



Uttlesford District Council

Chief Executive: Dawn French

Planning Committee

Date: Wednesday, 24th October, 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

Public Speaking

At the start of each agenda item there will be an opportunity for members of the public to make statements to the Committee subject to having given notice by 2pm on the day before the meeting. Please refer to further information overleaf.

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 - 8

To consider the minutes of the previous meeting.

3 UTT/18/1993/FUL - Land to the West of High Lane, Stansted

9 - 34

To consider application UTT/18/1993/FUL.

4 UTT/18/1004/FUL - Audley End Station Station Road Wendens Ambo 35 - 50

To consider application UTT/18/1004/FUL.

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**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 26
SEPTEMBER 2018 at 2.00 pm**

- Present: Councillor A Mills (Chairman)
Councillors R Chambers, T Farthing (Substitute for L Wells),
P Fairhurst, R Freeman, E Hicks, M Lemon, J Lodge and
J Loughlin, J Redfern (Substitute for H Ryles)
- Officers in attendance: N Brown (Development Manager), M Jones (Planning Officer),
A Mawson (Democratic Services Officer), P McEvoy (Temporary
Planning Officer), L Mills (Planning Officer), M Shoesmith
(Development Management Team Leader), E Smith (Legal
Officer)
- Speakers: Councillors J Freeman and D Jones (on behalf of Councillor K
Artus), G Bagnall, G Fisher, P Hewett, L Southgate, G Gardener,
B Bamber, J Londesborough, W Cockrell, T Frostick, H Izod, M
Dowell, A Walker, S Barratt, S Amico, P Cavill, A Belhajjam, S
Hastie, M Horrigan, P Horrigan, J Wheatley, C Nash.

PC34 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Wells and Ryles

PC35 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 29 August were received and signed by the Chairman as a correct record.

PC36 UTT/18/0318/OP - LAND TO THE WEST OF CANFIELD ROAD, GREAT CANFIELD

The Planning Officer presented the application for outline planning permission to erect up to 135 dwellings, with all matters reserved except the means of access from Great Canfield Road.

Members expressed concern that the adverse impacts of development would significantly and demonstrably outweigh the benefits of the additional supply. Issues discussed included the unsustainability of the development, access issues and harm to the countryside.

Councillor Fairhurst proposed to refuse the application. Councillor Lodge seconded the motion.

RESOLVED: Permission is refused for the following reasons:

- 1 The proposed development would result in the urbanisation of open countryside and a country lane, the promotion of coalescence between

settlements and a loss of openness adjacent the Countryside Protection Zone. The consequent harm to the character and appearance of the area represents a conflict with Policy S7, Policy S8 and Policy ENV3 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework (NPPF). In the context of paragraph 11 of the NPPF, these diverse effects would significantly and demonstrably outweigh the benefits of the proposal

- 2 The application does not include a mechanism, such as a S106 legal agreement, to secure the following:
 - Sufficient affordable housing, equating to 40% of the total number of dwellings
 - A suitable financial contribution towards early years and childcare provision
 - A suitable financial contribution towards primary education provision
 - A suitable financial contribution towards secondary education provision
 - A suitable financial contribution towards primary healthcare provision
 - A suitable financial towards the planned improvement scheme at Junction 8 of the M11
 - A suitable link to the Flitch Way and a financial contribution to improve surfacing, drainage and provide signage
 - A suitable financial contribution to the National Trust for use at Hatfield Forest towards visitor and botanical monitoring, visitor and community education and infrastructure maintenance
 - Suitable arrangements for the provision, maintenance and management of open space and play area
 - A Strategic Access Management and Monitoring Measures (SAMMs) agreement between appropriate bodies, to help facilitate the management of visitor pressure on Hatfield Forest SSSI

The proposal therefore conflicts with Policy H9, Policy GEN6, Policy GEN1, Policy GEN7, Policy ENV7 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Councillor D Jones (on behalf of Councillor K Artus), G Bagnall, G Fisher, P Hewett, L Southgate, G Gardener, B Bamber, J Londesborough spoke on the application.

PC37 UTT/18/0750/OP - LAND AT CLAYPITS FARM, BARDFIELD ROAD, THAXTED

The Planning Officer presented the outline application for the demolition of the existing buildings and the erection of fifteen dwellings with all matters reserved except layout and access.

Councillor Freeman proposed to defer the application in favour of a site visit. Councillor Fairhurst seconded this motion.

A vote was held and the motion was defeated.

Councillor Hicks proposed to approve the application. Councillor Chambers seconded this motion.

RESOLVED to approve the application subject to the conditions in the decision notice.

Councillor J Freeman, W Cockrell, T Frostick, H Izod spoke on the application

PC38 UTT/18/0386/FUL - GREAT CHALKS HIGH STREET, HATFIELD BROAD OAK

The Planning Officer presented the proposal for the demolition of outbuildings, and the erection of eight detached dwellings (including one bungalow) and a block of garages. The frontage gates and brick wall either side of the gates would be demolished. The attached single storey boiler house to the side of the house, with greenhouse to the rear would also be demolished.

Members discussed the merits of the application in that currently the site was a private site and the benefit of development was that the community would gain a green space.

Members discussed the access and parking in depth and it was agreed that the provision of public access parking should be secured as a benefit for local residents and visitors.

Concerns were raised about the conservation area, traffic, the character of the village and the feelings of the community.

Councillor Fairhurst proposed the refusal of the application, and Councillor Farthing seconded this proposal.

A vote was held and this motion was defeated.

The Development Manager said that it was important that The Council insisted on a plan for maintenance and management of the landscaping of the green space. Adding a boost to condition 4, including tree protection measures, removal of permitted development, ecological assessments and tree preservation orders are in place before any development took place.

The Chairman proposed approval of the application and the motion was seconded by Councillor Redfern.

RESOLVED: to approve the application subject to the conditions in the decision notice.

Councillor D Jones (on behalf of Councillor K Artus), M Dowell, A Walker, S Barratt, S Amico, P Cavill spoke on the application.

PC39 UTT/18/1429/OP - LAND TO THE WEST OF RADWINTER ROAD, ASHDON

The Planning Officer presented the application for outline planning permission, with all matters reserved except access, for the erection of four detached houses. A single vehicular access would lead to a shared access road.

Councillors discussed that they would like to see that special attention was paid to alleviate issues of the footpath, potential flooding with a sustainable drainage system (SuDS).

Councillor Loughlin proposed to approve the application. Councillor Fairhurst seconded the proposal.

RESOLVED: to approve the application subject to the conditions in the decision notice.

PC40 **UTT/18/1386/FUL - LAND TO THE REAR OF 3 HOLLOWAY CRESCENT,
LEADEN RODING**

The Planning Officer presented the application for planning permission to erect a pair of two-bedroom flats. There would also be parking spaces, with access from Willow Green, and rear gardens. The proposal was a resubmission of an earlier scheme from 2015.

The Chairman proposed approval of the application and was seconded by Councillor Chambers.

RESOLVED: to approve the application subject to the conditions in the decision notice.

The meeting closed at 5:30pm

UTT/18/1993/FUL - (STANSTED)

(Major)

PROPOSAL: Redevelopment of site to provide 35 no. dwellings with associated garages, drainage infrastructure, landscaping and parking including the creation of new vehicular access from High Lane and additional footpath access points from Cambridge Road and High Lane.

LOCATION: Land To The West Of High Lane, Stansted

APPLICANT: Bloor Homes

AGENT: Pegasus Group

EXPIRY DATE: 5th November 2018

CASE OFFICER: Chris Tyler

1. NOTATION

- 1.1 Within Development Limits, airport safeguarding, within 2km SSSI, Flood Zone 2 and 3

2. DESCRIPTION OF SITE

- 2.1 The application site is separated into two parcels of land. The site is located off east and west of High Lane in the parish of Stansted Mountfitchet. The application site covers 1.55ha and is currently arable fields with no existing buildings. Access to the site is via a gap in the hedgerow off High Lane and the site most eastern corner. The larger site is bounded by High Lane to the east and the B1383 Cambridge Road to the west. To the south of the site is a Catholic Church. Also, included in the application site is a smaller triangle piece of land directly to the east of High Lane.
- 2.2 To the north of the site is a drainage ditch recently constructed during the construction of Warpole Farm on the neighbouring residential site. The south of the site slopes down towards the north of the site, also the western boundary along Cambridge Road slopes down to High Lane.

3. PROPOSAL

- 3.1 This full planning application is for the development of the site to provide 35 dwellings with associated garages, drainage, landscaping and parking. The proposal includes the introduction of a new pedestrian access points from Cambridge Road and High Lane, with the vehicular access taken from High Lane.
- 3.2 The layout plan demonstrates a mix of:
- 4 x 1 bed
 - 20 x 2 bed
 - 7 x 3 bed

4 x 4 bed

The mix includes a mix of bungalows, semi-detached and detached properties.

- 3.3 Forty percent (14 units) affordable housing is proposed and this includes:

4 x 1 bed

6 x 2 bed

4 x 3 bed

The affordable housing would be provided as a single bungalow and a mixture of two-storey dwellings.

- 3.4 All dwellings consist of private amenity space, consistent with the Essex Design Guide.

- 3.5 Road access is provided along High Lane, with further pedestrian accesses provided along High Lane and Cambridge Road.

- 3.6 As part of the application the site to the east of High Lane is allocated for drainage infrastructure and includes a Sustainable Urban Drainage System.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 Town and Country Planning (Environmental Assessment):

The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment 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 is supported with the following accompanying documents:

- Design and access statement
- Flood risk assessment
- Landscape and visual assessment
- Energy statement
- Planning statement
- Ecology appraisal
- Transport statement
- Noise assessment
- Arboriculture impact assessment

6. RELEVANT SITE HISTORY

- 6.1 There are no previous planning applications linked to this site. However, the neighbouring residential development to the west of Cambridge Road is a material consideration.

UTT/13/1618/OP - Outline application for redevelopment of land to provide approximately 160 dwelling houses, up to 600 square metres of commercial (B1) floorspace, approximately 0.45ha reserved for educational uses, seven full size allotments, paddock and community woodland area with associated open space, landscaping, access, parking and drainage – Granted 1 April 2014

7. POLICIES

7.1 National Policies

7.2 National Planning Policy Framework (2018)

7.3 Uttlesford Local Plan (2005)

Policy S1 – Development limits for Main Urban Areas

Policy S7 - The Countryside

Policy GEN1 – Access

Policy GEN2 – Design

Policy GEN3 – Flood Protection

Policy GEN4 – Good Neighbourliness

Policy GEN6 - Infrastructure Provision to Support Development

Policy GEN7 - Nature Conservation

Policy GEN8 - Vehicle Parking Standards

Policy ENV1 – Design of Development within Conservation Areas

Policy ENV5 – Protection of Agricultural Land

Policy ENV11- Noise Generators

Policy ENV12 – Protection of Water Resources

Policy ENV15- Renewable Energy

Policy H9 - Affordable Housing

Policy H10 - Housing Mix

7.4 Supplementary Planning Documents/Guidance

SPD “Accessible Homes and Playspace”

Essex Design Guide

ECC Parking Standards: Design and Good Practice (2009)

UDC Residential Parking Standards (2013)

7.5 Stansted Mountfitchet Community Plan (2011)

The document identified that Stansted has enlarged over the years and states that any further attempts to significantly enlarge Stansted would be resisted.

8. PARISH COUNCIL COMMENTS

8.1 Stansted Parish Council (Dated 13th August 2013):

This detailed application has now been considered by the Council. Members were agreed that the principle of development on this site was agreed by the Parish Council and the Neighbourhood Development Plan group. However, the detail and layout of the application is inadequate and it cannot therefore be supported. After much discussion, members agreed to make the following points to be borne in mind if the plan is amended or if the planning committee is minded to grant permission

a) Off-site footpath links - ask that the developers be required to work with the

landowner of the land to the east to create a new footpath alongside the Ugley Brook to join to the informal path running along the southern boundary of the Aubrey Buxton Nature Reserve

b) A zebra crossing should be installed on the B1383 Cambridge Road to enable safe pedestrian access between this site and the larger site to the west of the main road as that is where community facilities are provided. In addition, the footway from the junction with High Lane south to the junction with Five Acres needs to be widened (by removing the narrow grass strip) to complete the pedestrian links to Cambridge Road services.

c) The step access on the eastern side from the development to High Lane should be avoided if possible. This could be achieved by re-routing it through the eastern side of the self-build plot and out onto the access road to the church.

d) The amount of public open space is insufficient and it should be centrally located.

e) About 50% of the proposed dwellings have tandem parking which is not acceptable and visitor parking needs to be spread throughout the site. In order to achieve d) above and a proper parking layout, it may be necessary to reduce the number of dwellings on the site.

f) We would like to see the affordable housing element gifted to a CLT.

g) Seek absolute assurance from the Environment Agency that the proposals for the flood attenuation system will work given the change in ground levels along the length of High Lane. Who will maintain this area?

h) Query the number of Waste Collection Points and how realistic this system is.

i) The site as a whole is not future-proofed for the purposes of the residents and does not meet the concept of Lifetime Homes.

j) Grit/salt bins need to be provided for vehicular and pedestrian routes/steps.

k) Traffic calming measures to be provided for High Lane.

l) There are a number of community assets located at the northern end of the site, eg the village Knight Sign, a commemorative seat and tree. Seek a condition requiring the developers to relocate (at their own expense) these items to a more suitable location should the Parish Council consider this action to be necessary, and to replace any which may be damaged as a result of that process.

m) Seek relocation of the bus stops on the B1383 to more suitable locations.

n) Seek financial contribution of ten thousand pounds for access for all-weather paths to be created at the Aubrey Buxton Nature Reserve.

o) Seek donation to the new pavilion for the Stansted Hall and Elsenham Cricket Club.

p) Seek wheel-washing condition for all construction vehicles and regular road sweeping.

9.0 CONSULTATIONS

9.1 **UDC Environmental Health**

9.2 No Objections

9.3 A noise assessment and a geo-environmental assessment have been undertaken and have been submitted with the application. Both suggest that the site is suitable for residential development subject to some mitigation works. These are discussed in more detail below.

9.4 In terms of Air Quality, the site does not appear to be located in an AQMA and is not a large scale residential development. As such it would not be classed as a major development in terms of air quality impacts and no air quality assessment has been submitted for the application. Whilst it may not be appropriate to request an assessment or large scale air quality mitigation works, depending on local policy it may be reasonable to expect contributions to more sustainable travel through the provision of electric vehicle charging points etc.

9.5 Land Contamination:

A combined Phase I Desk Top Study & Phase II Intrusive Site Investigation have been undertaken by Harrison Geotechnical Engineering. This has identified two elevated samples for Arsenic on site which exceed the S4UL General Assessment Criteria for arsenic. No other evidence of elevated contamination levels or exceedances were identified for a range of organic and inorganic contaminants across the site.

9.6 The consultants have then sought to explain that the S4UL screening criteria are very conservative in their derivation, and that there is European Research from the Bioaccessibility Research Group of Europe (BARGE) which focusses on the bioaccessibility of certain contaminants, including arsenic, that suggests higher screening levels would be more appropriate when considering human risk assessment. Although this is an unusual approach, it should also be noted that there are naturally occurring levels of arsenic commonly found in soils that can exceed the S4UL screening values. It is therefore not considered that the elevated concentrations found in the two samples should be seen as a barrier to development, subject to appropriate remediation of the localised hotspots identified on site.

9.7 The geo environmental report also identified elevated levels of ground gases and as such, gas protection measures may be required in the design and construction of the houses to be built on site.

9.8 It is therefore recommended that the following condition is attached to any consent granted for the development to require a remediation strategy to address the localised elevated arsenic concentrations as “hotspots”, and to confirm the gas protection measures to be incorporated in the dwellings to be constructed on site:

Conditions

9.9 Contaminated Land Remediation

No development approved by this permission shall take place until a Phase 3 Remediation Strategy, to address the contamination risks identified in the Harrison

Geotechnical Engineering Site Investigation Report dated April 2018 (Ref: GC21474), has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action should areas of unexpected contamination be identified.

- 9.10 **Contaminated Land Validation**
Prior to any permitted dwelling being occupied a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.
- 9.11 **Noise**
No development shall take place until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the local planning authority. The scheme shall follow the recommendations identified in the Ardent Consulting Engineers Noise Assessment Report (Ref: 182790-01A) dated July 2018. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.
- 9.12 **Prior to the commencement of the development, 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:**
a) The construction programme and phasing
b) Hours of operation, delivery and storage of materials
c) Details of any highway works necessary to enable construction to take place
d) Parking and loading arrangements
e) Details of hoarding
f) Management of traffic to reduce congestion
g) Control of dust and dirt on the public highway
h) Details of consultation and complaint management with local businesses and neighbours
i) Waste management proposals
j) Mechanisms to deal with environmental impacts such as noise, air quality and dust, light and odour.
- 9.13 **SUDS**
- 9.14 **Having reviewed the flood risk assessment and the associated documents which accompanied the planning application, acting on behalf of ECC we do not object to the granting of planning permission based on the following conditions:**
- 9.15 **Condition 1- No works shall take place until the following, as part of the detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the local planning authority. 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. Details of how contamination of groundwater can be mitigated, particularly the risk through the pond, as it located within groundwater source protection zone.**
- 9.16 **Condition 2- no works shall take place until a scheme to minimise the risk of offsite**

flooding caused by surface water runoff and groundwater during construction works and to prevent pollution has been submitted and approved in writing by the local planning authority. The scheme shall subsequently be implemented as approved.

- 9.17 Condition 3- No works shall take place until a maintenance Plan detailing the arrangement of 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 LPA. If any part of the maintenance is by a maintenance company 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 request by the LPA.

9.18 **The Environment Agency**

- 9.19 The proposed development has been reviewed, it is concluded that because the foul drainage is connecting to a main sewer and the dwellings are not in Flood Zones 3, we would have no objection to the application and no further comments to add.

9.20 **ECC Ecology**

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

9.22 Recommended conditions

All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report sections 5 and 6 (Southern Ecological Solutions, July 2018) and the Badger Survey (Southern Ecological Solutions, August 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This includes bat sensitive lighting, planting which enhances the environment for bats, installation of bat boxes, due diligence regarding nesting birds, due diligence for hedgehogs when undertaking vegetation clearance, creation of hedgehog habitat, permeable boundaries for hedgehogs, retain boundary trees and hedgerows, covering of trenches at night, storing of chemicals in sealed compounds, demarcation of a 20m exclusion zone around setts, plantings to include grassland and fruiting trees to increase forage for badgers.

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.

2. SUBMISSION OF A COPY OF THE EPS LICENCE FOR BADGERS

The following works to redevelop Land To The West Of High Lane Stansted shall not in in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998.

3. BIODIVERSITY ENHANCEMENT LAYOUT

A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal Report sections 5 and 6 (Southern Ecological Solutions, July 2018) and the Badger Survey (Southern Ecological Solutions, August 2018) shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species)

9.23 **ECC Archaeology**

- 9.24 The proposed development has been assessed in regards to archaeological features, the following conditions are recommended.

No development or groundworks shall commence until an archaeological programme of 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 LPA.

Reason: The historic environmental record indicates that the proposed development site lies on the opposite side of the road from sensitive area of archaeological assets.

9.25 **Aerodrome Safeguarding**

- 9.26 Initial Holding Objection received, subsequently further information has been submitted.

Thank you for supplying this information; if the pond is designed to be dry, holding water only after rainfall and with a quick draw down time then this will reduce any potential attractant to hazardous species of birds. Ideally a dry basin would drain in under three days for a 100 year storm event. However, 80 hours will not result in a significant attractant beyond that available in the wider environment. Therefore, I am content to withdraw our objection.

9.27 **Thames Water**

- 9.28 Thames Water would advise that with regards to waste water networks and waste water process infrastructure capacity, we would not have any objections to the above planning application, based on the information provided.

The application indicates that surface water will not be discharged to the public network and as such Thames Water has no objections.

9.29 **Essex Police- Crime Prevention**

- 9.30 We are pleased to see a section within the design and access statement in regards

to crime prevention. We still welcome the opportunity to consult further with the developer to assist with the compliance with approved document Q.

9.31 Essex County Council- Infrastructure Planning Officer

9.32 The proposed development of this scale can expect to generate the need for up to 2.79 early years and childcare places, 9.30 primary school, and 6.20 secondary school places. If the development is approved there would be the need for additional school places, the formula for infrastructure contribution is calculated as outlined in the developer guide to infrastructure contributions. Based on the demand generated by this proposal as set out above, a developer contribution of £142,113.00 is sought to mitigate on local school provision.

9.33 Highways Authority

9.34 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following measures:

1. Prior to occupation of any dwelling, the provision of an access formed at right angles to High Lane, as shown in principle on drawing no. E3724/100/C (dated 27/02/2017) to include but not limited to: minimum 5.5 metre carriageway width with minimum radii of 6 metres, two 2 metre footways, pedestrian crossing points, relocation of footway and guard railing to the north of the access and clear to ground visibility splays with dimensions of 2.4 metres by 70 metres to the north and 2.4 metres by 133 metres to the south, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall retained free of any obstruction at all times.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and to provide adequate inter-visibility between vehicles using the road junction and those in the existing public highway in the interest of highway safety.

2. The existing footway along Cambridge Road between Five Acres and roundabout at the junction with High Lane shall be widened to a minimum of 2 metres for the entire length.

Reason: In the interests of pedestrian safety and accessibility.

3. The pedestrian links, as indicated on drawing no. P18-0133_01 (Rev N) as Path 1, Path 2 and Path 3, shall be constructed to a minimum width of 2 metres.

Reason: In the interests of accessibility.

4. The internal visibility splays and layout shall be provided as indicated on DWG no. P18-0133_01 Rev N. The visibility splays shall remain free from obstruction at all times. Reason: To ensure adequate visibility is provided, in this interest of highway safety and efficiency.

5. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved Plan shall be adhered to throughout the construction period and shall provide for the following all clear of the highway:

- i. Safe access into the site;
- ii. The parking of vehicles of site operatives and visitors;
- iii. Loading and unloading of plant and materials;
- iv. Storage of plant and materials used in constructing the development;

v. Wheel and underbody washing facilities.

Reason: 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.

6. No dwelling shall be occupied until the associated parking and/or turning head indicated on the approved plans has been provided. The vehicle parking and turning heads shall be retained in this form at all times. Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and that appropriate parking is provided.

7. Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

8. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

9. 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.

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

9.35 UDC Landscape Officer

9.36 The proposal site is a broadly triangular arable field bound High Lane to the east and the Cambridge Road to the west, to the south is the site of St. Theresa of Lisieux Roman Catholic Church. Mature field hedges and trees mark the boundaries. The site relatively gently slopes down the valley side some 10m+ from the high ground in the south to the valley bottom in the north.

9.37 Development on this site would introduce built forms on the valley side, which is not considered visually desirable and would to some degree compound the detrimental visual intrusion into the open countryside which has occurred with the residential development presently under construction at the Walpole Farm site to the north west. It is acknowledged that the proposal site is identified as a residential allocation site in the emerging Local Plan (Regulation 19). Six units are proposed to be 2.5 storeys and it is considered that in order to reduce the visual impact of the development that the height of buildings should not exceed 2 storeys.

9.38 Any approval should be subject to a fully detailed scheme of soft and hard landscaping, means of enclosure, and protective measures for trees and hedges to

be retained.

9.39 **UDC Housing Officer**

9.40 It is confirmed the affordable mix of housing is acceptable.

10 REPRESENTATIONS

10.1 The neighbouring properties have been consulted of the application. The scheme has been advertised on site and within the local press.

A total of 6 letters of objections have been received, this includes the following:

- The site includes a plot to the east of high lane that will promote further development;
- Congestion;
- Highway safety;
- Amend speed limits;
- The proposal will result in criminal activity;
- Lack of visitor parking;
- Poor Parking Layout;
- Flooding;
- Drainage;
- Lack of open space;
- The development is high density;
- Impact on rural landscape;
- Change in local character;
- Loss of agricultural land;
- Urban sprawl;
- Pollution;
- Inappropriate accessible access;
- Construction disruption;
- The maintenance of the proposed drainage;
- Impact to Biodiversity and protected species

10.2 Summary of representations:

The representations received (objectors) are in the main focused on what is considered to be an inappropriate development of the site, the proposed dwellings will result in an intensification through dwelling net gain and serious impacts on the character of the site, highway safety/inappropriate access arrangements. Further objection relate to flooding and the impact to biodiversity and protected species.

10.3 A number of objectors highlight that Policy S7 sets out that the 'countryside should be protected for its own sake'. As Uttlesford's own Compatibility Assessment (September 2012) recognises, the 2012 NPPF (and now the 2018 NPPF) set out that whilst decisions should recognise the intrinsic character and beauty of the countryside, national policy does not include protection for its own sake. The NPPF takes a positive approach, rather than a protective one to development in the countryside, supporting development in sustainable locations.

11 APPRAISAL

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

- A The principle of the development of this site for residential (ULP Policy S7,ENV13,ENV11, ENV2, ENV3,ENV4 and the NPPF)
- B Design (Layout and Parking) (ULP policies GEN2 and GEN8)
- C Access (ULP Policy GEN1).
- D Affordable Housing, Education Contributions, Housing Mix (ULP Policies H9, H10 GEN6)
- E Protected species and biodiversity (ULP Policy GEN7);
- F Flood Risk and drainage (ULP Policy GEN3; NPPF)
- G Impact on residential amenity (ULP Policies GEN2 and GEN4).
- H Other

A The principle of the development of this site for residential (ULP Policy S7,ENV13, ENV2,ENV3, ENV4 and the NPPF)

- 11.1 The scheme is for 35 residential units, of which 14 would be affordable and the remainder would be market housing. In policy terms the dwellings would be outside of the development limits of Stansted Mountfitchet as defined by Uttlesford's adopted Local Plan. Consequently for the purposes of planning, the site is considered to be within the Countryside and subject to all national and local policies.
- 11.2 The site is therefore subject to the provisions of Policy S7. Policy S7 is a policy of general restraint which seeks to restrict development to that which needs to take place there, or is appropriate to a rural area in order to protect the character of the countryside. 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. This policy seeks to protect the rural area from inappropriate development and permission will only be given for development which is appropriate to the rural area or needs to take place there. Permission will only be given for development which protects or enhances the character of the countryside in which it is set or there are special reasons why the development needs to be there. The proposal relates to a form of development which is inappropriate in a rural area and which does not need to take place there. The proposal is therefore contrary to Policy S7. A review of Policy S7 for its compatibility with the NPPF has concluded that it is partially compatible but has a more protective rather than positive approach towards development in rural areas.
- 11.3 S70 (2) of the Town and Country Planning Act 1990 states that "*in dealing with a planning application the local planning authority shall have regard to the provisions of the Development Plan so far as is material to the application and to any other material considerations*". S38 (6) of the Planning and Compulsory Purchase Act 2004 states that "*if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.*" As such it is considered the NPPF is a material consideration in the assessment of this development.
- 11.4 Notwithstanding the above, paragraph 78 of the NPPF seeks to avoid isolated homes in the countryside unless there are special circumstances. While there is no published definition of 'isolated', it is considered that the PPG supports the view that housing sites should be within or adjacent existing settlements. The effect is to prevent sporadic development in the countryside, while supporting the growth of existing settlements of almost any size due to the associated economic and social

benefits. As such it is considered although the development is outside of the development limits it will in fact support the growth of existing settlement.

- 11.5 Paragraph 11 of the NPPF considers the presumption of sustainable development, this includes where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (this includes where five year housing supply cannot be delivered). As identified in the most recent housing trajectory document, Housing Trajectory 1 April 2018 (October 2018), the Council's housing land supply is currently 3.46 and 4.45 years supply. For the present time, the Council is therefore unable to demonstrate a deliverable 5 year supply of housing land.
- 11.6 This means that applications for sustainable development outside development limits will need to continue to be granted where appropriate to ensure the level of housing supply is robust and provides a continuous delivery of housing. Moreover, the proposal should be considered against the three strands of sustainable development including economic, social and environmental.
- 11.7 Economic: The NPPF identifies this as contributing to building a strong, responsive and competitive economy, supporting growth and innovation and by identifying and coordinating development requirements, including the provision of infrastructure. In economic terms the proposal would have short term benefits to the local economy as a result of construction activity and additionally it would also support existing local services, as such there would be some positive economic benefit.
- 11.8 Social: The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The proposal would make a contribution towards the delivery of the housing needed in the district, including provision of (40% affordable housing) 14 affordable housing units. Stansted Mountfitchet is considered a sustainable location with good services to other nearby towns and centres of employment.
- The proposal would also have a negative impact by putting more strain on the local infrastructure and demand for school places; as such due consideration is made to whether the effects of the proposed development can be mitigated. While there may be some conflict with the NPPF in terms of sustainable transport modes, it is considered that the proposal accords with the more flexible approach within the NPPF. In conclusion, the proposal in the form proposed would not be in conflict paragraph 2 of the NPPF regarding the fact that is in a sustainable location and will contribute to the social role of sustainable development.
- 11.9 Environmental: The environmental role seeks to protect and enhance the natural, built and historic environment. The NPPF recognises the intrinsic character and beauty of the countryside. The site is tacked on to the existing settlement and is a wedge of land between two individual roads. The proposal would introduce an element of built form within the open countryside, which would have some impact on the character of the area. This impact would need to be weighed against the benefits.
- 11.10 The site forms part of an existing agricultural field and is bound by mature landscaping, at present the mature vegetation would preserve a harmful intrusion into the open countryside and any harm to the particular character of the countryside surrounding the site. The retention of a majority of the boundary trees

line and hedging and new landscape proposals would help minimise the impact of the development on the character of the area.

- 11.11 A landscape and visual impact assessment has been submitted with the application landscape, making reference to Essex landscape characteristics and parameters landscape theory and methodology and also visual amenity appraisal. The conclusion from the findings of the report are as follows:
- 11.12 The Site does not lie within or near any land subject to a national or local statutory landscape designation. There are no public rights of way within the Site which are publicly accessible. There is a network of public right of way covering the wider area. The site is predominantly contained by vegetation including trees and hedgerow along its boundary. Only glimpsed views will be seen from the adjacent roads, with the topography and existing boundary vegetation restricting direct views of the built form. Views from the surrounding rural public rights of way will be similarly restricted, with glimpsed or partial views of the tops of built form visible as part of wider panoramic views from short sections of the routes. The proposed layout and existing vegetation has ensured a sensitive approach to the development allowing the proposals to be easily absorbed into the predominantly visually contained Site. Proposed tree planting throughout the development and along its boundaries has helped to enhance tree cover. With the additional proposed planting the sites biodiversity has a net gain. This landscape and visual impact assessment has considered potential effects relating to the Site and surrounding landscape and visual amenity. This has guided the progression of design mitigation measures which have been incorporated into the layout of the Site to limit potential effects identified within the assessment of landscape character, features and visual amenity.
- 11.13 The Council's Landscape Officer has been consulted; although no objection has been received it is considered the development will result in some degree of visual intrusion. However, the site has been included in the emerging draft local plan for residential development, also the positioning of the development will be in close proximity to other new residential development (Warpole Farm) and the main settlement of Stansted Mountfitchet it is considered the proposed landscape and character of the site would be compatible with its surroundings.
- 11.14 In conclusion and with the imposition of conditions, it is considered that the residential development could be successfully accommodated within the site and surrounding landscape without unacceptable effects on the landscape character or visual amenity.
- 11.15 Representations have been received in respect of potential harm in respect of air pollution. Impact on air quality is closely related to highway capacity in terms of creating congestion, and geography of the local road network in terms of dispersion of emissions. The site is not in an area currently monitored for air quality (AQMA) and Environmental Health Officers have been consulted, who confirm that they are not concerned in respect of air quality issues and that they have no objections.
- 11.16 Additional traffic at the times of school opening and closing will make up a relatively small proportion of the total emission load when assessed over a 12 month period, which the annual mean based air quality objectives require. Users of the facilities can minimise the impact by adopting non car travel, particularly considering the site's sustainable location.

- 11.17 In respect of the development on the character and setting of nearby Listed Buildings. Policy ENV2 states: that development proposals that adversely affect the setting of a listed building will not be permitted. The nearest listed building is Warpole Farmhouse which is grade II Listed Buildings and 50m respectively from the application site's boundaries. In view of the separation distance there would be limited visual impact on the setting of the listed buildings.
- 11.18 This site very much nestles into the settlement and development here would not bring about any notable landscape or visual impact implications in the wider setting. This is a self-contained site, although to the east of the site is a separate parcel, of land this is designated for drainage infrastructure and with little if any relationship to the outlying landscape setting of Stansted Mountfitchet. Due to the close proximity with the historic settlement of Stansted Mountfitchet an archaeological programme of trial trenching followed by an open area excavation would be required. This can be achieved by appropriate conditions.
- 11.19 It is considered that the weight should be given to the requirement to provide a 5 year land supply and the housing provision which could be delivered by the proposal would outweigh the harm identified in relation to rural restraint set out in ULP Policy S7. The site is sustainable in terms of economic, social and environmental feature and therefore taking into account the benefits of the proposal it is considered that the principle of the development is acceptable.

B Design (Layout and Parking) (ULP policies GEN2 and GEN8)

- 11.20 All of the units would have private amenity spaces. The Essex Design Guide recommends that dwellings or 3 bedrooms or more should have private amenity spaces of 100sqm+ and 2 bedroom properties 50 sqm+. The gardens shown in the plans indicate that they would accord with the requirements of the Essex Design Guide and each plot would have adequate private amenity space.
- 11.21 The proposed properties are a mixture of one, two, three, and four bedroom dwellings. The adopted Essex County Council parking standards require the provision for one parking space for a one bedroomed dwelling, two parking spaces per dwelling for two and three bedroom dwellings and three parking spaces for three+ bedroomed properties and additional visitor parking spaces. In accordance with Supplementary Planning Document – Accessible Homes and Playspace the proposed dwellings would need to be accessible and designed to Lifetime Homes Standards. Also, the proposal would need to comply with accessible and adaptable dwellings M4(2) of the Building Regulations.
- 11.22 As set out within the application each property would meet the required parking standards. A number of the parking spaces are in a tandem design this would be compatible with other large residential schemes which have been approved (Warpole Farm) and although not an ideal parking layout it does not give rise to any concerns regarding on-street parking. There is sufficient space for nine unallocated parking spaces within the development to provide visitors parking. Therefore, the proposals comply with Policy GEN8.
- 11.23 Refuge collection points have been demonstrated within the site, also the submission of a refuge tracking plan which actively demonstrates sufficient distance for refuge collection. This is considered an acceptable refuge scheme.
- 11.24 The applicant has indicated that they are prepared to enter into a S106 legal agreement in order to secure the provision and ongoing maintenance of the

site and landscaping.

- 11.25 In regards to the design and appearance of the development, the dwelling will be of a traditional form and appearance that would be comparable to other local residential developments (Warpole Farm). The layout of the scheme ensures the properties will have sufficient private amenity space; this is contributed by the distance between properties and landscaping features. In regard to the surrounding character of the site the development will include the retention of the vast majority of trees and hedgerows which run around the site's perimeter and provide a high level of natural screening. Streets and areas of landscaping/open space benefit from high levels of natural surveillance from proposed dwellings. The dwellings are sensitively sited which would protect the amenity of neighbouring land uses. Based on a site area 1.55ha, the average net density of the proposed development equates to 23 dwellings per hectare (dph). The density allows for a range of dwellings across the site with varying sizes and tenures to be delivered whilst addressing the constraints of the site.
- 11.26 As shown on the submitted Building Heights Plan the proposed dwellings are predominantly 2 storeys in height with a small amount 2.5 storey dwellings proposed in key locations to provide distinctiveness in the street scene at lower ground levels. An element of single storey dwellings is also proposed in the form of bungalows. As such taking due consideration of the above it is considered the proposed development includes an acceptable design scheme and is in accordance with ULP Policy GEN2.

C Access (ULP Policy GEN1).

- 11.27 The application includes the formation of a new vehicular access road along High Lane, also two pedestrian accesses along Cambridge Road and a single pedestrian access along High Lane.
- 11.28 Access is one of the main reasons for local representation against the submitted scheme. The application includes a transport statement (Wormald Burrows Partnership Limited July 2018); this concludes the proposed development access junction has ample capacity to accommodate the predicted flows along High Lane and the predicted generated flows in the horizon year five after the date of planning application. A new roundabout at the junction of B1383 Cambridge Road and High Lane, north of the development site is now in operation, it is considered to have ample spare capacity to accommodate the proposed development flows, committed development flows and the growth background flows.
- 11.29 The Highways Authority have been consulted and have made no objections, a number of minor revisions have been made accommodate the new access points and to ensure the proposed development will not have a detrimental impact to Highway Safety. ECC Highways have carefully considered the revised information received from the applicant's highway consultants and are now satisfied that the existing access arrangement is suitable for the proposed development without causing a highway danger, as such the proposal is considered acceptable under ULP Policy GEN1.

D Affordable Housing, Education Contributions, Housing Mix (ULP Policies H9, H10, GEN6)

- 11.30 Affordable Housing:
Policy H9 states that the Council will seek to negotiate on a site for site basis an

element of affordable housing of 40% of the total provision of housing. The Council commissioned a Strategic Housing Market Area Assessment which identified the need for affordable housing market type and tenure across the District. As a result of this the Council will require a specific mix per development proposal.

11.31 The site area is 1.5 hectares and as such a provision of 40% affordable housing is required. The proposal now includes 14 affordable units. The Housing Enabling Officer has confirmed that the proposed mix of affordable housing is acceptable. The affordable housing is integrated across the development; therefore it is considered the proposal accords with ULP Policy H10.

11.32 The housing mix and parking provision of the individual plots for this application is as per the table below.

Plot	Bedrooms	Garden Size	Parking	Affordable
1	3	100sqm+	3	
2	4	100sqm+	3	
3	4	100sqm+	3	
4	3	100sqm+	3	
5	2	50sqm +	2	
6	2	50sqm +	2	
7	4	100sqm+	3	
8	2	100sqm +	3	
9	2	100sqm +	3	
10	2	50sqm +	2	
11	2	50sqm +	2	
12	2	50sqm +	2	
13	3	100sqm +	3	
14	2	50sqm +	2	
15	2	50sqm +	2	
16	2	50sqm +	2	
17	2	50sqm +	2	Y
18	1(flat)	25sqm +	1	Y
19	1(flat)	25sqm +	1	Y
20	1(flat)	25sqm +	1	Y
21	1(flat)	25sqm +	1	Y
22	3	100sqm +	2	Y
23	4	100sqm +	3	
24	2	50sqm +	2	
25	2	50sqm +	2	
26	3	100sqm	2	Y
27	3	100sqm	2	Y
28	2	50sqm +	2	Y
29	2	50sqm +	2	Y
30	2	50sqm +	2	Y
31	2 (Bungalo w)	50sqm +	2	Y
32	2 (Bungalo w)	50sqm +	2	Y

33	2	50sqm +	2	Y
34	2	50sqm +	2	
35	2	50sqm +	2	

- 11.33 The applicant has indicated that they are prepared to enter into a Section 106 legal agreement to secure provision of the affordable housing. Subject to this agreement being completed, the proposal would comply with the requirements of Policy H9.
- 11.34 Education Contributions:
The proposed development is located within the Stansted Mountfitchet. According to Essex County Council's Infrastructure Planning Officer the proposed development of this scale can expect to generate the need for up to 2.79 early years and childcare places, 9.30 primary school, and 6.20 secondary school places. If the development is approved there would be the need for additional school places, the formula for infrastructure contribution is calculated as outlined in the developer guide to infrastructure contributions. Based on the demand generated by this proposal as set out above, a developer contribution of £142,113.00 is sought to mitigate on local school provision
- 11.35 The developer has indicated that they are prepared to enter into a Section 106 legal agreement to secure the payment of contributions towards education provision to mitigate the scheme. The proposal therefore subject to compliance with the s106 agreement requirements would comply with Policy GEN6.
- 11.36 It should be noted that the Paris Council's comments have been taken into consideration. However, the bulk of the requests are either not material or are considered disproportion to the size and scale of the scheme and in consideration of works which have been already undertaken as part of the neighbouring site. AS a result these would not be CIL complainant or in accordance with the NPPF.

E Protected species and biodiversity (ULP Policy GEN7 and ENV8)

- 11.37 Policy GEN7 and paragraph 174 of the NPPF seeks to ensure that development would not have a harmful effect on wildlife and Biodiversity. Appropriate mitigation measures must be implemented to secure the long-term protection of protected species. Policy ENV8 requires the protection of hedgerows, linear tree belts, and semi-natural grasslands. A protected species survey has been submitted with the planning application (Southern Ecological Solutions July 2018). The results of ecology surveys have been used to guide the layout to ensure minimal impact on ecological receptors. To adhere to planning policy and relevant wildlife legislation further works have been recommended for badgers.

The following precautionary methods should also be employed:

- Bat sensitive lighting should be used within the site to mitigate for any adverse effects upon boundary and sensitive habitats potentially of use to local bat populations;
- Site clearance should be undertaken outside the bird nesting season (March to August inclusive) or immediately after an ecologist has confirmed the

absence of nesting birds;

- Clearance of scrub and boundary vegetation during autumn to avoid impacts on hedgehogs, and;
- Retention and protection of boundary hedgerows and trees to industry standard.

11.38 It is predicted that any potential adverse impacts from the proposed development upon specific protected species/habitats can be mitigated in line with relevant wildlife legislation and planning policy. Essex County Council Ecologists have been consulted and have no objection subject to a condition regarding ecological measures.

11.39 As such it is considered the proposed development will not have a harmful impact on protected species or biodiversity and is in accordance with Policy GEN7 and the National Planning Policy Framework.

F Flood Risk and drainage (ULP Policy GEN3; NPPF)

11.40 Policy GEN3 requires development outside flood risk areas to not increase the risk of flooding through surface water run-off. The NPPF requires development to be steered towards areas with the lowest probability of flooding. In addition, it should be ensured that flood risk is not increased elsewhere.

11.41 The main residential development is located in flood zone 1 where development is considered appropriate. The subsequent site to the east of High lane which will include drainage infrastructure is within flood zones 2 and 3.

11.42 The application includes a Flood risk assessment (Wormald Burrows Partnership Limited December 2017), this concludes that, the majority of the site is located within Flood Zone 1. EA flood maps and the NPPF identifies that a site within Flood Zone 1 is suitable for residential development. To mitigate the risk of flooding for the small part of the site within flood zone 2/3 the layout and drainage infrastructure have been designed to ensure no houses or drainage sits within the flood zone.

11.43 ECC SUDS and The Environment agency have been consulted and have made no objections in regards to flooding and drainage subject to the imposition of conditions. The proposals subject to conditions would comply with Policy GEN3 and the NPPF.

G Impact on residential amenity (ULP Policies GEN2 and GEN4).

11.44 The indicative scheme submitted shows that the proposed dwellings as sited is unlikely to give rise to a significant loss of residential or visual amenity to adjacent residential occupiers situated to the immediate south of High Lane and to the west along Cambridge Road. The comments submitted in regards to construction noise and disturbance is noted, the use of a planning condition in regards to the storage and loading and unloading of construction goods could be imposed should planning permission be granted. Any noise from construction will not result in permanent issue and will be resolve on completion of the development.

H Other

11.45 In terms of archaeology, and contamination these matters are acceptable subject to

conditions and therefore in accordance with Policies ENV4 and ENV12.

12. CONCLUSION

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

- A It is considered that the weight to be given to the site's sustainable location and requirement to provide a 5 year land supply and the housing provision which could be delivered by the proposal would outweigh the harm identified in relation to rural restraint set out in ULP Policy S7. Therefore the principle of the development is acceptable and fulfils the 3 strands of sustainability.
- B The layout and design of the development is acceptable. No significant loss of residential amenity will arise from the proposals. The amenity areas and parking provision are appropriate and the proposal complies with policies GEN2 and GEN8. The housing mix for the development is also acceptable (ULP Policy H10).
- C The means of access to the proposal site is considered acceptable, whilst the access arrangements would not give rise to a danger to highway safety (ULP Policy GEN1). Refuse arrangements would also be acceptable (ULP Policy GEN2).
- D The affordable housing mix and tenure split for the development is acceptable and complies with Policies H9 and GEN6.
- E The proposal would not be harmful to protected priority species subject to recommended mitigation and compensation measures (bats, hedgehogs) being conditioned and implemented (ULP Policy GEN7).
- F The proposal, subject to the imposition of planning condition will not result in any significant increase of flood risk and therefore complies with Policy GEN3 and the NPPF.
- G The indicative layout submitted shows that impacts on residential amenity are likely to be insignificant (ULP Policies GEN2 and GEN4).

RECOMMENDATION – APPROVAL WITH CONDITIONS SUBJECT TO A S106 LEGAL OBLIGATION.

(I) The applicant be informed that the Planning Committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 30 November 2018 the freehold owner enters into a binding obligation to cover the matters set out below under S106 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) Provision of 40% affordable housing
- (ii) Payment of contributions towards Education Provision
- (iii) Management arrangements: the site will include areas of land that will require ongoing management and maintenance.

- (vi) Pay the Council's reasonable legal costs
- (vii) Pay the monitoring fee

(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 Director of Public Services shall be authorised to refuse permission in his discretion anytime thereafter for the following reasons:

- (i) No provision of affordable housing
- (ii) non-payment of contribution towards education provision.
- (iii) Management arrangements: the site will include areas of land that will require ongoing management and maintenance.

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. Prior to the commencement of the development hereby approved a Phase 3 Remediation Strategy, to address the contamination risks identified in the Harrison Geotechnical Engineering Site Investigation Report dated April 2018 (Ref: GC21474), shall be submitted to and approved in writing by the Local Planning Authority.

The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action should areas of unexpected contamination be identified.

REASON: To protect human health and the environment and in accordance with ULP Policy ENV14.

3. Prior to the occupation of the development hereby approved a validation report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

REASON: To protect human health and the environment and in accordance with ULP Policy ENV14

4. No development shall take place until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the local planning authority. The scheme shall follow the recommendations identified in the Ardent Consulting Engineers Noise Assessment Report (Ref: 182790-01A) dated July 2018

REASON: To protect the proposed residential dwelling in regards to noise generators and in accordance with Policy ENV11 of the Uttlesford Local Plan

(adopted 2005)..

5. Prior to the commencement of the development hereby approved, 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:
- a) The construction programme and phasing
 - b) Hours of operation, delivery and storage of materials
 - c) Details of any highway works necessary to enable construction to take place
 - d) Parking and loading arrangements
 - e) Details of hoarding
 - f) Management of traffic to reduce congestion
 - g) Control of dust and dirt on the public highway
 - h) Details of consultation and complaint management with local businesses and neighbours
 - i) Waste management proposals
 - j) Mechanisms to deal with environmental impacts such as noise, air quality and dust, light and odour.

REASON: This pre-commencement condition is required to ensure there is a sufficient scheme for the appropriate loading/unloading facilities are available so that the highway is not obstructed during the construction period in the interest of highway safety, also to ensure there is not any significant impact or loss of amenity to neighbouring properties in accordance with ULP Policies GEN1, and GEN4.

6. Prior to the commencement of the development hereby approved a detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the local planning authority. This should include 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. Also, details of how contamination of groundwater can be mitigated, particularly the risk through the pond, as it located within groundwater source protection zone.

The development thereafter shall be carried out in strict accordance with these details and shall not be changed without prior written approval from the Local Planning Authority.

REASON: To ensure the has a sufficient drainage scheme and to reduce the impact of flooding on the proposed development, future occupants and third party properties during extreme events in accordance with Uttlesford Local Plan Policy GEN3 (adopted 2005).

7. Prior to the commencement of the development hereby approved a scheme to minimise the risk of offsite flooding caused by surface water runoff and groundwater during construction works and to prevent pollution shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented as approved and not changed without prior written approval of the Local Planning Authority.

REASON: To ensure the has a sufficient drainage scheme and to reduce the impact of flooding on the proposed development, future occupants and third party properties during extreme events in accordance with Uttlesford Local Plan Policy

GEN3, adopted 2005.

8. Prior to the occupation of the development hereby approved a maintenance plan detailing the arrangement of who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies shall be submitted to and agreed in writing, by the Local Planning Authority. If any part of the maintenance is by a maintenance company 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 request by the Local Planning Authority.

REASON: To ensure the has a sufficient drainage scheme and management to reduce the impact of flooding on the proposed development, future occupants and third party properties during extreme events in accordance with Uttlesford Local Plan Policy GEN3 (adopted 2005).

9. All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report Sections 5 and 6 (Southern Ecological Solutions, July 2018) and the Badger Survey (Southern Ecological Solutions, August 2018) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

This includes bat sensitive lighting, planting which enhances the environment for bats, installation of bat boxes, due diligence regarding nesting birds, due diligence for hedgehogs when undertaking vegetation clearance, creation of hedgehog habitat, permeable boundaries for hedgehogs, retain boundary trees and hedgerows, covering of trenches at night, storing of chemicals in sealed compounds, demarcation of a 20m exclusion zone around setts, plantings to include grassland and fruiting trees to increase forage for badgers.

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 ULP Policy GEN7 (adopted 2005).

10. Prior to the commencement of the development of the Local Planning Authority shall be provided with either:
 - a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

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 ULP Policy GEN7 (adopted 2005).

11. Prior to the development hereby permitted an archaeological programme of trial trenching and excavation shall be 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 historic environmental record indicates that the proposed development site lies on the opposite side of the road from sensitive area of archaeological assets in accordance with ULP Policy ENV4.

12. Prior to commencement of the development hereby approved, details of all hard and soft landscaping (including planting, hard surfaces and boundary treatment) shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

REASON: The use of such pre commencement condition is required to ensure compatibility with the character of the area in accordance with ULP Policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005), and to prevent highway safety issues relating to surface water runoff and loose materials in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

13. Prior to the commencement of the development tree protection measures for the trees to remain shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved protection measures, subsequently; the approved measures shall not be changed without the prior written consent of the local planning authority.

REASON: The use of such pre commencement condition is required to ensure the protection of the existing trees during the construction of the development in accordance with Local Plan Policies ENV3 of the Uttlesford Local Plan (adopted 2005)

14. Prior to the commencement of the development hereby approved samples of 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. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the Local Planning Authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Uttlesford Local Plan Policies GEN2 and ENV1

15. First and second floor flank windows serving en-suites, landings, bathroom and dual secondary dual aspect windows shall be obscurely glazed with glass of obscuration level 4 or 5 of the range of glass manufactured by Pilkington plc at the date of this permission or of an equivalent standard agreed in writing by the local planning authority. Glazing of that obscuration level shall thereafter be retained in that/those

window(s).

REASON: To avoid overlooking of the adjacent property in the interests of residential amenity in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

16. Prior to occupation of any dwelling, the provision of an access formed at right angles to High Lane, as shown in principle on drawing no. E3724/100/C (dated 27/02/2017) to include but not limited to: minimum 5.5 metre carriageway width with minimum radii of 6 metres, two 2 metre footways, pedestrian crossing points, relocation of footway and guard railing to the north of the access and clear to ground visibility splays with dimensions of 2.4 metres by 70 metres to the north and 2.4 metres by 133 metres to the south, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall retained free of any obstruction at all times.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to provide adequate inter-visibility between and in accordance with ULP Policy GEN1 (adopted 2005).

17. The pedestrian links, as indicated on drawing no. P18-0133_01 (Rev N) as Path 1, Path 2 and Path 3, shall be constructed to a minimum width of 2 metres.

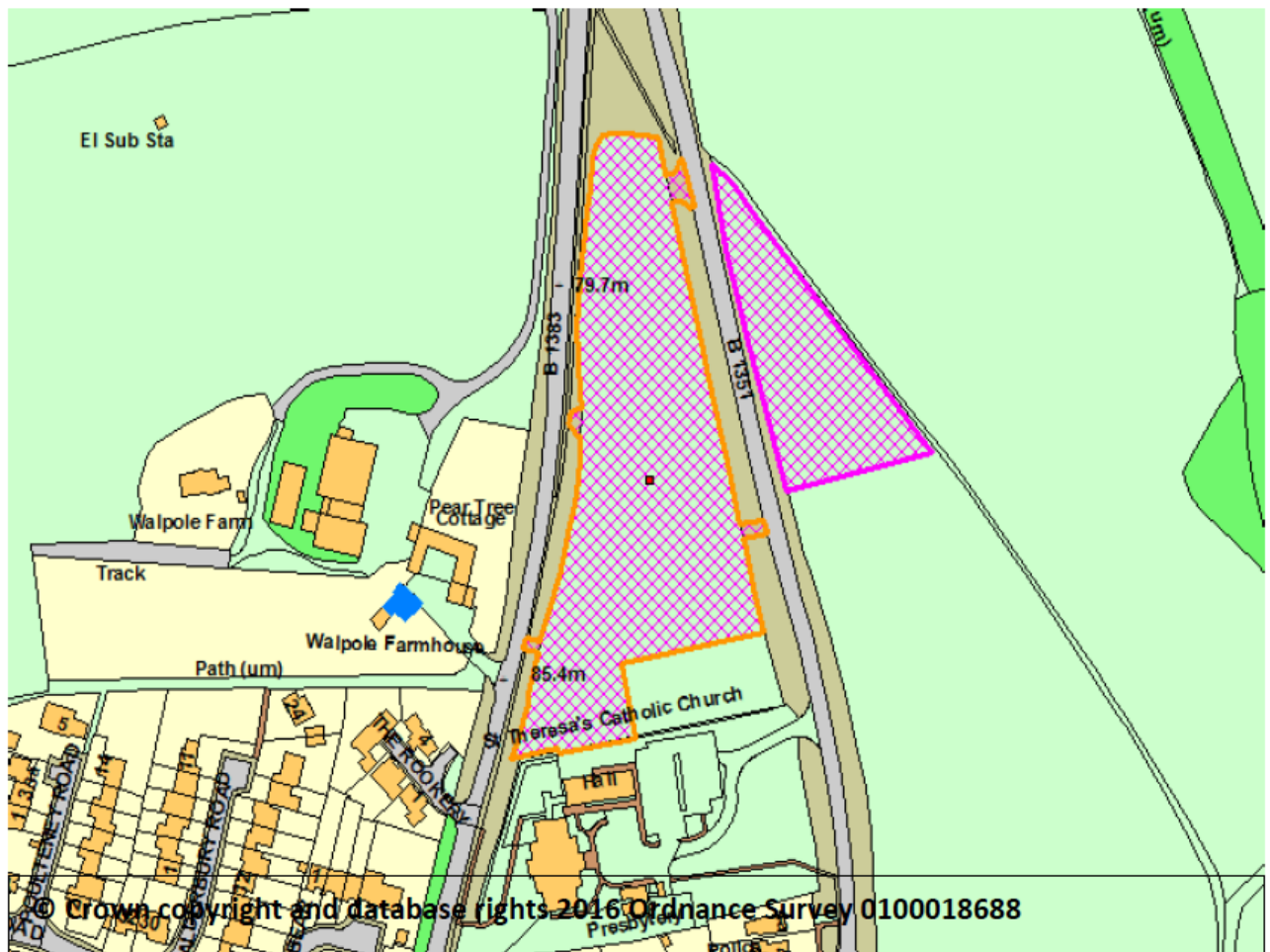
REASON: In the interests of accessibility and in accordance with ULP Policy GEN1 (adopted 2005).

18. The internal visibility splays and layout shall be provided as indicated on DWG no. P18-0133_01 Rev N. The visibility splays shall remain free from obstruction at all times.

REASON: To ensure adequate visibility is provided, in this interest of highway safety and efficiency and in accordance with ULP Policy GEN1

19. 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 and in accordance with ULP policy GEN1,



Organisation: Uttlesford District Council

Department: Planning

Date: 10 October 2018

UTT/18/1004/FUL (Wendens Ambo)

(Referred to Committee by Cllr Julie Redfern. Reason: Due to the removal of mitigation from previous application, light pollution, access, pedestrian safety and over development of the area.

PROPOSAL: Surface car park extension to Audley End Railway Station car park to provide an additional 152 spaces, lighting, CCTV security cameras, signage, access and associated hard and soft landscaping (REVISED APPLICATION).

LOCATION: Audley End Station Road Wendens Ambo Saffron Walden Essex

APPLICANT: Greater Anglia

AGENT: Mr Paul Ellingham

EXPIRY DATE: 20.06.2018. Agreed on extension of time until 31.10.2018

CASE OFFICER: Emmanuel Allanah

1. NOTATION

1.1 The following constraints apply to the application site:

- Outside development limits
- Aerodrome directions
- Archaeological site
- Contaminated land historic land use
- Ground water protect zone within zone 1
- Within 250m of local wildlife site
- Within 100m of local wildlife site
- Mineral safeguarding area
- Within 100m of railway
- Road classification-line
- SSSI impact risk zones – Natural England
- Within 100m of special verge
- Water authority

2. DESCRIPTION OF SITE

2.1 Audley End Station is located in Wendens Ambo and has a site area of 0.4ha. The site lies in a sparsely populated area surrounded by rural land. The site perimeter is bounded by a mixture of dense vegetation, trees and retaining structures to its north, east and south sides. The site comprises of an area of semi-improved grassed land covered with scattered trees. The River Cam is located to the south of the site and flows from west to east. The car park is bounded to the north by semi-industrial buildings and privately owned open land to the south.

2.2 The current parking provision at Audley End Station amounts to 673 parking spaces. The majority of spaces within the existing car park do not complying with the required 2.9m x 5.5m standard width due to the age of the car park, with the exception of the eastern section. 4 no. DDA blue badge spaces are situated near

the main entrance to the station and 9 no. premium parking spaces face Platform 1 at northern end where adjacent to this, a combination of single level and two-level cycle shelters are located. Staff parking is located immediately south of the main entrance. One-way traffic circulation is adopted across the majority of the car park. A breakdown of the existing parking is shown below.

2.3	Parking Provision	Parking Spaces
	Standard parking spaces	662
	Blue Badge parking spaces	4
	Staff parking spaces	7
	Total	673

2.4 There is CCTV provision across all sections of the car park. Lighting columns illuminate the entire car park fed via sub-mains feeds at two cabinet locations which are in turn supplied by the main distribution board located adjacent to Platform 1. Ticket machines are located at various positions across the car park.

2.5 The car park was expanded in the early part of 2010 to its eastern side to cater for approximately 166 extra car parking spaces at the eastern side. In the planning statement submitted in 2008 (UTT/1692/08/FUL) in connection with a proposed application for 150 car parking space that once constructed would have resulted in a car park totalling 656 spaces. The Plan as existing submitted with the current application (UTT/18/1004/FUL) indicates 673 spaces resulting to an additional 17 spaces over and above that stated in the 2008 application. It should be noted the 17 additional car parking spaces shown in the existing plan is outside the red line of the current proposed planning application. In order to clarify issues surrounding the additional 17 car parking spaces the applicant confirmed there have been some adjustments to the parking arrangements to create additional disabled provision and staff parking. The agent to this application argued that this has been carried out as minor works within the existing parking area envelope utilising the permitted development rights available to Greater Anglia as a Railway Undertaker. Such additional car parking spaces under permitted development right do not alter the findings of the Transport Assessment or any other aspect of the technical assessments that form part of this current proposed planning application. The remaining area of land within the Greater Anglia lease area is located behind dense vegetation and a 3m high bank which is assumed to have been built during the car park expansion from arisings.

2.6 Rail patronage in the east of England has experienced a significant increase over the last decade resulting in the increased passenger use of Audley End Station. Future growth of rail use is forecasted over the next decade in which a circa 50% increase in passenger trips at Audley End Station is anticipated. Due to this increased forecasted growth, the car parking capacity at the Station is experiencing intense pressure to provide safe and sufficient parking for its users.

3. PROPOSAL

3.1 Greater Anglia is seeking full planning permission to provide additional park and ride capacity at Audley End Station which would involve surface car park extension to Audley End Railway Station to provide an additional 152 spaces, lighting, CCTV security cameras, signage, access and associated hard and soft landscaping. The new car park would provide an additional 152 parking spaces each would be 2.4m in width and 4.8m in length and surfaced with asphalt. It has been noted that these car parking spaces did not meet the Council's Parking Standards, however in exceptionally circumstances it can be considered acceptable due to constraints

within this particular public car park. Due to the current relatively steep slopes of the existing field, it is anticipated that some works would be required to achieve the minimum vehicle gradients.

- 3.2 The existing 3m raised embankment that bounds the western perimeter of the greenfield site would be levelled in order to provide the proposed parking spaces and connect to the existing car park. The raised area would be approximately 1500sq.m with an estimated volume in excess of 2000 cubic metres which would be confirmed before construction works starts.
- 3.3 In terms of access and movement; one way main circulation is proposed with two-way lanes required for no-through sections, all at a minimum width of 6m. Where parking bays meet 90 degrees, straight kerbing shall be installed along the interfacing to deter bay intrusion. A marked pedestrian walkway would be provided at the front of the parking bays and link to a 2m wide footpath at the north end. This route shall front onto the main entry route with dropped kerbs and pedestrians shall take an undesignated walking route from this point through the existing car park. 'No entry' signage and road marking shall be installed to communicate the one-way system to drivers. There will be a 'give-way' line at the junction between the connecting access and the new surface car park where drivers within the car park will take priority.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

5. APPLICANT'S CASE

- 5.1 The proposed planning application is supported with the following documents namely;
- Heritage Statement
 - Planning and Design Statement
 - Location Plan
 - Proposed car park works Site location plan
 - Proposed car park works landscaping sections
 - Proposed car park works existing general arrangement
 - Proposed car park works proposed general arrangement
 - Proposed car park works form 001-lighting and telecoms general arrangement
 - Proposed car park works planning boundary arrangement
 - Proposed arrangement and landscaping planning application
 - Transport Assessment
 - Existing General Arrangement
 - Preliminary Ecological Appraisal
 - Drainage Statement

The above documents have been submitted to demonstrate how the proposed application is acceptable, sustainable and good for the environment by encouraging the use of public transport as advocated by the government and the strategy in achieving sustainable development.

6. RELEVANT SITE HISTORY

6.1

Application Reference	Date	Location	Development	Decision
UTT/0181/84	20 February 1984	Audley End Station	Car Park Extension	Approve with Conditions (30 Mar 1984)
UTT/1934/88	27 October 1988	Land East of Existing Car Park Audley End Railway Station	Extension of station car park (349 spaces)	Approve with Conditions (15 October 1990)
UTT/0963/08/FUL	04 June 2008	Audley End Station	Extension to car park including landscaping, lighting, CCTV cameras, signage and access	Withdrawn (07 July 2008)
UTT/1692/08/FUL	17 October 2008	Audley End Station	Extension to Audley End Station car park to provide 150 spaces, landscape, lighting, CCTV security camera, pay meters, signage & access	Approve with Conditions (05 November 2009)

7. POLICIES

7.1 National Policies

- National Planning Policy Framework (NPPF Published 24th July 2018)

7.2 Uttlesford Local Plan (2005)

- Policy S7 – The Countryside
- Policy GEN1 – Access
- Policy GEN2 - Design
- Policy GEN4 – Good neighbourliness
- Policy GEN5 – Light Pollution

- 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 ENV7 – The Protection of the Natural Environment – Designated Sites
- Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation
- Policy ENV12 - Protection of Water Resources
- Policy ENV13 – Exposure to Poor Air Quality
- Policy ENV14 - Contaminated Land

Other Documents

- SPD Parking Standards Design and Good Practice September 2009
SPD Essex Design Guide.

8. PARISH COUNCIL COMMENTS

8.1 Wendens Ambo Parish Council object to the proposal on the following grounds:

Ambo Parish Council objects to this application on the following grounds;

a. Flawed justification - The applicant's evidence details 111 vacant spaces at current peak occupancy, demonstrating no need for additional spaces and complete over development of the area. This is reinforced by Greater Anglia's confirmation that the London to Cambridge line is full to capacity and that there are no plans for additional train services on this line in the short, medium or long term.

b. The traffic survey, conducted on one February day, contains inconsistencies including claims the car park is operating at an average capacity of 85%, while in other areas stating the peak occupancy is 84%, ensuring that the average would be far lower.

c. The application does not comply with the Local Plan, and particularly does not minimise the environmental impact.

d. The application plans to level the 3m raised earth bank on the western perimeter that was required by UDC as a condition of planning consent UTT/1692/08/FUL (to extend the car park by 150 spaces) to protect local amenity.

e. The application plans to remove trees which were required to be retained by UDC as a condition of planning consent UTT/1692/08/FUL to protect and enhance the existing visual character of the area and reduce the visual and environmental impacts of the development.

f. The application does not minimise light -spillage, which alongside the obvious significant additional noise, fumes and exposure to pollutants will cause significant disturbance and nuisance to neighbouring properties and indeed quite possibly the whole parish.

g. The access to the site is currently inadequate and includes insufficient demarcated footpaths for safe access for pedestrians and cyclists, particularly as a significant number of school children use the station and the application shows no

evidence of works to improve these matters

9. CONSULTATIONS

Essex County Council Highway Authority

- 9.1 No objection, subject to recommended planning conditions.

ECC Place Services (Ecology)

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

UDC Landscape Officer

- 9.3 Landscape Officer advised that the revised drawing number (MMD-378091-C-DR-00AJ-0202 Rev.P2) allows for the greater part, the retention of the existing hedgerow and occasional trees along the embankment of the former branch line and is considered satisfactory. Please note that the revisions to the layout have reduced the number of new car parking spaces by 7 from 159 to 152.

UK Power Networks

- 9.4 Advised that should excavation of this proposed site affect their Extra High Voltage equipment (6.6KV, 22KV, 33KV or 132KV), the applicant should obtain a copy of the primary route drawings and associated cross sections from Paul Provision – on 0800 056 5866.

ECC Specialist Archaeologist

- 9.5 No objection subject to recommended planning condition.

Affinity Water

- 9.6 Advised that the applicant that construction works and operation of the proposed development site is located within an Environment Agency defined groundwater Source Protection zone corresponding to Debden Road Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes operated by Affinity Water Ltd. The construction works and proposed development site should be constructed 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 site then the appropriate monitoring and remediation methods will need to be undertaken.

Conservation Officer

- 9.7 Audley End Station Building is a listed building of typically C19 railway architecture.

The proposal subject of this application is the formation of the extension to station car park to provide an additional 159 spaces, lighting, CCTV security cameras, signage, access and associated hard and soft landscaping. The nearest designated heritage assets to the development land would be the station building and Railway Cottages some 115 and 136 meters away respectively.

Clearly the non-listed residential homes in the proximity of the site and wider

countryside would be affected. The listed station building is already surrounded by tarmac and other unsightly paraphernalia in both at the front as well as on the platform side. Consequently it could not be said that the setting of the listed buildings would be much further diminished by the carpark extension some 115 meters away.

Environmental Health Officer

Dated 14th August 2018

9.8 Environmental Health object to this proposal on the following grounds :

- adverse impact on the residential amenity of neighbouring properties due to noise and lighting;
- does not encourage movement by means other than driving a car.

Residential amenity

There are noise sensitive residential receptors adjacent to the north west and north east boundaries of the proposal site which may be impacted by noise from vehicles and users of the facility. The current car parking area is more distant from the receptors, and the proposed extension brings the noise source from use of car parking facilities much closer. In addition to loss of amenity, there is potential for sleep disturbance during use of the facility between 23.00hrs and 07.00hrs due to raised noise levels from vehicle movements, vocal noise and impact noise, for example from car doors being closed.

The proposal will introduce a new source of lighting into a previously unlit area of land adjacent to the neighbouring properties, and is likely to lead to light levels at those properties being higher than at present, and potentially be a source of light glare.

The site plan shows in approximately 30 LED luminaires in the car park mounted on 5m columns, and although it is noted that the intention is to keep light levels to a minimum, no details are provided on how this will be done, such as illuminance, baffles or time controls.

The proposal is considered to be contrary to the following saved planning policies :

GEN 2 Design, which requires mitigation to reduce environmental impact on neighbouring properties. Appropriate mitigating measures have not been proposed

GEN 4 Pollutants, which states development will not permitted where noise or light would cause material disturbance or nuisance to occupiers of surrounding properties

ENV 11 Noise generating development, which states development will not be permitted if it would be liable to affect adversely the reasonable occupation of existing or proposed noise sensitive development nearby, unless the need for the development outweighs the degree of noise generated.

Dated 17th August 2018

Further to my comments dated 14th August, it is accepted that the ability to access the station easily and park a vehicle will encourage rail travel over road travel, and on a regional scale this would assist in reducing vehicle numbers on regional road networks with associated benefits to air quality.

10. REPRESENTATIONS

- 10.1 Neighbour consultation expired date – 19.05.2018
Site Notice expired on 06.06.2018 and advertisement expired date - 26.05.2018

Sixteen letters of objection received from neighbouring properties and in summary their grounds of objection includes the following:

- Traffic generation
- Noise
- East of England Plan states that car use should be discouraged
- There is still plenty of spaces on existing car park
- It is very close to adjoining properties
- Traffic flow brings traffic congestion in the village
- Generation of pollution
- Loss of landscaping and trees

11. APPRAISAL

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

- A The principle of development (NPPF Published on 24th July 2018, Local Plan Policy S7)
- B Design and neighbourhood amenity (NPPF, Essex Design Guide, Local Plan Policy GEN2, GEN4, GEN5 and ENV12)
- C Impact upon the setting of the heritage assets (NPPF, Local Plan Policies ENV2 and ENV4)
- D The impact on nature conservation and natural environment (NPPF, Local Plan Policies GEN7 and ENV7).
- E Access to the site and highway issues (NPPF, Local Plan Policies GEN1 and GEN8)
- F Other

A The principle of development (NPPF; Published 24th July 2018 and Local Plan Policy S7)

- 11.1 In paragraph 109 of the revised NPPF published on 24th July 2018; it states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. And paragraph 110 (a) of the revised NPPF; within the context of para.109, application for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layout that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use. The revised proposed plan has been driven with the objective of maintaining road safety including other road users such as pedestrians and cyclist. In line from such government perspective the planning supporting statement evidently demonstrated why this current proposal is made in order to support the rising need demand of Audley End Railway Station.
- 11.2 If the number of cars that currently use the Audley End Stations in addition with the evidence of the increase in need of more car parking spaces required within the station are not allowed it would induce the use of private cars for travelling which would have a knock on effect upon the highway network and increase in emissions, impacting upon climate change, as a result it would be in conflict with both paras.

102 (d) and para. 103 of the recent revised NPPF. On the other hand, if the demand of the increased number of car parking spaces required within Audley End Station is encouraged as advocated by NPPF; it would reduce the reliance upon private vehicles and in turn the level of emissions. The benefit of the proposed car parking spaces linked to the use of railway travelling mode would encourage the use of sustainable transportation through Audley End Railway Station and on balance the principle of the proposed development can therefore be considered acceptable as it would help in promoting sustainable transport in accordance with the revised NPPF.

- 11.3 Given that the application site is located outside development limits it is equally relevant to consider its implication with Policy S7. 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. The development of the car parking spaces required within Audley End Station if it is be located elsewhere not connected or linked to existing railway station for travellers or commuters it would be seen to go against the objective of achieving a sustainable development which make the three criteria of the planning regime in achieving sustainable development namely the social, economic and environmental roles to be seamless. However, if it is linked to an existing railway station such as in this case of Audley End Station it would evidently support sustainable transportation solution therefore the principle of the proposed development in terms of Policy S7 can be deemed to be sustainable and would not harm the character of this part of countryside particularly as it would not encroach upon the open character of this part of the countryside as the development would still remain within the confines of the station.
- 11.4 In conclusion; the principle of the development is acceptable because in rural area such as Uttlesford many residents will need to use private cars, and this proposal provides a compromise to minimise the extent of those car journeys, and enable greater use of rail services which would limit the harm upon the highway network and climate change through the emission of car fumes.

B Design and impact on neighbouring properties amenity (NPPF; and Local Plan Policies GEN2, GEN4, GEN5, ENV11, ENV12 and ENV13)

- 11.5 The proposed extension of the existing car park is part of unused and vacant parcel of land. It is not close to residential properties but it would result to some loss of hedgerows at the eastern boundary of the proposed car park expansion and following the negotiation of such impact with the Council's Landscape Officer the number of the proposed car parking spaces has been reduced from 159 to 152. The mitigation measures for such loss of landscaping features are discussed below.
- 11.6 The siting of the proposed car park extension would not directly harm the living condition of any neighbouring residential properties because none are located close to the proposed increased area of car parking.
- 11.7 In consultation with UDC Environmental Health Officer; they advised that there are noise sensitive residential receptors adjacent to the north west and north east boundaries of the proposal site and this may be impacted by noise from vehicles and users of the facility. The current car parking area is more distant from the receptors, and the proposed extension brings the noise source from use of car parking facilities much closer. In addition to loss of amenity, there is potential for sleep disturbance during use of the facility between 23.00hrs and 07.00hrs due to raised noise levels from vehicle movements, vocal noise and impact noise, for

example from car doors being closed. The proposal will introduce a new source of lighting into a previously unlit area of land adjacent to the neighbouring properties, and is likely to lead to light levels at those properties being higher than at present, and potentially be a source of light glare; as a result the proposal is contrary to paragraph 123 of the NPPF; and Policies GEN2, GEN4, GEN5 and ENV11. (Note, the Environment Health Officer NPPF (March 2012). The appropriate consideration to their advice have been taken into account by the Planning Officer below in more appropriate up-to-date NPPF published on 24th July 2018.

- 11.8 Measures contained in the Saffron Walden Air Quality Action Plan are aimed at reducing and maintaining nitrogen dioxide emission level within the town to below national objectives, and the proposal does not support the measures for the emission provided for example; measure 3, promotion of cycle/pedestrian routes. One of these routes includes the cycle path from the town to Audley End Station, and a cycle route between Great Chesterford and Saffron Walden is under consideration as advised by the UDC Environmental Health Officer. Measure 14, include raising public awareness of air quality issues. The aim of this measure is to encourage behavioural change to select movement by means other than by private car, especially for short journeys such as those between the town centre and Audley End Station.
- 11.9 From the concerns of the Environmental Health Officer and nearby residents; the issues concerning noise, light pollution and glaring of light has been raised. In response to these concerns, it is considered that the impact of the proposals on nearby residents would be no worse than currently experienced. At present, there is a strip of car parking already in use that is adjacent to the northern boundary of the application site which distances the proposed car park from the nearby residents located to the north by circa 20m. Having noted the views expressed by the Environmental Health Officer; the Planning Officer's opinion is that the proposed additional 152 car parking spaces would increase the number of car movements in and out of this train station which would cause some disturbance to nearby neighbouring properties. Despite such view, it is equally importantly to state that such movement of cars would not happen at the same time and would be staggered. A variation of traveling time movements in and out of the train station therefore would assist to mitigate disturbance. On balance considering none of the neighbouring properties are close to the exact location of the proposed car parking spaces it would therefore not adversely harm their living conditions.
- 11.10 The existing number of parking spaces at the station amounts 664 spaces. The proposed expansion, which now seeks to provide 152 spaces, whilst the number of proposed parking spaces is relatively significant the impact compared to the current position in terms of the level of noise and pollution compared to the current conditions. In addition, the retention of the existing northern boundary hedgerows (as shown in drawing no. (MMD-378091-C-DR-00-AJ-0202 P2) will provide screening of the development on site from residents nearby and will help to mitigate the level of pollution from the site.
- 11.11 With regards to impact on local residents during night time hours (23.00hrs – 07.00hrs), there will be no change to the current situation. Peak hours for the operation of the car park are 07:00hrs – 08:00hrs and 18:00hrs – 19:00hrs. While there will be some additional traffic movements during peak hours, it is considered that these would have a minimal impact on nearby sensitive receptors with regards to noise and disturbance. Outside of the peak hours the numbers of movements would remain relatively low, as is currently the case, and therefore residents would experience no further impacts.

- 11.12 On 17th August 2018; the Environment Health Officer updated their previous advice and objection following the recent published National Planning Policy Framework on 24th July 2018. The Environment Health Officer; advised that further to their comments dated 14th August 2018, it is accepted that the ability to access the station easily and park a vehicle will encourage rail travel over road travel, and on a regional scale this would assist in reducing vehicle numbers on regional road networks with associated benefits to air quality.
- 11.13 In conclusion; it is therefore evidently clear from the updated advice from the Environmental Health Officer on 17th August 2018; that the proposed car park extension would not adversely harm the environment and its air quality as a result the proposal is considered to be in accordance with Policies GEN2, ENV11 and ENV13.
- 11.14 What needs to be made clear is that Audley End Station serves not just the surrounding neighbouring villages but Saffron Walden, which is the largest sustainable town in the District. The station as a whole suffers from and would need to cater for the pressures which arise both now and in the long term in terms of growth, and the additional dwellings which are required to be provided. Therefore in consideration of the above the harm is outweighed by the public benefit and is in accordance with policy.
- 11.15 At present no details of relating to the proposed lighting scheme have been provided as result such details would be condition in order to provide the opportunity for the local planning authority to assess the likely impact in accordance with Policies GEN2 and GEN5. In conclusion; it is considered that the revised scheme would not adversely harm the living condition of the neighbouring properties; hence the revised scheme is not in conflict with Policies GEN2, GEN4 and ENV11.

C Impact on Heritage settings (NPPF and Local Plan Policies ENV2 , ENV4 and ENV7)

- 11.16 Audley End Station Building is a listed building of typically 19 century railway architecture as advised by the Conservation Officer. The nearest designated heritage assets to the proposed development land would be the station building and Railway Cottages some 115 and 136 metres away respectively.
- 11.17 It is the Conservation Officer's view that the listed station building is already surrounded by tarmac and other unsightly paraphernalia in both at the front as well as on the platform side. Hence; it could not be said that the setting of the listed buildings would be much further diminished by the carpark extension some 115 metres away. It is therefore your Planning Officer's view that in consideration with the Conservation Officer's advice, it can be concluded that the proposal is not in conflict with para. 190 of the NPPF (July 2018) or Policy ENV2 of the Uttlesford Local Plan.
- 11.18 The site lies within an identified archaeological area of interest and ECC Archaeology has been consulted. No objection has been raised to the scale and form of the proposal subject to conditions in accordance with paragraph 132 of the NPPF and Policy ENV4 of the Uttlesford Local Plan.

D The impact upon nature conservation and Sites of Special Scientific Interest (SSSI) (NPPF and Local Plan Policies GEN7 and ENV7)

- 11.19 Due to the likely implication of the scale of this development on nature conservation an ecological survey in support of the application has been submitted. ECC Ecologist have considered the information and concluded they are satisfied subject to certainty appropriate mitigation measures to safeguard any likely impact on wildlife has been recommended which would be condition in accordance with Policy GEN7 of the Uttlesford Local Plan.
- 11.20 The application is within the range of Sites of Special Scientific Interest (SSSI) impact risk zones. The application site would be contained within the existing grassed land and areas occupied by existing plants adjacent to the existing car parking layout. The scale, form, design and layout of the proposed scheme has been considered and there is no evidence to suggest it would affect the SSSI zone particularly considering the distance between the site and the SSSI, therefore the proposal is deemed not to be in conflict with Policy ENV7 of the Uttlesford Local Plan.

E The Traffic impact (NPPF and Local Plan Policy GEN1)

- 11.21 The objective of Policy GEN1 states that development will be permitted if the access and design does not affect traffic or other road users.
- 11.22 The access to the site would be as existing and would not be altered. In terms of internal circulation this is set out through a specified circulation routes. The internal access roads would be all at a minimum width of 6m. And, where parking bays meet at 90 degrees, straight kerbing would be installed along the interfacing to deter bay intrusion. A marked pedestrian walkway would be provided at the front of the parking bays and link to a 2m wide footpath at the north end. Such route would be front onto the main entry route with dropped kerbs and pedestrians would take an undesignated walking route from such point through the existing car park.
- 11.23 There would be no entry signage and road markings would be installed to communicate the one-way system to drivers. There would be a 'give-way' line at the junction between the connecting access and the new surface car park where drivers within the car park would be able to take as priority.
- 11.24 The ECC Highways Authority suggested further improvement of the current cycleparking provision to be increased to a total of 100 spaces (including the existing provision) for the benefit of the car park extension. The access for cyclist through the car park should be accompanied with new directional cycle signage which should be installed to inform cyclist of safe route between car park entrance and cycle parking facilities. New cycle warning signs to warn drivers of cyclist crossing in the vicinity. The proposed plan has been amended to accommodate the advice of the Highway Authority. A condition is recommended to ensure appropriate cycle/powered two wheeler parking is provided in the interest of highway safety and amenity of the area in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and Policy GEN1 and GEN8 of the Uttlesford Local Plan.
- 11.25 The Highways Authority also agreed that the ANPR cameras are to be located clear of the highway. In conclusion; following the recommendation of the revised plan and the appropriate planning conditions in place; the Highway Authority did not object to the proposal because the revised plan is not in conflict with NPPF; ULP Policy GEN1.

F Other

- 11.27 The application site lies within a groundwater protection zone. Policy ENV12 states that development that would be liable to cause contamination of groundwater or surface water will not be permitted unless effective safeguards are provided. In order to safeguard the amenity of the area; it would be appropriate to place a planning condition that would prevent the contamination of ground water that might occur during the implementation of this approved development. This is in accordance with Policies GEN2 and ENV12.

12. CONCLUSION

- 12.1 The following is the summary of the main reasons for the recommendation.

- A The principle of the development is considered sustainable because it would promote sustainable transport by encouraging the use of public transport (e.g., railway services); for the benefit of those that are travelling or commuters, instead of encouraging huge numbers of private cars on the road to reach their destination which would adversely contribute to the impact on climate change, generation of emission of car fumes which contribute to general air pollution both local and further afield. This development will help to reduce congestion and emissions, and improve air quality and public health and given such reasons the principle of the proposal is in accordance with para. 103 of the NPPF published on 24th July 2018; and Policies S7, GEN2 and ENV13 of the adopted Local Plan (2005).
- B The proposed improvement to the existing car park layout ; in addition with the proposed security measures in place such as the lighting and CCTV would protect and safeguard all those using the Audley End Car Park Station and its environs and this is in accordance with paragraph 127 (f) and 131 of the NPPF July 2018; and Policy GEN2 of the adopted Local Plan (2005).
- C The decrease of the proposed car park to 152 car parking spaces instead of 159 enabled to secure adequate protection of the existing hedgerows and for that reason it also reduced the number of the proposed car parking spaces and further improves the proposed hard and soft landscaping scheme of the development. It is therefore in accordance with Policies GEN2 and ENV8 of the adopted Local Plan (2005).
- D The location of the development and its layout is not considered harmful to the setting of the nearby identified heritage asset, archaeology, ecology or Sites of Special Scientific Interest (SSSI) as a result the proposal is not in conflict with para. 190 of the NPPF (July 2018); and Policies ENV2 , ENV4 and ENV7 of the adopted Local Plan (2005).
- E Whilst concerns have been raised regarding noise and disturbance it is accepted by Environmental Health Officer that the ability to access the station easily and park a vehicle will encourage rail travel over road travel, and on a regional scale this would assist in reducing vehicle numbers on regional road networks with associated benefits to air quality. Hence; the proposal is sustainable and would limiting any adverse harm air quality within the environs or generate adverse car emissions; therefore the proposal is not in conflict with Policies GEN2, GEN4 and ENV13 of the adopted Local Plan (2005) and the NPPF.

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

REASON: In order to protect any archaeological remains within the site in accordance with Policy ENV4 of the adopted Local Plan (2005).

3. Prior to the commencement of the proposed development all ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (Mott MacDonald, April 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes the humane control of rabbits, retaining hedgerows and re-planting where necessary, due diligence regarding nesting birds, maintaining the grass in a short state until construction starts.

REASON: In order 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.

4. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and underbody cleaning facilities
 - v. Ensure that the bus service can enter and leave the site and access the bus facilities during the construction period or that alternative facilities are provided on a temporary basis.

REASON: 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, the bus services can operate and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

5. Prior to the commencement of development the widening of the access to a minimum of 6m as show in drawing number MMD-37809-C-DR00-AJ-0202 shall be provided, to allow two-way traffic and thereafter be retained thereafter.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with policy DM1 of the

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

6. Prior to first beneficial use of the proposed carpark extension a scheme of cycle directions and warning signs to be provided within the carpark.

REASON: To assist cyclist in safely navigating the car park and using the parking facilities in accordance with Policy GEN1 of the adopted Local Plan (2005).

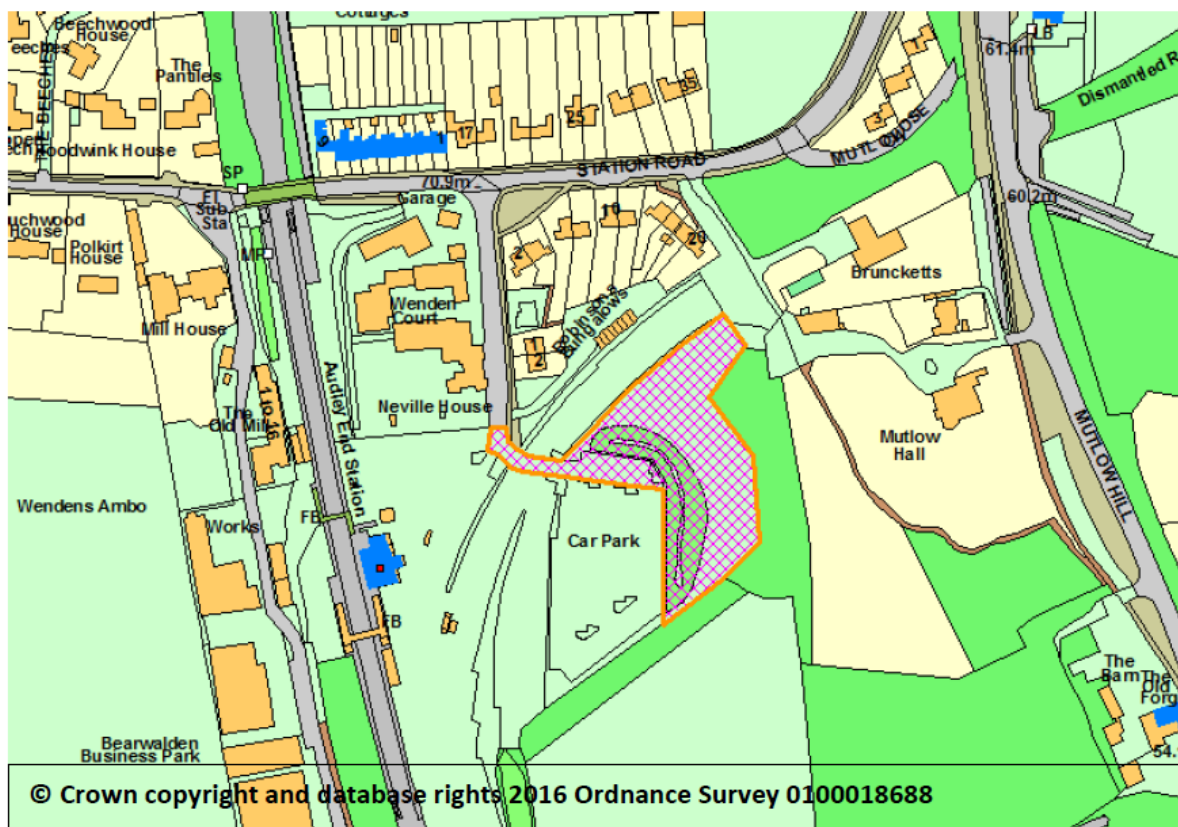
7. Prior to first beneficial use of the proposed carpark extension enhancements to the current cycle parking provision to provide a total of 100 spaces (including the existing provision) to be provided and retained their after.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011. facilities in accordance with Policy GEN1 of the adopted Local Plan (2005).

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within [3] days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of condition 8, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 8.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 8.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2 and ENV11 of the Uttlesford Local Plan (adopted 2005).



Organisation: Uttlesford District Council

Department: Planning

Date: 11 October 2018