### **Conditions**

1. The development to which this consent relates shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The exposed edges of the wall as well as any coping shall be made good to match the existing.

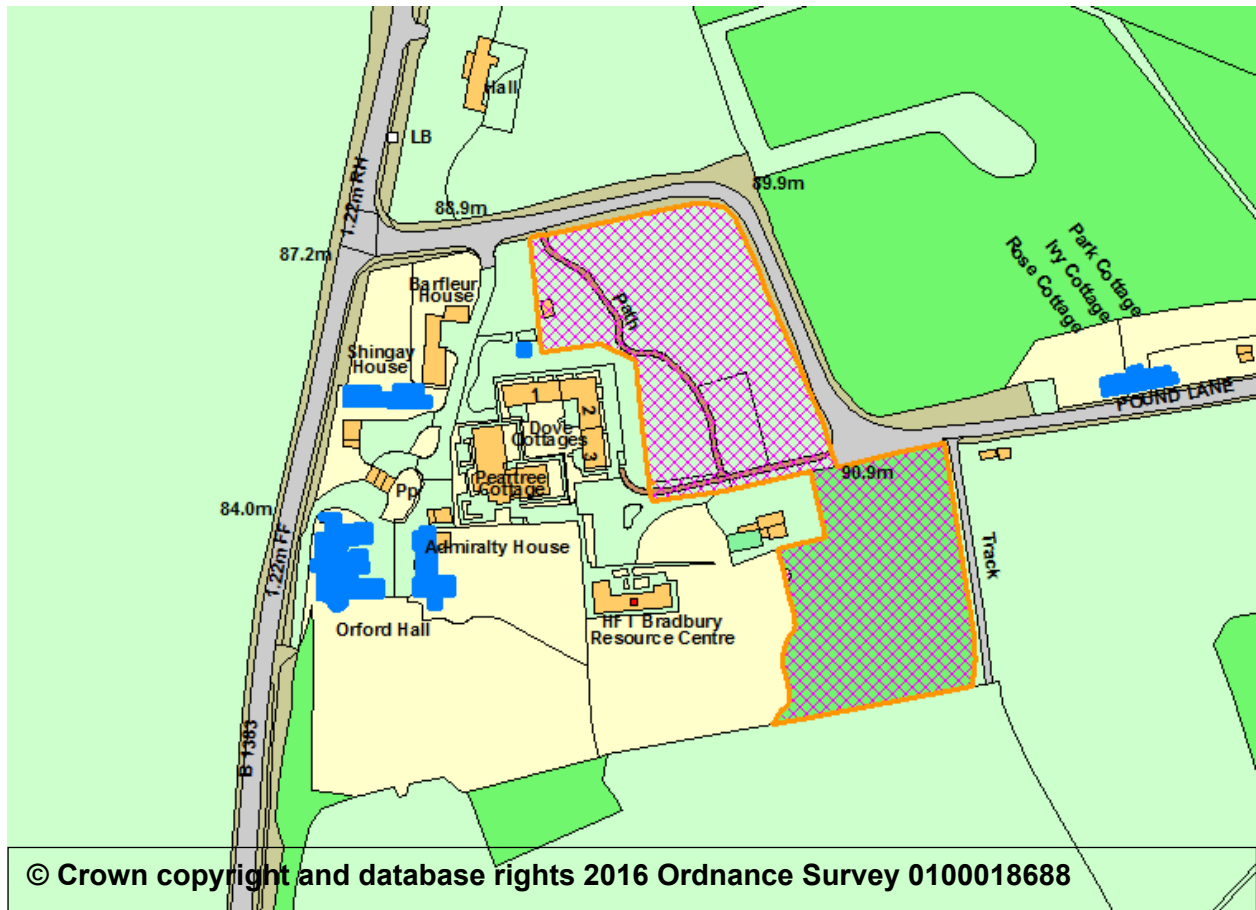
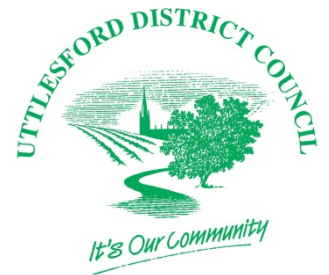
REASON: In the interests of preserving the historic character and appearance of the listed building and wall and its setting, in accordance with Policy ENV2 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

3. Details of any gates shall be submitted to and approved in writing by the Local Planning Authority prior to installation.

REASON: In the interests of preserving the historic character and appearance of the listed building and wall and its setting, in accordance with Policy ENV2 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

Application: UTT/18/0051/LB

Address: HFT Bradbury Resource Centre, Pound Lane, Ugley



Organisation: Uttlesford District Council

Department: Planning

Date: 24 May 2018

## UTT/18/0527/OP – (TAKELEY)

(Minor Application. Committee Referral Reason: Eight house development)

**PROPOSAL:** Outline application with all matters reserved except for access, layout, and scale, for the erection of 4 no. pairs of semi-detached dwellings

**LOCATION:** Land to the South of School Lane, Molehill Green, Takeley

**APPLICANT:** Mr D Carr

**AGENT:** Mr A F Weaver

**EXPIRY DATE:** 10 June 2018

**CASE OFFICER:** Peter McEvoy

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### **1. NOTATION**

- 1.1 The following planning constraints apply to the application site:
- outside development limits;
  - general aerodrome directions.

### **2. DESCRIPTION OF SITE**

- 2.1 The application site is outlined in red on the location plan attached to the end of this report. It is located to the east of the centre of Molehill Green, along the southern side of School Lane, a narrow single track road. The site is currently open space on level ground. There are semi-detached properties directly opposite the site (ie to the north), with detached dwellings on either side of the site, and fields to the south.
- 2.2 There are a variety of housing styles and types in the vicinity with no single unifying theme.

### **3. THE PROPOSAL**

- 3.1 The applicant is requesting outline planning permission for a small development of four pairs of semi-detached two storey houses (ie eight properties in total). Only the principle of development, access and scale are to be considered in the current application, with all other matters reserved.
- 3.2 As it is only an outline application, the plans at this stage are indicative, but some general observations can still be made:
- each plot would be relatively long and narrow
  - the buildings would be staggered to follow the approximate building line between Blossoms Cottage to the west and Sunny View to the east.
  - the applicant states on his plans that the maximum ridge height would be 7.11m which compares favourably to the 8.0m height of Blossoms Cottage (which is set on slightly higher ground as well); however, it would be in marked contrast to Sunny View which is a bungalow.
  - each dwelling would have two bedrooms and two tandem parking spaces.

#### **4. APPLICANTS' CASE**

- 4.1 The applicant has submitted the following documents in support of his proposal:
- ecological assessment
  - biodiversity checklist
  - design and access statement

Where relevant, these documents are discussed below.

#### **5. RELEVANT PLANNING HISTORY**

- 5.1 None.

#### **6. POLICIES**

##### **National Policies**

- National Planning Policy Framework

##### **Uttlesford Local Plan (2005)**

- Policy S7 – The Countryside
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards
- Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance
- Policy ENV10 – Noise Sensitive Development and Disturbance from Aircraft

##### **Other documents**

- SPD Parking Standards Design & Good Practice September 2009
- SPD Essex Design Guide

#### **7. PARISH COUNCIL COMMENTS**

- 7.1 Takeley Parish Council:
- the area is outside development limits and is considered to be in the Countryside Protection Zone
  - rural nature of the area and the very close proximity of the airport do not support the area as suitable development area
  - the density of the housing does not appear to match existing and concern was raised that it was an over development of the site

#### **8. CONSULTATIONS**

##### **Essex County Council Place Services (archaeology)**

- 8.1 The department recommends an archaeological programme of trial trenching followed by open area excavation.

##### **Essex County Council Place Services (ecology)**

- 8.2 No objection subject to securing biodiversity mitigation and enhancement measures.

### **NATS Safeguarding**

- 8.3 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company has no safeguarding objection to the proposal

### **Essex County Council (local highways authority)**

- 8.4 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions.

### **Uttlesford District Council environmental health**

- 8.5 No objection subject to noise mitigation measures.
- 8.6 The following organisations were consulted, but they had not responded at the time this report was prepared.
- Thames Water.
  - Affinity Water.

## **9. REPRESENTATIONS**

- 9.1 The LPA sent sixteen notification letters and posted a site notice to advertise the proposal. The LPA received two replies:
- the ecology report would be acceptable because the site was totally cleared in the summer of 2015: the ponds were filled, trees felled and the undergrowth and perimeter hedge rows were cut.
  - overdevelopment and lack of separation distance.
  - lacks any visual interest
  - should be a mix of detached and semi-detached dwellings
  - anecdotal stories of Great Crested Newts at the site before the plot was cleared.
- 9.2 The site clearance is not relevant for the proposal. The Council cannot consider hearsay. Housing mix and overdevelopment (in terms of scale) are considered in the report. Visual appearance will be assessed in the reserved matters application.

## **10. APPRAISAL**

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

- A The principle of development (NPPF, Local Plan Policy S7)
- B Scale (Local Plan Policy GEN2)
- C Site biodiversity (NPPF, Local Plan Policy GEN7)
- D Access and parking (Local Plan Policies GEN1 and GEN8, Uttlesford Parking Standards, and Uttlesford Parking Standards)
- E Ancient monuments and sites of archaeological importance (NPPF, Local Plan Policy ENV4)
- F Noise sensitive development (Local Plan Policy ENV10)

### **A The principle of development**

- 10.1 The Local Plan identifies the site to be outside any settlement limits, that is, within the open countryside and so Local Plan Policy S7 applies to the proposal. This policy recognises the intrinsic value of the countryside by limiting development that

either needs to take place in such locations or else would be appropriate for the area. There are some exceptions relating to limited infilling in certain areas, but the Local Plan does not include Molehill Green in this concession.

10.2 Policy S7 cannot solely be used in the determination of the application for the following reasons:

- a) following the Council's adoption of the Local Plan, the Government published the National Planning Policy Framework (NPPF) in March 2012, which obliged planning authorities to take a more flexible approach to sustainable development; and
- b) there are additional considerations for local planning authorities such as Uttlesford District that cannot demonstrate five years of deliverable housing sites.

*(a) The introduction of NPPF:*

The LPA asked an independent consultant in July 2012 to check the compatibility of the Local Plan's policies against the Framework's new requirements. The report concluded that Policy S7 was partially consistent with the Framework, as the Local Plan's approach was too restrictive to sustainable development in the countryside.

*(b) A five year supply of housing:*

Paragraphs 47-49 of the NPPF require the Council to identify at least five years' worth of deliverable housing land, with paragraph 49 stating that, 'housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites'.

The Council's most recent housing projection was in August 2017 and it identified that the Council did not meet the five year requirement. In such circumstances, the LPA must apply paragraph 14 of the Framework and grant planning permission if:

- the proposal simultaneously satisfies all three of the NPPF's criteria for sustainability development (that is economic, social and environmental); and
- any harm arising from the proposal's harm does not significantly and demonstrably outweigh any benefit created by the development, based on whether the proposal meets all other relevant planning policies.

10.3 *NPPF sustainability definitions:*

The NPPF defines each criterion as follows:

- economic role: a strong, responsive and competitive economy by ensuring, amongst other things, that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.
- social role: supply the required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being.
- environmental role: protect and enhance the natural, built and historic environment, including improvements to biodiversity and minimising waste and the impact on the environment.

10.4 The application site is would be close to the settlement's services, as well as those in the surrounding settlements. The LPA notes the applicant's assertion that there would be an economic benefit arising from the construction of the development but considers that any advantage would be both limited and temporary in nature. Overall there would be some positive benefit in terms of economic sustainability.

- 10.5 The proposal would create an eight dwelling development in an established village. Future occupiers could take advantage of local community services and provide smaller two bedroom dwellings, rather than larger 'executive' type houses. One of the district's largest employers, Stansted Airport is close by. The proposal would provide new dwellings that comply with the accessibility requirements of Part M of the Building Regulations for less able occupiers. Overall, there would be some positive benefit in terms of social sustainability.
- 10.6 The dwelling units would be energy efficient and contain features to ensure low carbon usage, as required by building regulations. The loss of open space to the development would have an environmental impact, but the LPA notes that this effect would be mitigated to some degree as the immediate area is residential in nature and the dwellings would be in a linear form that runs parallel to the road, rather than out into the open fields beyond the site. The special circumstances of the site mean that there would be some positive benefit in terms of environmental sustainability.
- 10.7 To summarise, the proposal must be assessed primarily against the NPPF, rather than just Policy S7. The current lack of a five year supply of housing means that a development must be approved if the proposal meets the three tests of sustainability and its benefits outweigh any harm. The proposal would satisfy the economic and social criteria and, on balance, the environmental role as well, although there would be some negative impact in this respect. Providing the proposal creates a net benefit in planning terms by complying with all other relevant policies, the principle of the development on the site is acceptable.

## **B Scale**

- 10.8 Both national and local planning policy, together with the associated design guidance, expect developments to be constructed to a high standard in terms of design.
- 10.9 Design goes beyond a proposal's appearance and choice of materials to include the development's layout and scale. The applicant has requested that only these last two points are considered for the current application, with other design factors to be assessed at the reserved matters stage.
- 10.10 A proposal should relate to its immediate area and be generally sympathetic to nearby buildings, without overly dominating the street scene in terms of scale or mass. Dwellings in the area are characterised by generously sized plots. The development would follow this theme, and provide each house with sufficient private amenity space to meet the LPA's guidelines. The properties' staggered building line follows the building line between the existing dwellings to the east and west of the site and corresponds to the lane. Like the semi-detached dwellings that face the site, the development would be set back from the road.
- 10.11 The LPA considers that both the layout and scale are appropriate for the site.
- 10.12 Local Plan Policy GEN2 requires developments to not create an unacceptable impact on the amenity of nearby occupiers in terms of shadowing, visual dominance or loss of privacy. A precise analysis depends will depend on the final plan, but the development's positioning as shown in the submitted documents are considered to be a sufficient distance away from its immediate neighbours to ensure that any impact on residential amenity would not be material.

## **C Site biodiversity**

- 10.13 Local Plan Policy GEN7 requires applicants to show that the development would not have a harmful effect on wildlife or geological features unless the need for the development outweighs the importance of the feature to nature conservation. Applicants also have a legal duty towards legally protected species or habitats. Paragraphs 109 and 108 of the NPPF requires development to enhance and contribute to biodiversity where possible.
- 10.14 The applicant's submitted biodiversity questionnaire identified that there was priority habitat within 100m of the site and so a detailed site assessment was included in accordance with Place Service's requirements. This report concluded that the ecological value of the site was low, but nevertheless could incorporate some basic wildlife enhancements to benefit local wildlife, such as bat boxes or sparrow terraces. Essex County Council's ecological officers have examined the proposals and they are satisfied that it would be acceptable, subject to mitigation measures which they recommend should be conditioned on any planning approval.

## **D Access**

- 10.15 Applicants are required to show that their development would not compromise the safety of the highway by ensuring that any additional traffic generated by the development can easily be accommodated within the existing highway network (Policy GEN1) and by providing a commensurate level of parking that is appropriate for the development (Policy GEN8). Two bedroom properties of the type proposed by the applicant require two parking bays per dwelling, based on Uttlesford's parking standards.
- 10.16 As noted above, School Lane is a rather narrow highway and the proposal would lead to some additional traffic from future occupiers leaving and entering the site. The local highways authority are satisfied that from the proposal would be acceptable to them, subject to conditions to ensure highway safety, such as visibility splays or parking layouts.

## **E Ancient monuments and sites of archaeological importance**

- 10.17 Local Plan Policy ENV4 recognises that there are around 3 000 sites of archaeological interest within the district. The need for development which could potentially affect sites that may have some archaeological importance should be balanced against the need for the development.
- 10.18 The Essex Historic Environment Record shows the development to lie within the historic village of Mole Hill Green on a known area of archaeological deposits, to the north east of Stansted Airport. Excavations in the immediate vicinity have shown extensive medieval occupation in and around the village. A number of house platforms, thought to be of medieval date are already recorded within the village (EHER 4711) on the site of the proposed development. Any development on this area will cause a significant impact to the surviving archaeological deposits. For that reason, the archaeological officer has recommended a programme of trial trenching, followed by open area excavation. Based on the historic importance of the vicinity, the LPA considers that such a precaution is reasonable under these circumstances.



## **F Noise sensitive development and disturbance from aircraft**

- 10.19 Policy ENV10 states that noise sensitive development, such as housing, would not be permitted if the occupants would experience significant noise disturbance, based on the appropriate noise contour for the type of development and the proposed design and sound proofing features.
- 10.20 Aircraft movements are a major source of noise in Uttlesford. The site is close to Stansted Airport and so there is a potential for future occupiers of the development to experience excessive noise from aircraft approaching and leaving the airport.
- 10.21 The Council's environmental health officer has identified the site as being in area which would be subject to noticeable aircraft noise and so the development has the potential to be adversely affect by unacceptable levels of noise pollution. The officer therefore recommends a noise mitigation scheme as a condition of planning permission. The LPA considers that such a requirement is reasonable.

## **11. CONCLUSION**

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

- A** The principle of the development is deemed to be appropriate in that it would be of a sustainable development in accordance with the National Planning Policy Framework.
- B** The scale and layout are broadly acceptable.
- C** The proposal would not adversely affect the biodiversity on site, subject to mitigation measures.
- D** The proposed development would not compromise the safety of the highway.
- E** Development should not commence until an archaeological investigation has been completed.
- F** The development should be acceptable in terms of minimising aircraft noise, subject to acceptable mitigation measures.

## **RECOMMENDATION – APPROVAL SUBJECT TO CONDITIONS.**

### **Conditions**

1. Approval of the details of appearance and landscaping ('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 three 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 two

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. There should be no obstruction above ground level within a 2.4 m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. 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 the pedestrian and users of accesses and the existing public highway for the safety and convenience of the users of the highway and access having regard safety and in accordance with Uttlesford Local Plan Policy GEN1.

5. Prior to the first occupation of the development the access arrangements and vehicle parking areas as indicated on drawing no. 018/724-OP shall be provided, hard surfaced, sealed and marked out. The access and parking areas shall be retained at all times for their intended purpose.

REASON: To ensure that appropriate access and parking is provided in accordance with Uttlesford Local Plan Policies GEN1 and GEN8.

6. No unbound material shall be used in the surface treatment of any vehicular access within 6m of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety and in accordance with Uttlesford Local Plan Policy GEN1.

7. Prior to occupation of the development the areas within the site identified for the purpose of loading/unloading/reception and storage of materials shall be provided clear of the highway and retained at all times for that sole purpose.

REASON: To ensure that appropriate loading and unloading facilities are available in the interest of highway safety and in accordance with Uttlesford Local Plan Policy GEN1.

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

JUSTIFICATION: A pre-commencement condition is necessary because the LPA has reasonable grounds to believe that the site may contain archaeologically important artefacts and an investigation programme is necessary to enable the LPA to make an informed decision regarding the most appropriate steps.

REASON: To ensure that the development will not cause harm to a site of archaeological importance in accordance with the NPPF and Uttlesford Local Plan Policy ENV4.

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

REASON: To ensure that the development will not cause harm to a site of archaeological importance in accordance with the NPPF and Uttlesford Local Plan Policy ENV4.

10. All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment eg (Hybrid Ecology, March 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This includes due diligence regarding nesting birds, cover trenches overnight, infill hedge, install bat box and sparrow terrace, ensure lighting is away from the hedgerow habitat.

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 (Priority habitats & species) and s17 Crime & Disorder Act 1998 and in accordance with the NPPF and the Uttlesford Local Plan Policy GEN7.

11. No development shall commence until a scheme of noise mitigation has been submitted and approved in writing by the local planning authority. Details shall be included in the scheme of the design, layout and acoustic noise insulation performance specification of the external building envelope, having regard to the building fabric, glazing and ventilation. The scheme shall be based on insulation calculations provided in British Standard 8233:2014 and shall be designed to achieve the following noise targets:

Bedrooms (23.00-07.00 hrs) 30 dB LAeq and 45 dB LMax  
Living Rooms (07.00-23.00 hrs) 35 dB LAeq

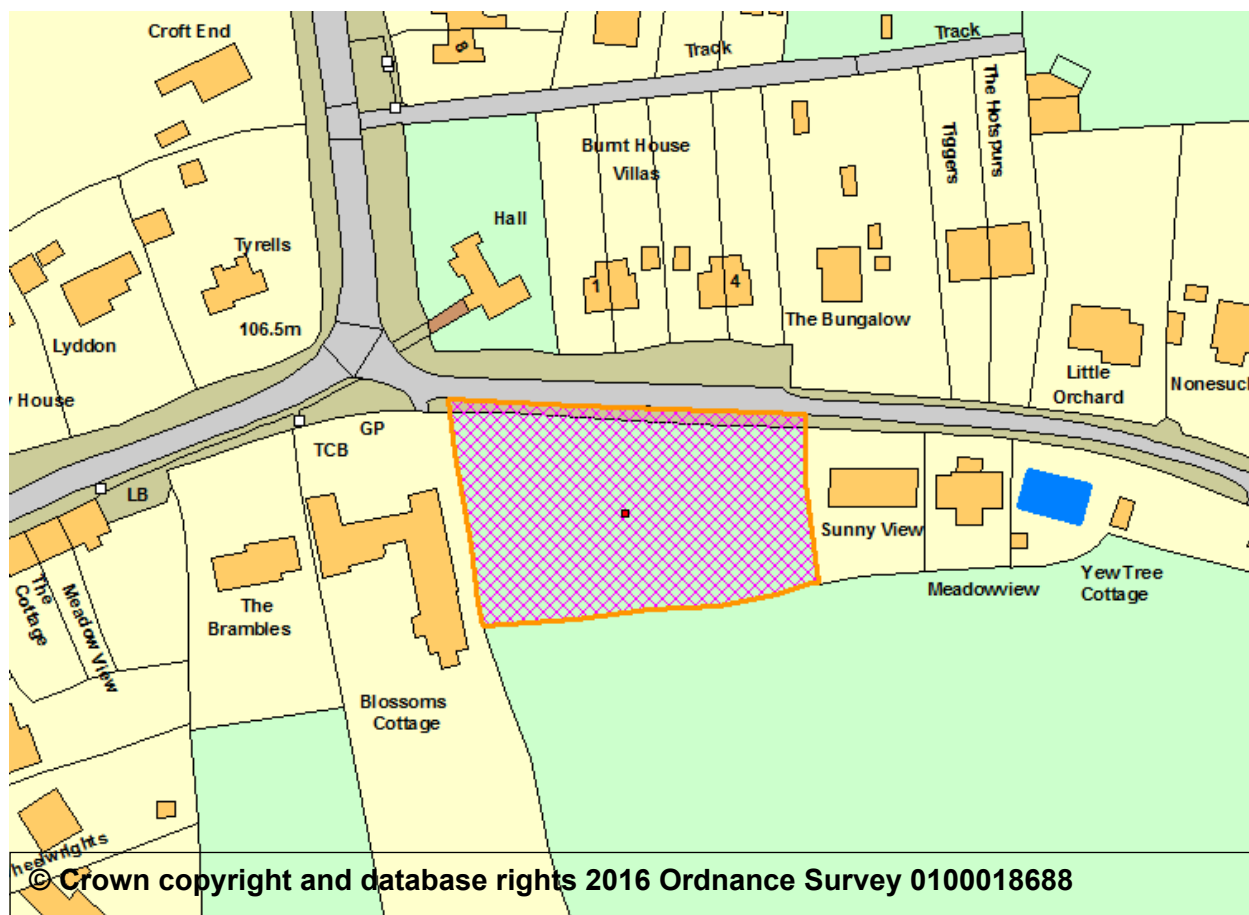
The scheme as approved shall be fully implemented prior to occupation of the residential units and shall be retained thereafter and not altered without prior approval.

JUSTIFICATION: Future occupiers may be adversely affected by aircraft noise and so the LPA needs to be satisfied that sufficient mitigation measures can be achieved to protect occupiers before the development can begin.

REASON: To ensure that the development will not cause harm to the general amenity of occupiers (in terms of noise) in accordance with Uttlesford Local Plan Policy ENV10.

Application: UTT/18/0527/OP

Address: Land Adjacent to Sunny View, School Lane, Molehill Green



Organisation: Uttlesford District Council

Department: Planning

Date: 24 May 2018

## UTT/17/3605/FUL – (GREAT DUNMOW)

(Planning application by Cllr John Davey)

**PROPOSAL:** Proposed detached 1½ storey dwelling

**LOCATION:** Land Adj Tower House, St Edmunds Lane, Great Dunmow

**APPLICANT:** Mr John Davey

**AGENT:** Ian Abrams

**EXPIRY DATE:** 12 February 2018

**CASE OFFICER:** Clive Theobald

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### **1. NOTATION**

- 1.1 Outside Development Limits / affecting setting of Grade II Listed Building / TPO (1/82/48).

### **2. DESCRIPTION OF SITE**

- 2.1 The site lies on the east side of St Edmunds Lane approximately half way along its length and comprises a residential property containing a listed two storey house with adjacent former windmill physically linked to it which together stand in generous and attractive grounds containing a number of mature perimeter trees, some of which are subject to a Tree Preservation Order. The interior of the site is laid to grass. A mature hedge line runs along the road frontage of the property for its entire length.
- 2.2 A new exclusive housing development comprising seven detached dwellings with garages centred around a small green (Tower View) stands to the immediate south of Tower House which is served by a recently completed private gated access drive leading off St Edmunds Lane (Tower View Drive) which also currently serves Tower House whereby an unmade entrance track leads off the rear end of Tower View Drive up to the house.

### **3. PROPOSAL**

- 3.1 This full application relates to the erection of a detached dwelling with associated detached garage/store/annexe to be sited on ground in front of Tower House.
- 3.2 Revised drawings have been submitted of the dwelling since receipt of the application reflecting initial comments expressed by the Council's Conservation officer on the originally submitted drawings which show a 1½ storey 3 bedroomed dwelling of traditional design having an L shaped footprint and gabled ends with roof dormers to the front, rear and to one side which would be externally clad in plain clay tiles, painted render and facing brickwork. The dwelling would have a height to the eaves of 3.0m and height to the ridge of 6.6m. The ancillary garage/store/ annexe would have a cart lodge design and would be externally clad in plain clay tiles and weatherboarding and would be sited at an angle to the dwelling.
- 3.3 Vehicular access to the new dwelling would be via Tower View Drive.

#### **4. ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 The proposal does not fall to be considered for formal assessment against the EIA regulations given the nature and scope of the development.

#### **5. APPLICANT'S CASE**

- 5.1 The application is accompanied by a Design & Access Statement which describes the background to the application with reference to a preliminary enquiry submitted to the Council in June 2017, the nature and extent of the proposal and the highway, heritage and environmental impacts of the proposal. The report concludes by saying that the proposal would meet all three strands of sustainability when assessed against the NPPF and would not cause any material harm to the designated heritage asset (Tower House).

#### **6. RELEVANT SITE HISTORY**

- 6.1 A preliminary enquiry was made to the Council in June 2017 relating to the proposed erection of a new dwelling with new garage to be erected within the frontage grounds of Tower House whereby the new dwelling would be served by the recently completed private gated access drive that now serves both Tower House and the new housing development on its south side (Tower View Drive).
- 6.2 The Council responded to the proposal stating in its conclusions within its preliminary enquiry response that “the principle of the proposed development could be regarded as an appropriate infill development. However, this and whether the proposal forms a sustainable form of development would need to be justified and demonstrated within the full planning submission. Other issues such as design and appearance, neighbouring amenities, highway safety and ecology would also need to be discussed”.

#### **7. POLICIES**

##### **Uttlesford Local Plan (2005)**

ULP Policy GEN1 – Access  
ULP Policy GEN2 – Design  
ULP Policy GEN7 – Nature Conservation  
ULP Policy GEN8 – Vehicle Parking Standards  
ULP Policy ENV2 – Development affecting Listed Buildings  
ULP Policy ENV3 – Open Spaces and Trees

##### **Supplementary Planning Documents/Guidance**

Essex Design Guide  
SPD “Accessible Homes and Playspace”  
ECC Highways Parking Standards  
UDC Parking Standards

##### **National Policies**

NPPF

## **Other Material Considerations**

Great Dunmow Neighbourhood Plan:

- DS1: TDA: Town development Area
- LSC1: Landscape, Setting and Character
- LSC-A: The Historic Environment

## **8. PARISH COUNCIL COMMENTS**

8.1 Support.

## **9. CONSULTATIONS**

### **ECC Highways**

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

### **ECC Ecology**

9.2 No objections subject to condition/s to secure ecological mitigation and enhancements.

The proposals are limited in scale/scope and according to the Extended Phase 1 Habitat Survey T4 Ecology Ltd (Dec 2017) are unlikely to impact designated sites, protected/priority species or priority habitats.

The OPDM Circular 06/05 is clear that further surveys are only required if there is a *reasonable likelihood* of biodiversity being impacted. Given the low ecological value of the site, further surveys are not required.

### **UDC Conservation Officer**

9.3 Tower House listed as Tower Windmill and Mill House is predominantly a masonry structure of C19 origins listed grade II. Tower House originally has been located in a very generous site, a big part of which has been developed. The proposal subject of this application is the formation of another detached 1½ storey dwelling on land adjacent to it.

In terms of design, the proposed house would respond well to the local vernacular, and in principle could successfully complete the new arcadian development. However, the setting of Tower House would clearly be affected in some measure.

In order to lessen its impact on the Windmill, the new house should more closely relate to the new housing rather than being set apart. It should be facing the other units and be located closer to the access road. Such arrangement would result in it being further away from the Tower House and with its side elevation facing the main road its impact on the setting of the listed building would be further diminished. Clearly due to the existence of TPOs it is possible that the size of the dwelling would have to be reduced. I suggest further negotiations leading to the employment of above ideas.

### Revised comments on revised drawings:

9.4 I feel that the revised scheme does not overcome my previous concerns. No attempt

has been made to substantially reduce the accommodation within the new dwelling, its location still poorly relates to the modern development already undertaken while clearly would visually impinge on the setting of the Tower House seriously undermining its present sense of isolation. On balance, I feel that due to the proximity of the designated heritage asset and the belt of TPO trees it is unlikely that an additional dwelling of these proportions could be accommodated here.

#### **UDC Landscape Officer**

- 9.5 The proposed dwelling presents its rear elevation to St. Edmunds Lane. This arrangement is not considered to be visually desirable when viewed from the public highway. Additionally, its siting near to the St. Edmunds Lane frontage would result in the loss of the open character of this part of the site and detrimentally impact on the setting of Tower House. An important view of the windmill tower would be obscured by the proposed dwelling.

The proposed development would result in the loss of 8 individual trees and a small grouping of trees on the site (5 apple, 1 pear, 1 oak, 1 yew, and a group of ash, cherry and elder). These trees are not considered to be of significant amenity value worthy of protection. There is a Norway maple and a horse chestnut on the site which are subject to TPO 1/82, these two trees are unaffected by the proposed development.

Any new dwelling on the site should be more directly orientated towards the new residential development immediately to the south of the site, and be set further back from the frontage with St. Edmunds Lane. A more modest dwelling than that proposed may be found acceptable.

#### **UDC Environmental Health Officer**

- 9.6 No objections.

### **10. REPRESENTATIONS**

- 10.1 Neighbour notification period expired 18 January 2018 (15 May 2018).  
3 representations received. Advertisement expires 25 January 2018. Site notice expires 29 January 2018.

#### 6 representations received:

- Proposed development would direct traffic via Tower View Drive. The dwelling should be served instead by the access reinstatement proposed for Tower House (UTT/17/3603/HHF).
- The proximity of the proposed dwelling to the Grade II listed Tower House would have a detrimental impact on the heritage asset and its setting.
- The design of the proposed building is unimaginative.
- The proposed location of the garage is off-set from its neighbour.
- Loss of outlook.
- Noise during construction period of new dwelling.
- Lack of parking.
- The application to build a new house with access through the estate is not possible as the new house would be a separate entity and cannot be part of the management company.



## **11. APPRAISAL**

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

- A Whether the proposed development would be acceptable in principle (NPPF, ULP Policy S7)
- B Impact of the proposed works upon the setting of a listed building (ULP Policy ENV2)
- C Impact on highway safety (ULP Policy GEN1)
- D Design (ULP Policy GEN2)
- E Parking standards (ULP Policy GEN8)
- F Impact on neighbouring amenity (ULP Policy GEN2)
- G Impact of the proposed works upon preserved trees / non-preserved trees of significance (ULP Policy ENV3).
- H Impact upon protected species (ULP Policy GEN7)

### **A Whether the proposed development would be acceptable in principle (NPPF, ULP Policy S7)**

- 11.1 The site lies outside development limits for Great Dunmow and therefore lies within the countryside for the purposes of the adopted local plan. ULP Policy S7 of the local plan states that the countryside will be protected for its own sake. However, seven new dwellings have been recently constructed to the immediate south of Tower House (Tower View Drive) when it was considered by the Council for that planning application that the proposal would represent a presumption in favour of sustainable development under the provisions of the NPPF and that the impact of the development on the countryside at this location would not be significant.
- 11.2 The proposal site stands between Tower House and Tower View Drive along the St Edmunds Lane frontage. Whilst the site does not represent a natural infill site (where this position did not exist before the construction of Tower View) the fact that this development now exists means that the proposal site can be read in the context of an infill site where infilling is permitted under ULP Policy S7 given the right site circumstances and given that Policy DS1: TDA of the made Great Dunmow Neighbourhood Plan permits appropriate infilling within existing built-up areas.
- 11.3 The principle of allowing a new dwelling at the proposal site is therefore considered acceptable in terms of countryside protection and no rural amenity objections are raised to the proposal under ULP Policy S7.

### **B Impact upon the setting of a listed building (ULP Policy ENV2)**

- 11.4 It is incumbent upon a local planning authority to assess the impacts of new development on heritage assets where this assessment is required under Paragraphs 133 and 134 of the NPPF and where ULP Policy ENV2 of the adopted local plan requires that development respects the special characteristics of such assets, including their setting.
- 11.5 The proposal the subject of the current application has been previously assessed at preliminary enquiry stage when your officers advised the applicant's agent that there could be potential scope for a new dwelling of sympathetic design to be built within the grounds of Tower House, which is a grade II listed building. The application has been submitted on this basis and follows closely that advice, albeit that the dwelling shown differs slightly from that originally proposed in terms of design. However, the Council's Conservation Officer has advised for the current application in her original consultation response that the bulk and scale of the dwelling as presented is too

large and bulky and not properly orientated whereby it should be turned on its axis to read more properly with the adjacent Tower View Drive development.

- 11.6 The specialist comments received from the Council's Conservation Officer has led to a deferment of the application whereby revised drawings have been submitted in response showing a dwelling of more muted design and turned to face Tower View Drive in a more purposeful manner. The revised comments of the Conservation Officer have since been received on the revised drawings whereupon heritage objections have still been raised to the design of the dwelling where it is stated in the response that;

"I feel that the revised scheme does not overcome my previous concerns. No attempt has been made to substantially reduce the accommodation within the new dwelling, its location still poorly relates to the modern development already undertaken, whilst clearly it would visually impinge on the setting of the Tower House seriously undermining its present sense of isolation. On balance, I feel that due to the proximity of the designated heritage asset and the belt of TPO trees, it is unlikely that an additional dwelling of these proportions could be accommodated here".

- 11.7 It should be noted that concerns have also been expressed by the Council's Landscape Officer in terms of the impact that the proposed dwelling would have upon local landscape character where the view has been expressed in his response that;

"The proposed dwelling presents its rear elevation to St. Edmunds Lane. This arrangement is not considered to be visually desirable when viewed from the public highway. Additionally, its siting near to the St. Edmunds Lane frontage would result in the loss of the open character of this part of the site and detrimentally impact on the setting of Tower House. An important view of the windmill tower would be obscured by the proposed dwelling".

- 11.8 It is considered from the concerns expressed by both the Conservation Officer and the Landscape Officer that the development by reason of the siting, scale and design of the new dwelling would lead to substantial harm to the significance of Tower House as a designated heritage asset whereby it has not been demonstrated by the applicant that the substantial harm is necessary to achieve substantial public benefits that would outweigh this harm where the introduction of a single dwelling at this site to count against the Council's current housing supply deficit is not outweighed by the harm which would be caused. The siting position of the garage for the new dwelling as shown on the revised layout drawing is considered to be more appropriate to the side of the dwelling rather than in line with the existing garage to the first dwelling at Tower View on the other side of the rear entrance track into Tower House as originally proposed. No specific or heritage objections are therefore raised to the siting or the design of the garage.

- 11.9 Given the above, it is considered that the dwelling would fail to be in keeping with the scale, character and surroundings of Tower House as a heritage asset contrary to ULP Policy ENV2 and would be contrary to paragraph 133 of the NPPF relating to heritage protection.

## **C Impact on highway safety (ULP Policy GEN1)**

- 11.10 The new dwelling would utilise the new private drive which serves Tower View (Tower View Drive). As such, there would be a minor intensification of use of this gated drive. ECC Highways have been consulted on the proposal and have not

raised any objections on highway safety grounds and no objections are raised under ULP Policy GEN1. The comments from third party residents living at Tower View relating to the Tower View management company and potential impacts on future drive maintenance are noted. However, this is not a material planning consideration.

**D Design (ULP Policy GEN2)**

- 11.11 The new dwelling would have a road frontage to the rear and a private drive to the front. The site as laid out would enjoy natural screening to both the front and rear in the form of mature trees and established hedging. Whilst the dwelling would not be afforded a total private zoned garden amenity space in the true sense of the word, there would be sufficient space around the dwelling collectively for an amenity space exceeding 100sqm to be achieved for the private enjoyment of the occupants. The dwelling would stand on reasonably level ground so that access to the dwelling from the parking area would be easily achieved. No design objections are therefore raised under ULP Policy GEN2.

**E Parking standards (ULP Policy GEN8)**

- 11.12 The ancillary garage to the new dwelling would have two parking bays, whilst additional hardstanding parking is shown in front of the garage at the end of the driveway. At 2.5m x 6.0m bay size, the garage bays would not conform to the 3m x 7m bay size required by ECC Parking standards. However, given the size of the site it is considered that a relaxation of these standards can be applied, whilst three parking spaces shown overall for the proposed development would comply and exceed the parking provision required for a 4+ bedroomed dwelling. No parking objections are therefore raised under ULP Policy GEN8.

**F Impact on residential amenity (ULP Policy GEN2)**

- 11.13 The new dwelling would be orientated towards Tower View Drive facing onto the upper end of Tower View. The separation distance involved and vegetation which exists on the frontage boundary which would be retained would mean that any "front to front" amenity impact would not be significant and would not result in a meaningful loss of residential amenity to the occupants of Tower View, whilst the separation distance of between 5m -17m along the northern flank boundary of the new dwelling to Tower House as the "donor" dwelling and the fact that roof lights are shown for the NE flank elevation of the new dwelling would mean that no significant overbearing effect, loss of privacy by reason of overlooking or loss of light or outlook would occur to/from this adjacent dwelling. No residential amenity objections are therefore raised under ULP Policy GEN2.

**G Impact of the proposed works upon preserved trees / non-preserved trees of significance (ULP Policy ENV3).**

- 11.14 The site contains various trees of varying size, condition and longevity, some of which are subject to TPO. A tree survey has been prepared of the site which accompanies the application identifying these trees.
- 11.15 The Council's Landscape Officer has visited the site to assess the impact of the proposed development on these trees based upon both the original and revised site layout drawings for the new dwelling. He has advised that the development would result in the loss of 8 individual trees and a small grouping of trees on the site (5 apple, 1 pear, 1 oak, 1 yew, and a group of ash, cherry and elder) whereby these trees are not considered to be of significant amenity value worthy of protection. He has also advised

that there is a Norway maple and a horse chestnut on the site which are subject to a TPO 1/82 which would be unaffected by the proposed development.

- 11.16 Based upon the Landscape Officer's findings, the proposal would not have a detrimental impact on any preserved trees or any non-preserved trees on the site and would not be contrary to ULP Policy ENV3.

#### **H Impact upon protected species (ULP Policy GEN7)**

- 11.17 The site comprises primarily grassland and perimeter hedgerows. The application is accompanied by a detailed ecology assessment (Extended Phase 1 Habitat Survey T4 Ecology Ltd - Dec 2017) which has concluded from the site survey conducted that the site does not provide suitable habitats for protected or priority species and that none were found during the survey.
- 11.18 ECC Ecology has commented that the proposal is limited in scale and scope and is unlikely to impact designated sites, protected or priority species or priority habitats according to the ecology report prepared and that government advice states that further surveys are only required if there is a *reasonable likelihood* of biodiversity being impacted. Given the low ecological value of the site, ECC Ecology advises that further surveys are not required. Accordingly, no ecology objections are raised under ULP Policy GEN7.

## **12. CONCLUSION**

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

- A** The site is located within a sustainable position on the edge of Great Dunmow notwithstanding that it lies just beyond development limits and represents a development infill site given the recent residential development which has been built to the immediate south of the site (Tower View), whilst the impact of a proposed dwelling at this infill location on the wider countryside setting would not be significant (NPPF and ULP Policy S7).
- B** The development would lead to substantial harm to the significance of Tower House as a designated heritage asset whereby it has not been demonstrated that this substantial harm is necessary to achieve substantial public benefits that outweigh this harm (NPPF and ULP Policy ENV2).
- C** The proposal would not have a harmful impact on highway safety (ULP Policy GEN1).
- D** The proposal would meet design standards relating to garden sizes (ULP Policy GEN2).
- E** The proposal would comply with adopted parking standards (ULP Policy GEN8).
- F** The proposal would not have a significant impact on residential amenity (ULP Policy GEN2).
- G** The proposal would not have a detrimental impact upon preserved trees/non-preserved trees of significance (ULP Policy ENV3).
- H** The proposal would not have a detrimental impact upon protected or priority species (ULP Policy GEN7).

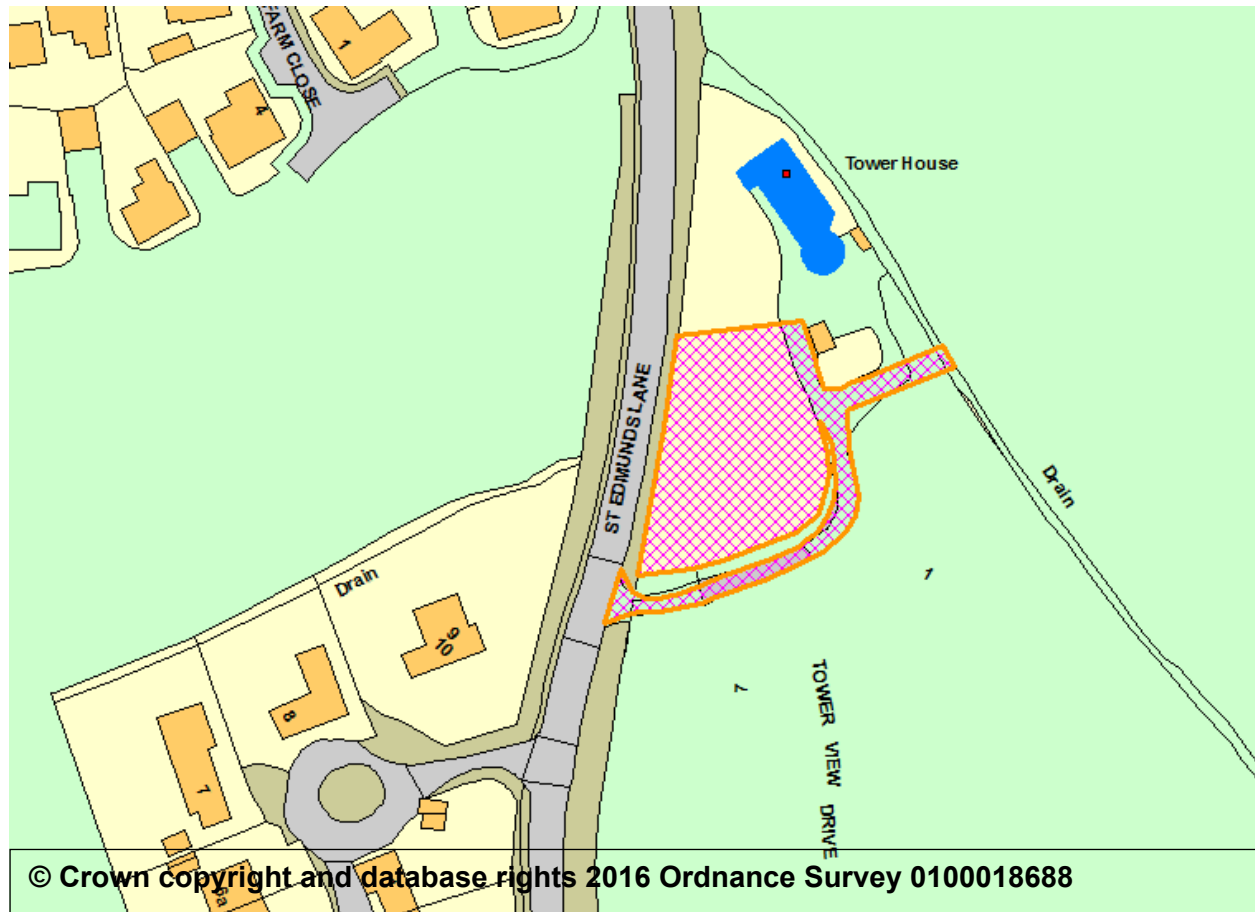
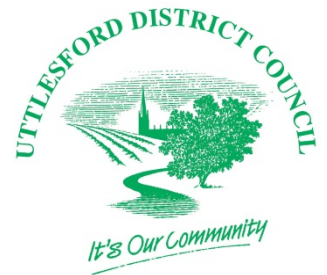
## **RECOMMENDATION – REFUSAL**

1. The proposed development by reason of the size, siting and design of the dwelling proposed for the site would lead to substantial harm to the significance of Tower House as a designated heritage asset in terms of its impact upon its curtilage setting

whereby it has not been demonstrated that this substantial harm is necessary to achieve substantial public benefits that outweigh the harm. As such, the proposal is contrary to ULP Policy ENV2 of the Uttlesford Local Plan (adopted 2005) which seeks to protect heritage assets from inappropriate development and paragraph 133 of the National Planning Policy Framework under which no circumstances exist to warrant approval of the application by way of mitigation.

Application: UTT/17/3605/FUL

Address: Tower House, St Edmunds Lane, Great Dunmow



Organisation: Uttlesford District Council

Department: Planning

Date: 24 May 2018

## UTT/17/3603/HHF – (GREAT DUNMOW)

(Planning application by Cllr John Davey)

**PROPOSAL:** Reinstatement of vehicular access

**LOCATION:** Tower House, St Edmunds Lane, Great Dunmow

**APPLICANT:** Mr John Davey

**AGENT:** Ian Abrams

**EXPIRY DATE:** 12 February 2018

**CASE OFFICER:** Clive Theobald

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### **1. NOTATION**

- 1.1 Outside Development Limits / affecting setting of Grade II Listed Building / TPO (1/82/48).

### **2. DESCRIPTION OF SITE**

- 2.1 The site lies on the east side of St Edmunds Lane approximately half way along its length and comprises a residential property containing a grade II listed two storey house with adjacent former windmill physically linked to it which together stand in generous and attractive grounds containing a number of mature perimeter trees, some of which are subject to a Tree Preservation Order. A mature hedge line runs along the road frontage of the property for its entire length.
- 2.2 A new exclusive housing development comprising seven detached dwellings with garages centred around a small green (Tower View) stands to the immediate south of Tower House which is served by a recently completed private gated access drive leading off St Edmunds Lane (Tower View Drive) which also currently serves Tower House whereby an unmade entrance track leads off the rear end of Tower View Drive back up to the house.

### **3. PROPOSAL**

- 3.1 This full application relates to the reinstatement of a former vehicular access to Tower House from St Edmunds Lane with associated driveway works and turning area.
- 3.2 The proposed access would utilise an existing frontage dropped kerb along St Edmunds Lane towards its northern end, whilst the driveway behind it would have a width of 5.5m, a length of some 15m and would incorporate a 3m wide bar field gate which would be positioned approximately 6m in from the back edge of the highway. A 6m wide hardstanding parking and turning area would be formed at right angles at the rear end of the access drive to run parallel in front of Tower House and then extending at a reduced width of 2.5m to an existing garage structure on the south-east side of the house. Both the longer section of new access drive from the recessed entrance gate to the house and the hardstanding parking and turning area behind it would be formed of rolled shingle or similar.

#### **4. ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 The proposal is not included for formal assessment against the EIA regulations given the nature and scope of the development.

#### **5. APPLICANT'S CASE**

- 5.1 The application is accompanied by a Design & Access Statement which describes the background to the application with reference to a preliminary enquiry submitted to the Council in June 2017, the nature and extent of the proposed works and an assessment of the highway, heritage and environmental impacts of the works, including reference to the impact on adjacent trees. The report concludes by stating that the proposed works would meet the three strands of sustainability when assessed against the NPPF and would additionally not cause any material harm to the setting of the designated heritage asset on the site (Tower House).

#### **6. RELEVANT SITE HISTORY**

- 6.1 It is understood that the dropped kerb which still exists along the St Edmunds Lane frontage at the site and which is the subject of the proposed vehicular access reinstatement works for the current application served as the former vehicular access point into Tower House as shown on old Ordnance Survey records, although there are no planning records for the construction of this former access. The newly completed vehicular access drive to Tower View to the south of Tower House (Tower View Drive) represents a new vehicular access point off of St Edmunds Lane at this location.
- 6.2 A preliminary enquiry was made to the Council in June 2017 relating to both the proposed reinstatement of the existing vehicular access into Tower House from St Edmunds Lane and for the proposed erection of a new dwelling with detached garage to be erected within the frontage grounds of Tower House whereby the new dwelling would be served by Tower View Drive.
- 6.3 Insofar as the Council's response to that preliminary enquiry related to the reinstatement of the vehicular access to Tower House was concerned, Council Officers advised that the reinstated vehicular access to Tower House could have the potential to have an adverse impact on the character of the area and the streetscene through the loss of part of the established hedge line onto St Edmunds Lane.

#### **7. POLICIES**

##### **Uttlesford Local Plan (2005)**

ULP Policy GEN1 – Access  
ULP Policy GEN2 – Design  
ULP Policy GEN7 – Nature Conservation  
ULP Policy GEN8 – Vehicle Parking Standards  
ULP Policy ENV2 – Development affecting Listed Buildings  
ULP Policy ENV3 – Open Spaces and Trees

##### **Supplementary Planning Documents/Guidance**

ECC Highways Parking Standards  
UDC Parking Standards



## **National Policies**

NPPF

## **Other Material Considerations**

Great Dunmow Neighbourhood Plan – LSC-A: The Historic Environment.

## **8. PARISH COUNCIL COMMENTS**

8.1 Support.

## **9. CONSULTATIONS**

### **ECC Highways**

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

### **UDC Conservation Officer**

9.2 The proposed access reinstatement works would not have a detrimental impact upon the setting of Tower House as a grade II listed asset, although the new access should have a surface dressing of rolled shingle beyond the entrance gate so as to preserve the rural character of the listed building curtilage. Whilst the removal of a section of frontage hedge to facilitate the access is somewhat regrettable, there is an argument that the works would open up the site to more fully appreciate the listed asset.

### **UDC Landscape Officer**

9.3 The proposed works would not have a harmful impact upon the health of the prominent feature Oak which stands at the front of the site along St Edmunds Lane close to the existing dropped kerb providing that a “No Dig” condition is applied to this tree. The removal of minor trees in front of the house which have been identified as having a lesser amenity value to facilitate the access driveway is noted and no landscaping objections are raised to their removal. I have some reservations as to whether the health of the proposed native hedge planting shown on the site layout drawing to be planted along the lines of the opposing site splays at the proposed site entrance would be sustained in the long term in view of their relative closeness to the trunk of this mature Oak tree and the extent of its root spread, although the likelihood of this occurring can be reduced to some degree through appropriate planting measures. I therefore have no landscaping objections to the proposal.

## **10. REPRESENTATIONS**

10.1 Neighbour notification period expired 18 January 2018. 3 representations received. Advertisement expires 25 January 2018. Site notice expires 29 January 2018

- Both Tower House and the proposed new house build application submitted in conjunction (UTT/17/3605/FUL) should be served by the proposed access drive via Tower House and not by separate means of vehicular access via Tower View Drive. Temporary construction traffic should be permitted through this new access to avoid damage to Tower View Drive as the new dwelling proposed will

not form part of this completed development and as there would be issues regarding costs and maintenance as well as public liability insurance for the management company

## **11. APPRAISAL**

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

- A Whether the proposed works would be suitable in terms of highway safety (ULP Policy GEN1)
- B Impact of the proposed works upon the setting of a listed building (ULP Policy ENV2)
- C Impact of the proposed works upon preserved trees / non-preserved trees of significance (ULP Policy ENV3)
- D Parking standards (ULP Policy GEN8)

### **A Whether the proposed works would be suitable in terms of highway safety (ULP Policy GEN1)**

11.1 St Edmunds Lane is a classified road which serves as a through route from Braintree Road to Church End and the B184 beyond, although is subject to a 30mph speed restriction. The proposed reinstated vehicular access to serve Tower House would be set at right angles to the highway on the inside of the road curvature and would have 2.4m x 45m sight splays in each direction along St Edmunds Lane.

11.2 ECC Highways have been consulted on the application who has advised that the proposed entrance reinstatement works as shown would not be harmful to highway safety subject to standard highway conditions being imposed on any planning permission granted. There would be a neutral impact in terms of traffic generation as the reinstated vehicular access would serve as a replacement means of access into the grounds of Tower House whereupon the existing access into the property from Tower View Drive would be closed off. Given the highways comments from ECC Highways, it is considered that the reinstated access would not give rise to highway safety issues and no highway objections are raised under ULP Policy GEN1. The comments expressed by some of the residents of Tower View relating to the future maintenance of the private drive relate specifically to application UTT/17/3605/FUL (new dwelling at Tower House - see separate report on this agenda) and not the application the subject of this report, although this issue is not a material planning consideration in any event.

### **B Impact of the proposed works on the setting of a listed building (ULP Policy ENV2)**

11.3 The proposed access reinstatement works and associated driveway would have a limited impact upon the setting of Tower House and would lead to less than substantial harm under the provisions of the NPPF given the surface nature of the works. No heritage objections have been raised by the Council's Conservation Officer to the proposed works whereupon it has been suggested that the works would provide an opportunity for a better appreciation of the listed asset within its setting notwithstanding that some of the frontage hedge would have to be removed and no objections are therefore raised to the proposal under ULP Policy ENV2 subject to a surface treatment condition (rolled shingle).

**C Impact of the proposed works upon preserved trees / non-preserved trees of significance (ULP Policy ENV3).**

- 11.4 The southern edge of the reinstated access driveway would run approximately 3m from the trunk of the frontage feature Oak tree which stands onto St Edmunds Lane. A separate tree which is marked on the submitted site layout plan as being adjacent to this Oak tree no longer exists, whilst the smaller trees required to be removed closest to Tower House to facilitate the driveway are denoted from the tree survey accompanying the application as being of lesser quality and condition not worthy of retention. No amenity objections are raised to the access works by the Council's Landscape Officer subject to a planting condition for the splayed site entrance and no objections are therefore raised under ULP Policy ENV3.

**D Parking standards (ULP Policy GEN8)**

- 11.5 The proposed parking hardstanding shown at the end of the access driveway to Tower House would be able to accommodate two vehicles at 5.5m x 2.9m parking bay size, whilst a further vehicle would be able to be parked in front of the existing garage along the proposed vehicle run-in making a total of 3 no. newly created parking spaces for the property. It has been assumed that Tower House is a 4-5 bedroomed dwelling and this level of on-site parking provision for the existing dwelling would conform to ECC Highway parking standards, whilst an adequate turning area is shown to be provided. No objections are therefore raised under ULP Policy GEN8.

**12. CONCLUSION**

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

- A** The proposed access reinstatement works would be suitable in terms of highway safety (ULP Policy GEN1)
- B** The proposed works would not have a harmful impact upon the setting of the listed building (ULP Policy ENV2)
- C** The proposed works would not have a harmful impact upon any preserved trees or non-preserved trees of significance at the site (ULP Policy ENV3)
- D** The associated parking for Tower House as shown would comply with adopted parking standards (ULP Policy GEN8)

**RECOMMENDATION – APPROVAL WITH CONDITIONS**

**Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The entrance site splays to the reinstated vehicular access as shown on drawing 93217.01 dated Nov 2017 shall be planted with native field mix species hedging planted in a double staggered row at 5 plants per metre capable of supporting bio-diversity and wildlife. Planting shall take place in the first planting and seeding seasons following the completion of the access works hereby approved. Any plants

which within a period of five years from the completion of the works 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.

REASON: The soft landscaping of this site and its proper implementation is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the works hereby permitted in accordance with ULP Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

3. The vehicular access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is 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).

4. The vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres, shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the highway verge.

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

5. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

6. 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 access 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 footway/cycleway/carriageway in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. The vehicular hardstanding shown on drawing 93217.01 dated Nov 2017 shall be capable of providing 2 no. 5.5m x 2.9m parking spaces.

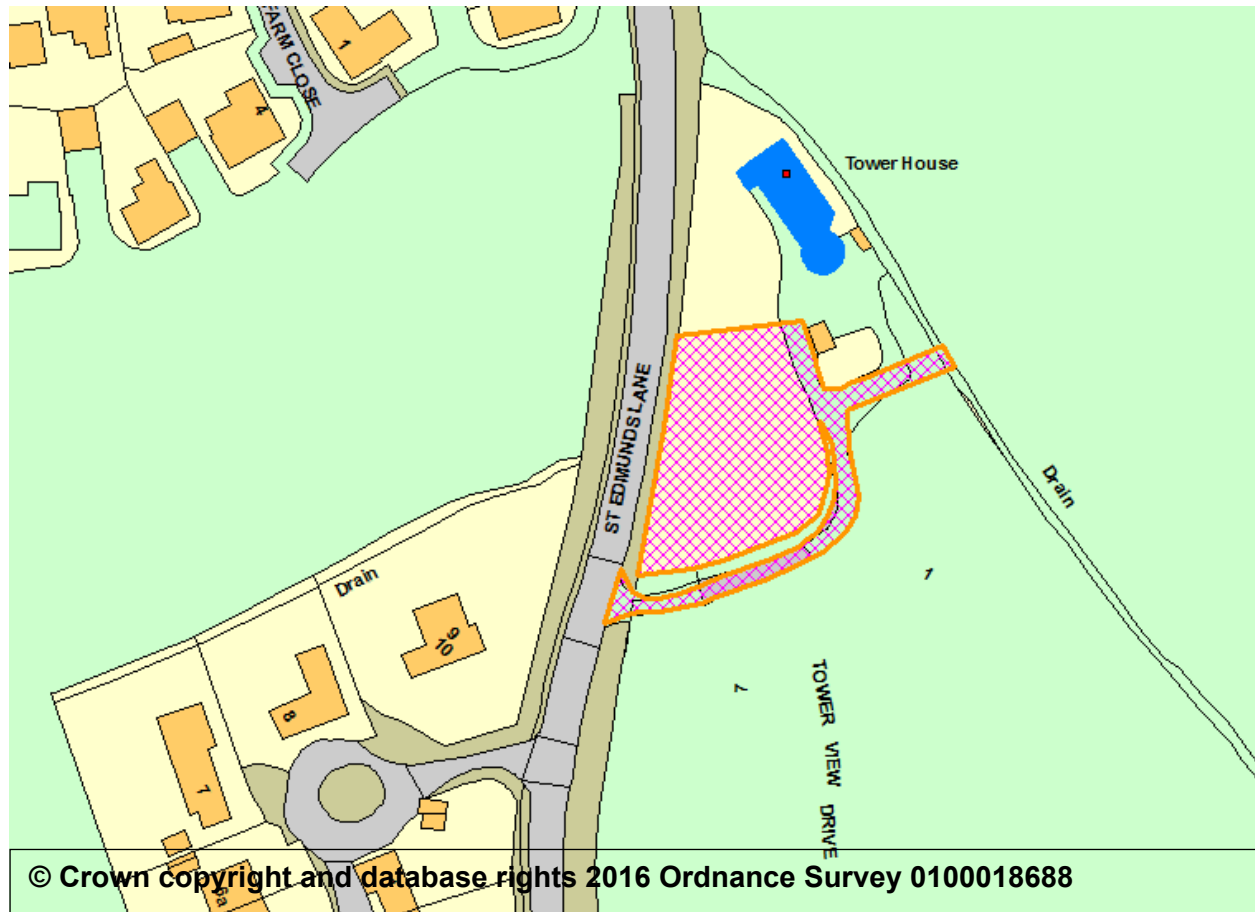
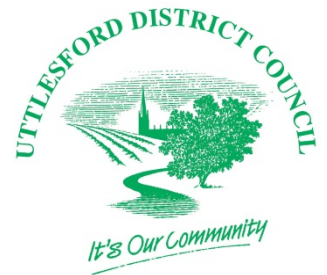
REASON: To ensure that the development complies with Essex County Council adopted parking standards (Parking Standards - Design and Good Practice, September 2009) and to reduce the possibility of undesirable on-street parking at this location.

8. The access driveway as shown on drawing 93217.01 dated Nov 2017 (excluding the first 6m section of driveway length from the back edge of the highway which shall be laid in tarmac) shall be laid with a bonded/rolled shingle surface or similar.

REASON: To ensure that the finished treatment of the proposed works is commensurate with the setting of the site and its immediate surroundings in accordance with ULP Policies GEN2 and ENV2 of the Uttlesford Local Plan (adopted 2005).

Application: UTT/17/3603/HHF

Address: Tower House, St Edmunds Lane, Great Dunmow



Organisation: Uttlesford District Council

Department: Planning

Date: 24 May 2018

## UTT/18/0763/HHF – (THAXTED)

(Householder Application. Committee Referral Reason: The applicant is a Council employee)

**PROPOSAL:** Erection of first floor side extension  
**LOCATION:** 25 Weaverhead Close, Thaxted, Dunmow, Essex, CM6 2PW  
**APPLICANT:** Mr and Mrs A Pedder  
**AGENT:** Mr A F Weaver  
**EXPIRY DATE:** 10 June 2018  
**CASE OFFICER:** Peter McEvoy

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### **1. NOTATION**

- 1.1 The following planning constraints apply to the application site:
- within Thaxted's development limits;
  - within 2km of a SSSI consultation area;
  - general aerodrome directions, including a 16h LEQ (equivalent continuous sound level) weighting of 57dB.

### **2. DESCRIPTION OF SITE**

- 2.1 Weaverhead Close is a mid-twentieth century housing estate to the south east of Thaxted. There is a variety of house types, but they all have a common design theme of coloured rendered walls and dark brown tiles.
- 2.2 The application site is outlined in red on the location plan attached to the end of this report. The dwelling forms the westernmost property of a short row of terrace dwellings with a parking courtyard to the front.

### **3. THE PROPOSAL**

- 3.1 The applicants are requesting planning permission to build a first floor side extension (over the existing side extension) to provide an additional bedroom, with en-suite and a dressing room.
- 3.2 All measurements may be scaled from the submitted plans.

### **4. APPLICANTS' CASE**

- 4.1 The applicants have submitted a biodiversity checklist in support of their proposal.

### **5. RELEVANT PLANNING HISTORY**

- 5.1 UTT/0526/99/FUL Ground floor side extension (approved on 30 June 1999).

## **6. POLICIES**

### **National Policies**

- National Planning Policy Framework

### **Uttlesford Local Plan (2005)**

- Policy S3 – Other Development Limits
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards
- Policy H8 – Home Extensions

### **Other documents**

- SPD Parking Standards Design & Good Practice September 2009
- SPD Essex Design Guide
- SPD Home Extensions
- Thaxted Design Guide

## **7. PARISH COUNCIL COMMENTS**

- 7.1 Resolved to support.

## **8. CONSULTATIONS**

- 8.1 None.

## **9. REPRESENTATIONS**

- 9.1 The LPA notified by letter six nearby occupiers, but the LPA had not received any replies on the date this report was prepared.

## **10. APPRAISAL**

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

- A The principle of development (NPPF, Local Plan Policy S3)
- B Design and amenity (NPPF, Local Plan Policies, GEN2 and H8, and SPD1)
- C Site biodiversity (Local Plan Policy GEN7)
- D Access and parking (Local Plan Policies GEN1 and GEN8, Uttlesford Parking Standards, and Uttlesford Parking Standards)

### **A The principle of development**

- 10.1 The Local Plan identifies the site as being within Thaxted's settlement limits and so Policy S3 applies to this application. The NPPF encourages sustainable development in such areas and the Local Plan will also permit applications within settlement limits if they are compatible with the character of the settlement. Providing the proposal satisfies all other relevant planning policies, then the principle of the development at this location is met.



## **B Design and amenity**

- 10.2 Both national and local planning policy, together with the associated design guidance, such as the Thaxted Design Guide, expect developments to be constructed to a high standard in terms of appearance. For householder extensions, this is usually taken to mean that the development's scale, appearance and choice of materials are sympathetic to the host dwelling. Side extensions should be subordinate to the house.
- 10.3 The existing dwelling, including its existing extension, is simple in its execution, with few architectural flourishes. The proposal's appearance reflects this theme and the applicants state that the proposed materials would be the same as those found on the existing dwelling. There are some elements of subordination as the extension's ridge height would be slightly lower than the house with a small degree of set back from the dwelling's principle elevation.
- 10.4 The cumulative effect of all the property's extensions would be to lead to a notable increase in floor area when compared to the house's original dimensions, but on balance, given the large size of the curtilage and the fact it effectively forms a corner development, on balance, the scale is just within the limits of acceptability.

## **C Residential amenity**

- 10.5 Local Plan Policy GEN2 requires developments to not create an unacceptable impact on the amenity of nearby occupiers in terms of shadowing, visual dominance or loss of privacy. The extension's location means that it would be a sufficient distance away from its immediate neighbours to ensure that any impact on residential amenity would not be material.

## **D Site biodiversity**

- 10.6 Local Plan Policy GEN7 requires applicants to show that the development would not have a harmful effect on wildlife or geological features unless the need for the development outweighs the importance of the feature to nature conservation. Applicants also have a legal duty towards legally protected species or habitats. The applicant has submitted a biodiversity questionnaire which has not identified any potential issues.

## **E Access and parking**

- 10.7 Applicants are required to show that their development would not compromise the safety of the highway by ensuring that any additional traffic generated by the development can easily be accommodated within the existing highway network (Policy GEN1) and by providing a commensurate level of parking that is appropriate for the development (Policy GEN8).
- 10.8 An extension which only adds an additional bedroom is not expected to create any further traffic flows.
- 10.9 The LPA's requirements for parking for residential properties depends, in part, on the number of bedrooms in the dwelling. Although the proposal would convert the house from a two to a three bedroom dwelling, Uttlesford's parking standards do not require any additional parking bays for this type of scheme.

## **11. CONCLUSION**

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

- A** The principle of the development is deemed to be appropriate in that it would be of a sustainable development in accordance with the National Planning Policy Framework and Local Plan.
- B** The cumulative effect of the extensions would be to create a notable increase in floor area, but this is considered to be within acceptable limits. The design and choice of materials would ensure that the proposal would not be incongruous to the general street scene.
- C** The proposal would not adversely affect the biodiversity on site.
- D** The proposed development would not compromise the safety of the highway and there is no requirement for the applicants to provide any additional parking spaces.

### **RECOMMENDATION – APPROVAL SUBJECT TO CONDITIONS**

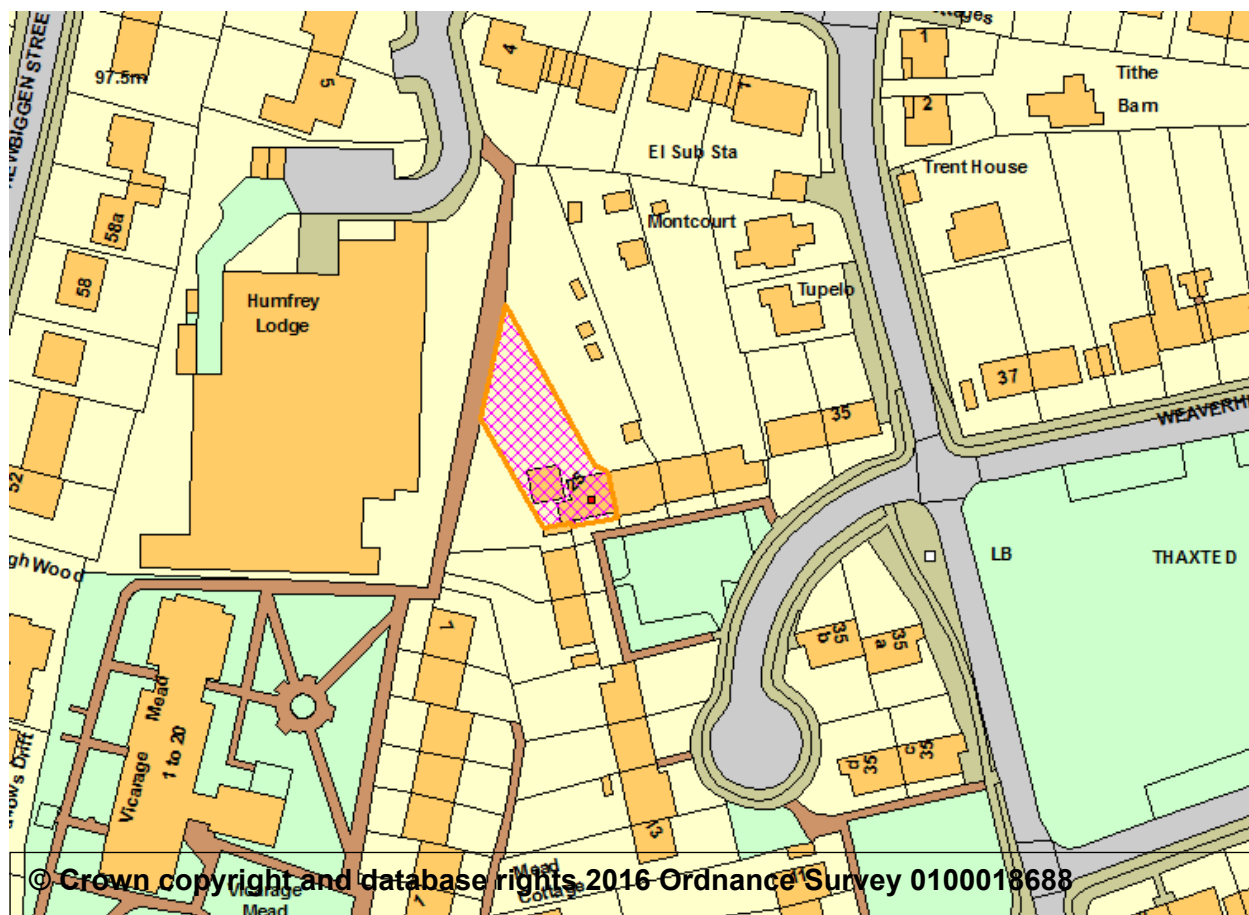
#### **Condition**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Application: UTT/18/0763/HHF

Address: 25 Weaverhead Close, Thaxted, Dunmow



Organisation: Uttlesford District Council

Department: Planning

Date: 24 May 2018

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