



Public Document Pack

Uttlesford District Council

Chief Executive: Peter Holt

Planning Committee

Date: Wednesday, 27th April, 2022

Time: 10.00 am

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

Chair: Councillor S Merifield

Members: Councillors G Bagnall, J Emanuel, P Fairhurst, R Freeman, G LeCount, M Lemon (Vice-Chair), J Loughlin, N Reeve and M Sutton

Substitutes: Councillors M Caton, A Coote, N Gregory, V Isham, B Light, G Sell, G Smith and J De Vries

Public Speaking

At the start of each agenda item there will be an opportunity for members of the public to ask questions and make statements subject to having given notice by 2pm on the day before the meeting. Please register your intention to speak at this meeting by writing to committee@uttlesford.gov.uk

Public speakers will be offered the opportunity for an officer to read out their questions or statement at the meeting, and encouraged to attend the meeting via Zoom to read out their questions or statement themselves. There is capacity for four additional people to attend the Chamber in person and seats will be available on a first come first serve basis, so please do get in touch as soon as possible if this is of interest.

For further information, please see overleaf. Those who would like to watch the meeting live can do so virtually [here](#). The broadcast will be made available as soon as the meeting begins

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** 4 - 14
To consider the minutes of the previous meeting.
- 3 UTT/21/3269/DFO - Land to the Northwest of Henham Road, ELSENHAM** 15 - 71
To consider application UTT/21/3269/DFO.
- 4 UTT/22/0152/DFO - Land West of Parsonage Road, TAKELEY** 72 - 122
To consider application UTT/22/0152/DFO.
- 5 UTT/21/3735/FUL - Cambridge Epigenterix, Chesterford Park, LITTLE CHESTERFORD** 123 - 132
To consider application UTT/21/3735/FUL.
- 6 UTT/22/0326/FUL - Emmanuel Building, Chesterford Park, LITTLE CHESTERFORD** 133 - 141
To consider application UTT/22/0326/FUL.
- 7 Late List** 142 - 151

This document contains late submissions, updates or addendums to existing agenda items which are received up to and including the end of business on the Friday before Planning Committee. The late list is circulated after 12.00 pm on the Monday prior to Planning Committee. This is a public document and it is published with the Agenda papers on the UDC website.

MEETINGS AND THE PUBLIC

In light of the High Court judgement regarding the extension of remote meeting regulations, Council, Cabinet and Committee meetings will now be returning to in-person and will be held on-site from Thursday 6th May 2021. However, due to social distancing measures and capacity considerations in line with the Council's risk assessment, public access and participation will continue to be encouraged virtually until further notice. Members of the public are welcome to listen live to the debate of any of the Council's Cabinet or Committee meetings. All live broadcasts and meeting papers can be viewed on the Council's calendar of meetings webpage.

Members of the public and representatives of parish and town councils are permitted to speak at this meeting and will be encouraged to do so via the video conferencing platform Zoom. If you wish to make a statement via Zoom video link, you will need to register with Democratic Services by 2pm the day before the meeting. Those wishing to make a statement via video link will require an internet connection and a device with a microphone and video camera enabled. Those wishing to make a statement to the meeting who do not have internet access can do so via telephone.

Technical guidance on the practicalities of participating via Zoom will be given at the point of confirming your registration slot, but if you have any questions regarding the best way to participate in this meeting please call Democratic Services on 01799 510 369/410/467/548 who will advise on the options available.

Facilities for people with disabilities

The Council Offices has facilities for wheelchair users, including lifts and toilets. The Council Chamber has an induction loop so that those who have hearing difficulties can hear the debate.

If you are deaf or have impaired hearing and would like a signer available at a meeting, please contact committee@uttlesford.gov.uk or phone 01799 510410/467 as soon as possible prior to the meeting.

For information about this meeting please contact Democratic Services

Telephone: 01799 510410, 510369, 510548, or 510467

Email: Committee@uttlesford.gov.uk

General Enquiries

Council Offices, London Road, Saffron Walden, CB11 4ER

Telephone: 01799 510510

Fax: 01799 510550

Email: uconnect@uttlesford.gov.uk

Website: www.uttlesford.gov.uk

Agenda Item 2

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 13
APRIL 2022 at 12.00 pm**

Present: Councillor S Merifield (Chair)
Councillors G Bagnall, M Caton (substitute for Councillor J Loughlin), G LeCount, B Light (substitute for Councillor P Fairhurst), N Reeve, M Sutton and J De Vries (substitute for Councillor R Freeman)

Officers in attendance: H Ashun (Principal Planning Officer), N Brown (Development Manager), C Edwards (Democratic Services Officer), C Gibson (Democratic Services Officer), M Jones (Senior Planning Officer), A Lockhart (Interim Legal Services Manager), M Sawyers (Planning Officer), M Shoemith (Development Management Team Leader), E Smith (Solicitor) and L Trevillian (Principal Planner)

Public speakers: D Amott, S Bampton, D Brett, Councillor G Driscoll, G Hilton, Councillor E Oliver, A Urquart and S Whitehead.

PC121 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors J Emanuel, P Fairhurst, R Freeman, M Lemon and J Loughlin.

Apologies for lateness were received from Councillor B Light.

Non-pecuniary declarations of interest were made by:

- Councillor Sutton as Ward Councillor for Takeley and Member of Takeley PC (Item 5).
- Councillor Bagnall as per Councillor Sutton.
- Councillor Reeve as Ward Councillor for Broad Oak and the Hallingburys (Item 6).

PC122 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting held on 16 and 17 March 2022 were approved with one amendment:

Page 15, PC119 – removal of the bullet point that stated “Climate change and ecology”.

PC123 **SPEED AND QUALITY REPORT**

The Development Manager presented the speed and quality report and outlined the criteria. He said that he would be reporting the 2019 -21 allowed appeals data to the Committee in May.

In response to various questions about making improvements, the Development Manager confirmed that:

- Additional higher level staff were now in place and provided greater capacity.
- All major applications regardless of recommendation would in future be reported to Committee.
- Major applications trackers were being introduced.
- Appeal trending would be taken forward and would include information on dismissed appeals.

The report was noted.

PC124 **UTT/21/3108/FUL - LAND TO THE NORTH-WEST OF BISHOP`S STORTFORD, FARNHAM ROAD, FARNHAM**

The Principal Planning Officer presented an application for the for the erection of a solar photovoltaic farm alongside associated works. He said that a small proportion of the site was not green belt and therefore S7 applied. He referred to this application being a cross-boundary application with East Herts DC. He said that 47 standard letters of support had been received in respect of climate change, Carbon Dioxide emissions, fossil fuels, sustainable energy security and renewables. However, he said that these would have no impact on the recommendation in respect of benefits against harms.

The application was recommended for refusal.

The Principal Planning Officer responded to questions from members in respect of:

- The situation at East Herts DC re the application being made there.
- Outstanding concerns from Highways, Ecology and Archaeology.
- Possible conditions in the event of a decision being made against the recommendation.
- Employment numbers.
- Educational purposes.
- Public Rights of Way.

Councillor Light had arrived at 12.55 pm

There was a brief adjournment between 1.00 pm and 1.05 pm.

The Interim Legal Services Manager made a statement that any emails and attachments that had been received the previous evening would not be considered by the Committee.

Members discussed:

- The balance between the negatives and the benefits of the proposal.

- Consideration of solar panels.
- Erosion of the Green Belt and the CPZ.
- The planning application situation at East Herts DC.
- The fact there were likely to be alternative locations in the district for similar proposals.
- The lack of a clear response from Highways.

Councillor LeCount proposed that the application be refused for the reasons as set out in Section 17 of the report.

Councillor Sutton seconded the proposal.

RESOLVED to refuse the application for the reasons as set out in Section 17 of the report.

(Councillor Light did not vote as she had arrived during the course of the item).

A Urquart, D Brett and G Hilton (applicant) spoke in support of the application.

PC125 UTT/21/3095/FUL - FALAISE AND MOUNTJOY, THE STREET, TAKELEY

The Senior Planning Officer presented an application for the demolition of the existing pair of semi-detached dwellings and the construction of six new residential dwellings and associated access, parking and landscaping.

The application was recommended for approval subject to conditions.

The Senior Planning Officer responded to questions from members in respect of:

- An Appeal being granted in 2020.
- Other sites in CPZ being material considerations.
- A buffer zone with the Flitch Way.
- Parking spaces.
- Garden sizes all above the Essex Design Guide figure.
- A bus service.

Members discussed:

- Precedents being set by developments on the road.
- Sewage and water pressure issues.
- Material Planning considerations.
- Possible overdevelopment.
- Comments made by Place Services.
- NPPF 197C.
- Parish Council objections.

Councillor Reeve proposed that the application be approved subject to those conditions as set out in Section 17 of the report.

Councillor LeCount seconded the proposal.

RESOLVED to approve the application, subject to those conditions as set out in Section 17 of the report.

D Amott (applicant) spoke in support of the application.

PC126 UTT/21/3204/FUL - TANDANS, GREAT CANFIELD ROAD, GREAT CANFIELD

The Senior Planning Officer presented an application for the replacement of an existing static home with detached house with associated access and parking.

The application was recommended for approval subject to conditions.

The Senior Planning Officer responded to questions from members in respect of:

- The current level of travellers sites in the district.
- There being no impact on the register of travellers.

Members discussed:

- The size of the dwelling.
- The possible creeping development.
- The possible conditioning in respect of the dwelling remaining within the traveller community.

Councillor Reeve re-stated his non-pecuniary declaration on this item and proposed that the application be approved subject to those conditions set out in Section 17 of the report.

Councillor LeCount seconded the proposal.

RESOLVED to approve the application subject to those conditions set out in Section 17 of the report.

Councillor G Driscoll (on behalf of Great Canfield PC) spoke against the application. The application had been called in by Councillor Driscoll.

The meeting adjourned at 2.00 pm and re-convened at 2.45 pm. Councillor De Vries was not in the room when the meeting re-convened.

PC127 UTT/21/2719/FUL - LAND NORTH OF BRAINTREE ROAD, GREAT DUNMOW

The Development Management Team Manager and the Planning Officer presented an application for the proposed erection of 32 self-build and custom build dwellings.

The application was recommended for approval subject to conditions and completion of a S.106 Obligation Agreement in accordance with the Heads of Terms.

Councillor De Vries joined the meeting at 2.52 pm.

Questions were answered in respect of:

- SUDs and water drainage.
- Lack of a response from the Town Council.
- Affordable housing provision.
- Schooling provision.
- The S106 not specifying financial sums as reflected in paragraph 14.3.10 as supplied by Essex CC.
- Comments made by Place Services (Conservation and Heritage) in respect of Ford Farm.

The meeting adjourned at 3.05 pm and re-convened at 3.15 pm.

Members discussed:

- That the bar had been set very high by the developer.
- That this was a good quality development, where people would like to live.
- That it would be good if the Town Council were more involved.

Councillor Reeve proposed that the application be approved subject to the terms as detailed in the report's recommendations.

Councillor LeCount seconded the proposal.

RESOLVED to approve the application subject to those items set out in Section 17 of the report-

- A) Completion of a S106 Obligation Agreement in accordance with the Heads of Terms
- B) Conditions

And

If the freehold owner shall fail to enter into such an agreement, the Interim Director Planning & Building Control shall be authorised to REFUSE permission following the expiration of a 6 month period from the date of the Planning Committee.

(Cllr De Vries did not vote as he had arrived during the course of the item)

S Bampton (agent) spoke in support of the application.

There was a further short adjournment between 3.35 pm and 3.40 pm.

PC128 **UTT/21/3182/FUL - LAND TO THE EAST OF STATION ROAD, LITTLE DUNMOW**

The Principal Planning Officer presented an application for the proposed erection of 9 detached dwellings, provision of new access and associated landscaping and parking.

The application was recommended for approval subject to conditions.

The Principal Planning Officer responded to questions from members in respect of:

- The history of applications on this plot.
- The access arrangements.
- Receipt/non-receipt of an archaeology report.

Members discussed:

- That neighbours were particularly concerned about parking arrangements and dirt.
- Possible conditioning of the timing of planting the buffer within the Landscaping condition.

The Chair proposed that the application be approved subject to those conditions as set out in Section 17 of the report and that the Construction Management Plan includes the name and contact details of a site manager.

Councillor Sutton seconded the proposal.

RESOLVED to approve the application subject to those conditions as set out in Section 17 of the report and that the Construction Management Plan includes the name and contact details of a site manager.

A statement was read out from A Young (agent) in support of the application.

PC129 **UTT/21/2649/FUL - LAND TO THE REAR OF MALT PLACE, CORNELLS LANE, WIDDINGTON**

The Principal Planning Officer presented an application for the demolition of five existing buildings, and erection of three new buildings forming 10 residential dwellings. Alternative scheme to that approved under references UTT/20/2154/FUL, UTT/20/0876/FUL and UTT/20/3016/FUL.

The application was recommended for approval subject to conditions.

The Principal Planning Officer responded to questions from members in respect of:

- Affordable housing or off-site contribution to affordable housing.
- Previous applications and Class Q builds.

Members discussed:

- Whether it was possible to request affordable housing provision.
- The general lack of 1 and 2 bedroom properties in the district.

Councillor Caton proposed that the application be deferred to enable further discussions to take place with reference to affordable housing provision.

Councillor Bagnall seconded the proposal.

RESOLVED to defer the application pending discussions taking place with reference to affordable housing.

S Bampton (Agent) spoke in support of the application and a statement was read out from A Edwards against the application.

PC130 **UTT/22/0086/FUL - THREE ELMS COTTAGES, LANGLEY LOWER GREEN, LANGLEY**

The Principal Planning Officer presented an application for the erection of 1 detached dwelling with cart lodge.

The application was recommended for refusal.

The Principal Planning Officer responded to questions from members in respect of:

- Whether the property would be 1.5 or 2 storey.
- The response by Place Services and the need for consistency.

Members discussed:

- The lack of a 5 year land supply.
- The site offering a good development within the existing curtilage.
- Local support, including lack of objection from the Parish Council.
- That the applicant had worked closely with Place Services to ensure minimal impact.

Councillor Light proposed that the application be approved on the basis that the development was within the existing curtilage, would not be extending the development and would contribute to the 5 year land supply.

Councillor Sutton seconded the proposal.

The Principal Planning Officer outlined the conditions that would be required if the application was approved. He has subsequently expanded them and they are detailed below.

- 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.

- The development hereby permitted shall be constructed in accordance with the approved plans as listed unless otherwise agreed in writing by the Local Planning Authority.

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.

- Prior to any of the development hereby permitted is commenced, details of all materials to be used in the external finishing of the building shall be submitted and approved in writing by the Local Planning Authority and thereafter the development shall be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the appearance of the proposed development will reflect with the character of the surrounding locality in accordance with policy GEN2 of the adopted Local Plan.

- Prior to commencement of development above slab level, full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-
 - a) Proposed finished levels
 - b) Means of enclosure
 - c) Car parking layout
 - d) Hard surfacing, other hard landscape features and materials
 - e) Existing trees, hedges or other soft features to be retained (unless since removed)
 - f) Planting plans, including specifications of species, sizes, planting centres, number and percentage mix
 - g) Details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
 - h) Details of siting and timing of all construction activities to avoid harm to all nature conservation features
 - i) Location of service runs
 - j) Management and maintenance details

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with ULP Policies GEN2 and ENV8 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework 2019.

- A minimum of a single electric vehicle charging point shall be installed for the new dwelling house. This shall be provided, fully wired and connected, ready to use before first occupation.

REASON: The requirement of the charging points are required to mitigate the harm for poor air quality due to the increase in vehicle movement and being within and in accordance with Policy ENV13 and the NPPF.

- If during any site investigation, excavation, engineering, or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

Reason: in the interest of human health in accordance with policy ENV14 of the adopted local plan.

- All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecology Report, (Arbon February 2022) and Arboricultural Impact Assessment (Arbon, January 2022) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.”

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

- A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
 - a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) detailed designs to achieve stated objectives;
 - c) locations of proposed enhancement measures by appropriate maps and plans;
 - d) persons responsible for implementing the enhancement measures;
 - e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

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

- A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) Containment, control and removal of any Invasive non-native species present on site

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

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) as updated by the Environment Act 2021.

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

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

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

RESOLVED to approve the application subject to conditions.

Councillor E Oliver and S Whitehead (applicant) spoke in support of the application.

The meeting ended at 4.55 pm .



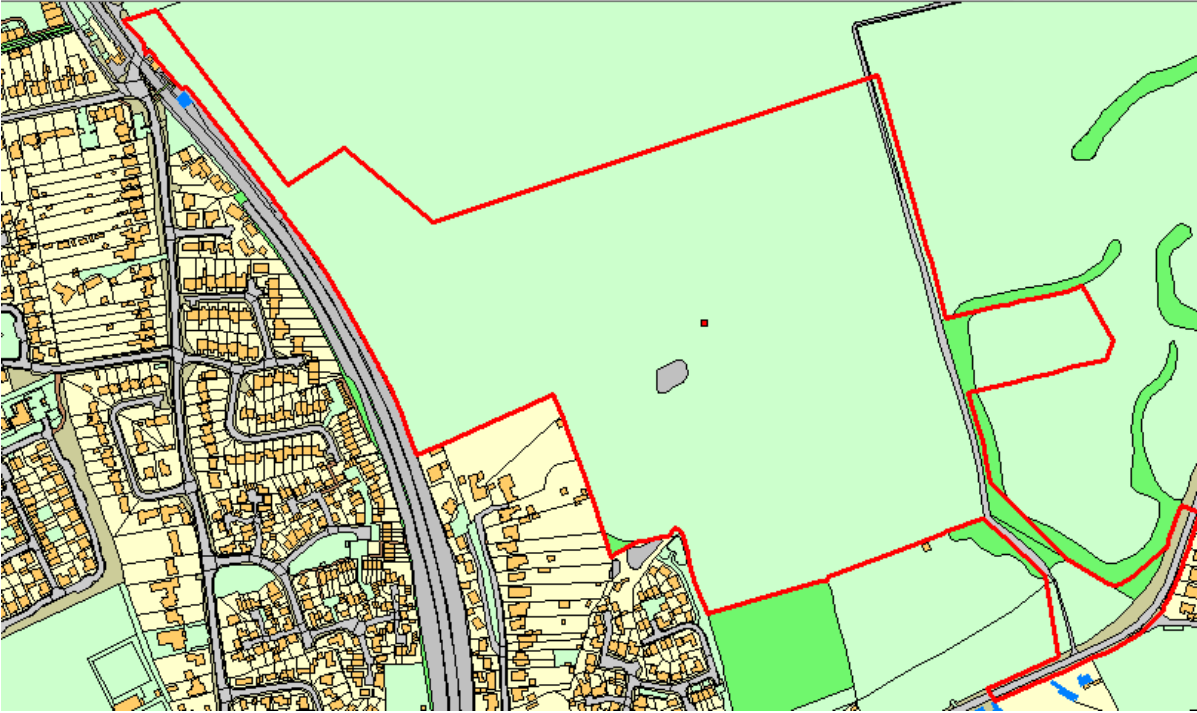
ITEM NUMBER: 3

PLANNING COMMITTEE DATE: 27 April 2022

REFERENCE NUMBER: UTT/21/3269/DFO

LOCATION: LAND TO THE NORTHWEST OF HENHAM ROAD,
ELSENHAM

SITE LOCATION PLAN:



**© Crown copyright and database rights 2021 ordnance Survey 0100018688
Organisation: Uttlesford District Council Date: 14 April 2022**

PROPOSAL: Approval of reserved matters (layout, scale, appearance and landscaping) relating to outline application UTT/17/3573/OP for the erection of 350 dwellings, internal roads, open space and sports pitch provision, other associated infrastructure including that required to serve future primary school and early years facility and siting of sports pavilion

APPLICANT: Bloor Homes

AGENT: Nicky Parsons, Pegasus Group

EXPIRY DATE: 01 February 2022

EOT Expiry Date: 29 April 2022

CASE OFFICER: Henrietta Ashun

NOTATION: Outside Development Limits

REASON THIS APPLICATION IS ON THE AGENDA : Major development

1. EXECUTIVE SUMMARY

- 1.1** The layout, scale, landscaping and appearance is in general conformity with the approved outline scheme. Further enhancements have been made to further improve the visual amenities of the scheme and provide a good living environment for future occupiers.
- 1.2** The scheme has evolved positively through liaison with the local community and UDC which has resulted in a good quality sustainable scheme.
- 1.3** The scheme will deliver much needed accommodation in the district.

2. RECOMMENDATION

That the Interim Director of Planning and Building Control be authorised to **GRANT** permission for the development subject to those items set out in section 17 of this report -

3. SITE LOCATION AND DESCRIPTION:

- 3.1** The site lies on the north-west side of the B1051 Henham Road to the immediate north-east of the existing built-up area for Elsenham village.
- 3.2** A listed residential property lies opposite the site on the south side of Henham Road, whilst further residential properties line the south-eastern side of the road just past the site after a gradual bend. Public footpath PROW 13_21 traverses the site north-east/south-west and leads across an existing field track leading from Henham Road to the northern end of the site.
- 3.4** The site covers approximately 18.531 hectares and was last in use for predominantly agricultural purposes.
- 3.5** The land slopes gently with a number of gentle ridges; falling towards the south and the west. The highest point on site is approximately 105.65m AOD and occurs at the northeast corner of the site. The southeast corner has a level of 97.92m AOD.

4. PROPOSAL

- 4.1** This Reserved Matters application (layout, scale, appearance and landscaping) relates to outline application UTT/17/3573/OP for the erection of 350 dwellings, internal roads, open space and sports pitch provision, other associated infrastructure including that required to serve future primary school and early years facility and siting of sports pavilion. However this application does not include the education uses which are to be delivered by others.
- 4.2** Outline planning permission was granted for the development proposed is for up to 350 dwellings (Class C3); a One Form Entry primary school including Early Years and Childcare Setting for up to 56 places (Class D1); open spaces and landscaping including provision of junior football pitch and changing rooms; access from B1051 Henham Road with associated street lighting and street furniture; pedestrian, cycle and vehicle routes, including streets, squares, lanes and footpaths along with associated street lighting and street furniture; pedestrian and cycle link to Elsenham Station and potential pedestrian and cycle link to Hailes Wood; vehicular and cycle parking; provision and/or upgrade/diversion of services including water, sewerage, telecommunications, electricity and gas, and service media and apparatus; on-plot renewable energy measures including photo-voltaics, solar heating and ground source heat pumps; drainage works, sustainable drainage systems and ground and surface water attenuation features; associated ground works; and boundary treatments including construction hoarding, application

reference UTT/17/3573/OP, Appeal Ref: APP/C1570/W/19/3243744 on the 22nd December 2020.

4.3 The approved outline scheme fixed the means of access. Furthermore, a reserved matters application ref. UTT/21/2799/DFO provided details on the road infrastructure to be provided. The extent and remit of the approved reserved matters application related to the inclusion of the proposed access point from Henham Road, and then part of the proposed access road leading from it, only relating to the above outline approved development,

4.4 The proposed development will include the following:

- 350 residential units
- 140 of the units will be affordable (40% of the total).
- sports pitch(es)
- a sports pavilion,
- play areas
- areas of public open space
- land retained for a future primary school with early years facility

5. ENVIRONMENTAL IMPACT ASSESSMENT

5.1 The approved outline scheme was supported by an Environmental Impact Assessment (EIA) and Environmental Statement (ES), which covered a large number of matters including landscape impact, heritage, air quality, transportation and flood risk.

6. RELEVANT SITE HISTORY

6.1

Reference	Proposal	Decision
UTT/12/5497/SO	Scoping Opinion - Outline applications for 800 dwelling and 3000 dwellings	Opinion given
UTT/13/0192/SO	Scoping Opinion - Outline applications for 800 dwellings and supporting uses	Opinion given
UTT/13/0808/OP	Outline application with all matters reserved, except access, for up to 800 dwellings; up to 0.5ha of class B1a and B1c employment uses; up to 1,400sqm of retail uses; a primary school; up to 640sqm of Health Centre use; up to 600sqm of community buildings; changing rooms; access roads including access	Refused

	points to B1051 Henham Road and Old Mead Road, a construction access and haul route from B1051 Henham Road, a Waste Water Treatment Works access from Bedwell Road, and provision of a link road at Elsenham Cross between the B1051 Henham Road and Hall Road; a Waste Water Treatment Works and other associated infrastructure, landscaping and boundary treatment works. Demolition of all existing buildings.	
UTT/14/3463/OP	Outline application with all matters reserved, except access, for up to 800 dwellings; up to 0.5ha of class B1a and B1c employment uses; up to 1,400sqm of retail uses; a primary school; up to 640sqm of Health Centre use; up to 600sqm of community buildings; changing rooms; access roads including access points to B1051 Henham Road and Old Mead Road, a construction access and haul route from B1051 Henham Road, a Waste Water Treatment Works access from Bedwell Road, and provision of a link road at Elsenham Cross between the B1051 Henham Road and Hall Road; a Waste Water Treatment Works and other associated infrastructure, landscaping and boundary treatment works. Demolition of all existing buildings.	Withdrawn
UTT/17/3573/OP		Non determination appeal granted

UTT/21/2799/DFO	Details following outline approval UTT/17/3573/OP (approved under appeal reference APP/C1570/W/19/3243744) for access road infrastructure to serve up to 350 new homes and associated uses - details of appearance, landscaping, layout and scale.	Granted
UTT/22/0306/FUL	Variation of Condition 2	Pending consideration
UTT/22/0307/FUL	Variation of condition 1	Pending consideration
UTT/22/0308/FUL	Variation of condition 22	Pending consideration
UTT/22/0309/FUL	Variation of conditions 9 and 10	Pending consideration
UTT/22/0310/FUL	Variation of condition 11	Pending consideration
UTT/22/0311/FUL	Variation of condition 18	Pending consideration
UTT/22/0589/DOC	Discharge of condition 3	Pending consideration
UTT/22/0590/DOC	Discharge of condition 17	Approved
UTT/22/0642/DOC	Discharge of condition 21	Pending consideration
UTT/22/0691/DOC	Part discharge of condition 4 (Access)	Pending consideration
UTT/22/0699/DOC	Discharge of condition 6	Pending consideration
UTT/22/0700/DOC	Discharge of condition 8	Pending consideration

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 Pre-application discussions with officers from Uttlesford District Council and various consultees were held.

7.2 The Localism Act requires pre-application consultation on certain types of planning applications made in England. As such the following consultation events have been held by the applicants:

programme of engagement with community and stakeholders
included meetings site meeting and virtual meetings
virtual exhibition
one-to-one meetings with local residents

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Highway Authority

- 8.1.1** The Highways Authority are liaising with the developer to seek further information to improve the scheme further to their formal request for additional information.

18/01/22 they stated “The Highway Authority has assessed the layout of the development shown in drawing number ST161 there are a number of issues that need to be resolved and further information will be required from that applicant before a formal recommendation can be issued”.

8.2 Highways England

- 8.2.1** No objection.
Given the scale and location of this development, and the fact that this application is for reserved matters, it is unlikely that the application will result in a severe impact upon the Strategic Road Network

8.3 Natural England

- 8.3.1** The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

SUMMARY OF NATURAL ENGLAND’S ADVICE: NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application has potential to damage or destroy the interest features for which Hatfield Forest Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) has been notified.

Natural England is working alongside the National Trust in carrying out research into visitor patterns, impacts and mitigation measures to Hatfield Forest SSSI/NNR. To date, this work has included winter and summer visitor surveys and identified a Zone of Influence (Zol) of 14.6km which has been shared with your authority with the view of establishing a strategic solution for visitor impacts to the Forest.

On this basis, this application falls within the currently identified Zol for recreational impacts to Hatfield Forest SSSI, NNR, whereby new housing within this zone is predicted to generate impacts and therefore will be expected to contribute towards mitigation measures, such as a financial contribution.

8.4 Sport England

- 8.4.1** Thank you for consulting Sport England on the amended plans and information that have been submitted in relation to the above application. Since our formal response dated 26th November 2021

was submitted the applicant has engaged with Sport England to address some of the comments made in this previous response focused around the sports ground layout and the pavilion design.

Following consideration of the amended plans I can advise that the comments made in our previous response about the sports ground layout and the pavilion design have been substantially addressed and that the proposed design of both the sports ground and the pavilion is broadly welcomed. However, I would wish to make the following advisory comments based on the amended plans based on sports ground layout, pavilion design and layout, ball stop fencing and the relationship with adjoining Cricket Ground. . Conditions have been recommended

I can therefore confirm that our position on the application remains as set out in our original response dated 26th November 2021 as supplemented by this response.

9. PARISH COUNCIL COMMENTS

9.1 Elsenham Parish Council have objected on the following grounds:

- 1.Communityinvolvement
- 2.Plans
- 3.CommunityHall (required)
- 4.Housing mix (bungalows welcomed but more scope for maisonettes and chalet bungalows
- 5.Design- bland and uninspiring
- 6.Number of storeys- 2x 3 storey blocks not acceptable
- 7.Domestic energy supply
- 8.Garden sizes- no amenity space for flats and diagram hard to read
- 9.Sports pavilion- plans are not fixed and should be
- 10.Sports pitches- smaller pitch is insufficient in size
- 11.Parking for residents all units should be allocated parking
- 12.Parking for visitors- poor distribution
- 13.Roads within the development
- 14.Speed limit
- 15.Construction vehicle route
- 16.Recreational walking
- 17.Lighting- welcomed in principle
- 18.Pond- welcomed in principle; however tensions between ecological and social need to be addressed.
- 19.Tree maintenance
- 20.Access via Hailes Wood
- 21.PhasingPlan

In conclusion “EPC takes the view that the applicants have not demonstrated that 350 dwellings can reasonably be accommodated, and that the proposals should be reconsidered accordingly”.

10. CONSULTEE RESPONSES

10.1 UDC Housing Enabling Officer

10.1.1 The affordable and market housing mix meet the need identified within the SHMA 2017 and the inclusion of both market and affordable bungalows is welcomed. The affordable provision is also well integrated within the site.

There are however some observations regarding the affordable provision as in previous correspondence with the developer it was agreed that the 2-bedroom flats would be 4 person rather than 3 person yet the schedule still shows that they are 3 person.

Whilst it is acknowledged that the proposed properties will not meet the NDSS confirmation is required that they will meet the HQI space standards.

There does not appear to be a communal garden for affordable flat blocks plots 225 to 233 and plots 240 to 248 and this is required as it provides some amenity space and a drying area for clothes to prevent the need for tumble drying throughout the year. Clarification/confirmation is required that a communal garden is to be provided for the affordable flat blocks.

Some of the affordable plots do not have gardens that adhere to the minimum size recommended in the Essex Design Guide (EDG) and of particular concern are the gardens proposed for the 3-bedroom affordable properties plots 14,15 and 16 which EDG recommends a minimum size of 100sqm yet they are 75sqm, 79sqm and 74sqm respectively. The market 4-bedroom house plot 321 also has a proposed garden size of 80sqm rather than the minimum recommended in the EDG of 100sqm.

10.2 UDC Environmental Health

10.2.1 The applicant has submitted an updated noise assessment prepared by 24Acoustics ref - R8931-1 Rev 2 dated 11th March 2022 which seeks to demonstrate compliance with these conditions.

The report concludes that calculations have been completed to determine mitigation measures such that acceptable internal noise levels would be achieved and that calculations have also been undertaken to address noise in external amenity areas. The report also suggests the noise mitigation measures to achieve the required to achieve the required level. . Whilst these appear to be satisfactory and would meet the condition if implemented in full the calculation (noise modelling) and the methodology is not included in the report.

10.3 UDC Landscape Officer/Arborist

10.3.1 The submitted tree protection plan, and proposed planting plans are considered satisfactory. The boundary treatment plan needs to be revisited. There is an issue with the legend which needs to be checked as it appears that a 2.4m high acoustic fence is proposed to be erected at

the LEAP, which is clearly not the intention, and other fencing is not keyed.

10.4 UDC Urban Design Officer

10.41 When considered against the available policy (GEN2) taking into account positive and negative aspects of the scheme, and on balance, an overall objection on urban design grounds is not raised. When considered against the Building for Healthy Life guidance (material consideration) there are points for improvement which are detailed in this assessment.

10.5 Place Services (Conservation and Heritage)

10.5.1 The application provides details of design, materials and landscaping for a development of 350 homes. There are a cluster of listed buildings to the south of the site, grouped around Henham Road. These include:

- Gardeners Cottage, (list entry no: 1171192)
- Thatched outbuildings and Barn to west of Gardeners Cottage, (list entry no: 1112339)
- Elsenham Place, (list entry no: 1112337)
- Barns to the west of Elsenham Place, (list entry no: 1171188)
- Dovecote to south west of Elsenham Place, (list entry no: 1112338)
- The Lodge (list entry no: 1391101)

There is a Grade II listed building to the north-west of the site, the waiting room at Elsenham Station (list entry no: 1305711). The principal considerations are the indirect effects to heritage assets due to change within their setting.

The development is predominantly two storey dwellings, constructed of brick with tiled or slate-effect roofs, with a cluster of single-storey dwellings at the southern border. The lower heights at this end will reduce the impact on the setting of the listed buildings to the south and the scale of the proposed development is considered acceptable.

While the use of mostly red brick for the elevations does not particularly reflect the Essex vernacular, it is in keeping with the modern development on the east side of the railway line, which is predominantly constructed of brick. There would be a preference for higher quality, natural materials such as timber windows and doors, clay roof tiles and natural slates, which would respond better to local character than uPVC windows or concrete roof tiles and would provide a more sympathetic wider setting to the listed buildings. Nevertheless, the choice of materials is unlikely to cause harm to the setting of the listed buildings because of the distances between the development and the heritage assets.

There is a field buffer between the development and the listed buildings along Henham Road and the south side of the development will be partially screened by existing mature hedgerows. The southern boundary appears to be formed from the hedgerows, without any walls or fencing

(which would have an urbanising impact). The proposed boundary treatments are considered acceptable.

Upon review of the submitted documents, I do not consider the details of the scheme to result in any additional harm to the setting of the listed buildings. Therefore, I have no objection to this application.

10.6 Place Services (Ecology)

10.6.1 No objection subject to securing biodiversity mitigation and enhancement measures

10.7 Place Services (Archaeology)

10.7.1 The Historic Environment Record shows that the proposed development lies within an area of known archaeological deposits. The planning application contains a desk based archaeological assessment, a geophysical survey report and a built heritage impact assessment. The desk based assessment and the geophysical survey indicate the likely presence of archaeological deposits within the scheme, and on the present evidence interpret that unexpected deposits of national importance are unlikely to be located.

The desk-based assessment also indicates the requirements of a programme of works to be agreed to be undertaken if the application receives consent. The Historic Environment Record shows that immediately to the east of the application area multi-period deposits including burials have been recorded within Pledgdon Pit (EHER 4609-4614). Information from aerial photographs indicates the presence of cropmarks within the application area, comprising possible enclosures (EHER 18898).

RECOMMENDATION: An Archaeological Programme to be defined including Open Area Excavation

10.8 ECC Waste and Minerals Team

10.8.1 No waste safeguarding implications were identified in relation to this application. On the basis of the above, the MWPA have no comments to make with regards to this application

10.9 Crime Prevention Officer

10.9.1 We would welcome the opportunity to consult on this development to assist the developer demonstrate their compliance with this policy by achieving a Secured by Design Homes award. An SBD award is only achieved by compliance with the requirements of the relevant Design Guide ensuring that risk commensurate security is built into each property and the development as a whole.

10.10 Thames Water

10.10.1 Thames Water have identified that some capacity exists within the foul water network to serve 190 dwellings but beyond that, upgrades to the waste water network will be required. Works are ongoing to understand this in more detail and as such Thames Water feel it would be prudent for an appropriately worded planning condition to be attached to any approval to ensure development doesn't outpace the delivery of essential infrastructure.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection.

10.11 Anglian Water

10.11.1 The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Planning Strategic Enquiry.

The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals.

10.12 Manchester Airport Group

10.12.1 The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. We continue to object because whilst some changes have been made, many points previously made have not been addressed, and the site still has the potential to attract and support species of bird that are hazardous to aircraft. Biodiversity enhancements or mitigations do not overrule flight safety, and to allow them to do so would be irresponsible. Responsible biodiversity enhancement near an airport would seek to prioritise habitats which increase biodiversity without resulting in an exploitable resource for birds hazardous to aircraft.

11. REPRESENTATIONS

11.1 Site notice/s were displayed on site and 926 notifications letters were sent to nearby properties. A press notice was also issued.

11.3 Object

- 11.3.1 Congestion
- Noise pollution
- Traffic
- Lack of infrastructure
- Not in keeping
- Harm to landscape
- Impact on the environment
- Loss of agricultural land
- Loss of wildlife
- Over development

11.4 Comment

- 11.4.1 The objects have been considered within the main body of the report.

12. MATERIAL CONSIDERATIONS

12.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

12.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

- (a) The provisions of the development plan, so far as material to the application,;
- (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

12.3 Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area

12.4 The Development Plan

- 12.4.1 Essex Minerals Local Plan (adopted July 2014)

Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
Uttlesford District Local Plan (adopted 2005)
Felsted Neighbourhood Plan (made Feb 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)
Thaxted Neighbourhood Plan (made February 2019)

3. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (2021)

13.2 Uttlesford District Plan 2005

13.2.1 Policy S7 – The countryside Policy
GEN1- Access Policy
GEN2 – Design Policy
GEN3 - Flood Protection Policy
GEN4 - Good Neighbourliness Policy
GEN5 –Light Pollution Policy
GEN6 - Infrastructure Provision Policy
GEN7 - Nature Conservation Policy
GEN8 - Vehicle Parking Standards Policy
H9 - Affordable Housing,
Policy H10 - Housing Mix Policy
ENV1 - Design of Development within Conservation Areas Policy
ENV2 - Development affecting Listed Buildings Policy
ENV3 - Open Space and Trees, Policy
ENV4 - Ancient monuments and Sites of Archaeological Importance
Policy ENV5 - Protection of Agricultural Land Policy
ENV10 - Noise Sensitive Development, Policy
ENV13 - Exposure to Poor Air Quality Policy
ENV14 - Contaminated Land

13.3 Supplementary Planning Document or Guidance

13.3.1 Uttlesford Local Residential Parking Standards (2013)
Essex County Council Parking Standards (2009)
Supplementary Planning Document- Accessible homes and play space
homes Essex Design Guide
Uttlesford Interim Climate Change Policy (2021)

14. CONSIDERATIONS AND ASSESSMENT

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

14.2 **A) Principle of Development**
B) Housing Supply

- C) Housing Mix
- D) Layout
- E) Scale
- F) Landscaping
- G) Appearance
- H) Highways
- I) Other Matters

14.3 A) Principle of development

14.3.1 Planning history

Outline planning permission was previously granted on the site, following an appeal which was allowed (against non-determination) on the 22nd December 2020 appeal reference APP/C1570/W/19/3243744. This scheme will be referred to within this report as the 'approved outline scheme' and the Planning Inspectors comments within the appeal decision will also be referenced accordingly. The approved outline consent is a material consideration for the current Reserved Matters application as this permission establishes the principle of residential development on the site.

14.3.2 Below are key headlines in relation to the approved outline scheme:

Up to 350 dwellings (Class C3

A One Form Entry primary school including Early Years and Childcare Setting for up to 56 places (Class D1);

Open spaces and landscaping including provision of junior football pitch and changing rooms;

Access from B1051 Henham Road with associated street lighting and street furniture.

Pedestrian, cycle and vehicle routes, including streets, squares, lanes and footpaths along with associated street lighting and street furniture; pedestrian and cycle link to Elsenham Station

Potential pedestrian and cycle link to Hailes Wood; vehicular and cycle parking; provision and/or upgrade/diversion of services including water, sewerage, telecommunications, electricity and gas, and service media and apparatus;

On-plot renewable energy measures including photo-voltaics, solar heating and ground source heat pumps; drainage works, sustainable drainage systems and ground and surface water attenuation features; associated ground works; and boundary treatments including construction hoardings

The approved scheme contained a Parameters Plan designed to 'fix' the key parameters of the proposal.

14.3.3 The site falls within the key rural settlement of Elsenham and falls within Policy S3 of the Local Plan. As such the principle of development is acceptable on the basis that Development is compatible with the settlement's character and countryside setting.

14.3.4 The Inspector concluded *“In my assessment, balancing the benefits and disbenefits detailed above indicates quite clearly that the adverse impacts of allowing this proposal would not significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. This means that the appeal proposal would constitute sustainable development, and this is a weighty material consideration in the appeal proposal’s favour. In my assessment it is sufficient to outweigh the conflict with the development plan in this case.”*

14.3.5 Effectively the principle of housing development on this site has been established, subject to detailed consideration of the potential development impacts.

14.3.6 Furthermore, compliance with the above policies as set out above was addressed at the outline stage, whereby the principle of the development was agreed, subject to a series conditions and Section 106 Agreement.

14.3.7 Overall, the Reserved Matters application is considered to accord with the principles of the approved outline consent and the associated parameter plans. The proposals have developed in response to the iterative design process undertaken between UDC officers and the applicant, resulting in a high-quality scheme which accords with the principles already established.

14.4 B) Housing supply

14.4.1 The NPPF describes the importance of maintaining a 5 YHLS of deliverable housing sites. The Council’s 5 YHLS falls short of this and is only able to demonstrate a supply of 3.52 years (5 YHLS update April 2021).

14.4.2 Paragraph 11 of the NPPF considers the presumption of sustainable development, this includes where there are no relevant development plan policies, or where policies which are most important for determining the application are out-of-date. This includes where the 5 YHLS cannot be delivered. As the council is currently unable to demonstrate a 5 YHLS, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).

14.4.2 The proposed development would contribute to the provision of housing in the district where there is an evident need, and the balance is tilted in favour of the provision of housing.

14.5 C) Housing Mix

14.5.1 Policy H10 Housing Mix of the adopted Local Plan requires new developments to provide a mix of dwelling types. Policy H9 states that the

Council will seek to negotiate on a site to site basis an element of affordable housing of 40%.

Please see below the amended housing mix, the changes from the original submission are identified in brackets:

	Open market	Affordable		Total	%
		Affordable rent	Shared ownership		
1-bed apartment	-	10	-	10	3%
2-bed apartment	-	8	-	8	2%
1-bed bungalow	-	5	-	5	1%
2-bed bungalow	4	2	-	6	2%
3-bed bungalow	7	-	-	7	2%
1-bed house	-	4	-	4	1%
2-bed house	61 (+2)	35	22	118 (+2)	34%
3-bed house	60 (+36)	29	20	109 (+36)	31%
4-bed house	65 (-39)	5	-	70 (-39)	20%
5-bed house	13 (+1)	-	-	13 (+1)	4%
Total	210	98	42	350	100%

14.5.2 A mixture of housing types are proposed to suit different needs. 140 of the units will be affordable (40% of the total). 95% M4(2) and 5% M4(3) compliant. The units are accessible on different streets. The housing and enabling officer has stated that the affordable and market housing mix meet the need identified within the SHMA 2017 and the inclusion of both market and affordable bungalows is welcomed. The affordable provision is also well integrated within the site.

14.5.3 There were concerns raised regarding the 2-bedroom flats would be 4 person rather than 3 person. This has now been resolved.

14.5.4 Whilst it is acknowledged that the proposed properties will not meet the NDSS confirmation is required that they will meet the HQI (Housing Quality Indicators) space standards. The applicant has confirmed that all affordable houses will meet HQI space standards.

14.5.5 Again, the housing officer raised concerns about the lack of provision for a communal garden for affordable flat blocks plots 225 to 233 and plots 240 to 248. This has now been provided.

14.5.6 It is considered that the housing mix complies with Policies H9 and H10 of the Local Plan.

14.6 D) Layout

14.6.1 National and local policies seek to secure good quality design which respects general townscape and the setting of heritage assets and is a key aspect of sustainable development. Policy GEN2 of the Local Plan states seeks to ensure that design of all new development is compatible with the scale, form, layout, appearance and materials of surrounding buildings.

14.6.2 The layout refers to buildings, routes and open spaces within the development and how they are laid out. The layout has been designed to comply with the approved parameter plans forming part of the outline consent, following discussion with Officers and Members.

The following is proposed:

14.6.3 The primary school is located on the north-eastern corner of the site.
The attenuation basin is located in the north-western part of the site
The sports area is within the area dedicated for open space in the south-eastern part of the site
The developable area wraps around the site
The proposed corresponds with the approved parameters plan.

14.6.4 The back to back distances vary from 25 – 31 metres which are considered sufficient to protect the amenities of the adjoining occupiers.

14.6.5 The local plan does not have a policy which specifies garden area, however the Essex Design Guide sets out a guidance. There are now approximately 3% of gardens which fall below the 100% compliance. Plot 312 has a shortfall of 10sqm and plot 17 shortfall of 9sqm; all other plots that have a shortfall, the shortfall is marginal.

The applicant state that there is also placemaking justification for the few gardens that do not fully meet standards, *The properties occupying these plots add to the character of the particular areas in which they fall. Forming village terraces, that maintain strong building lines or turning corners. All these plots have nearby access to public open space or pocket parking within a 1-to-3-minute walk*.

14.6.6 The masterplan comprises 4 main character areas:

1. Central Green- larger dwellings with varied set backs creating a 'village green'
2. The Avenue- terraced and semi fronting onto tree lined avenue
3. Green Edge- larger dwellings with varied set backs on the periphery
4. Core Housing – smaller terraces and semi-detached units higher density form

14.6.7 The Urban Design Officer was involved in the development of the scheme at pre-application stage. Following submission further comments have been made and the applicant has sought to address these concerns. Initially, a number of 'red' ratings were given to the scheme using the Building for Healthy Life toolkit, however following amendments all of the red elements have been removed, resulting in 7 'amber' ratings and 14 'green' ratings, demonstrating that the scheme achieves a good quality of design.

14.6.8 In conclusion the Urban Design Officer states "*When considered against the available policy (GEN2) taking into account positive and negative*

aspects of the scheme, and on balance, an overall objection on urban design grounds is not raised. When considered against the Building for Healthy Life guidance (material consideration) there are points for improvement which are detailed in this assessment”.

14.6.9 Changes have made following comments from the Urban Design Officer as follows:

General design changes

A new house type with a build over has been introduced
overlinks have been utilised between buildings
unique build over house type, materials and landscaping have also been utilised

Differing boundary treatments, comprising low brick wall, metal railings and landscaping to define front gardens

Flint on the elevations of houses on key corners

occasional use of black and white boarding on front elevations

a focal landmark has been created on the north-west corner – utilising 2.5 storeys

Eastern boundary: breaking up the vehicular route into

separate private drives arrangement, leading to a more informal and quieter edge to the development

LEAP and NEAP

The LEAP design has subsequently been made more bespoke, with play mounding

elements of natural play and other features

The LEAP will be bounded by fencing and a hedge, enclosing any children young enough to have a risk of wandering into the pond

The northern side of the pond closest to the play area will also be enclosed by a shrub,

The NEAP

the NEAP will provide a zipline, obstacle course and table tennis table along with other play equipment

Incidental amenity

3 x new incidental greenspaces which will incorporate play on the way features such as hopscotch and climbing trunks trim trail has been incorporated on the eastern boundary along the shared cycleway / footway to encourage play by children on the way to and from school

A climbing frame is also proposed in the north-west corner

14.6.10 Policy LC4 seeks to ensure large development incorporate adequate sports facilities. As part of the approved outline scheme a s106 agreement

required sports facilities to be provided, details of which form part of this reserved matters submission. The approved outline permission requires provision of a junior football pitch rooms which need to meet the following requirements as set out in the S106.

14.6.11 The applicant has been liaising with Sports England to overcome the concerns previously raised. Sports England have contacted the LPA and have stated “Ground. As such it is considered that the main issues have been addressed and conditions have been included as recommended by Sports England.

14.6.12 Policy GEN2 of the Local Plan seeks to ensure that the design of new development It helps to minimise water and energy consumption. Uttlesford Interim Climate Change Policy sets out a list of Policies of note a demonstration of how developments demonstrate the path towards carbon zero.

14.6.13 The following sustainability measures are proposed:

31% reduction in emissions against the current Building Regulations standard
Fabric first approach
Sustainable construction and waste
optimising layout (within constraints of the site) and building orientation to maximise benefits of solar gain
energy efficient lighting and appliances
Provision of rainwater recycling via rainwater butts
Provision of PV panels

This would be in line with the Interim Climate Change Policy (2021) and have been duly conditioned.

14.6.14 It is concluded therefore that the proposed layout adopts many of the positive design principles incorporated in the approved Parameter Plan set out within the Outline Planning Approval. The proposal is therefore considered to be consistent with the provisions of Policies GEN2 and GEN4 of the adopted Uttlesford Local Plan 2005.

14.6.15 Policy GEN2 of the Local Plan states seeks to ensure that design of new development would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

14.6.16 The nearest residential properties are a considerable distance away from the proposed development. It is considered that the use of the site for residential purposes would be in keeping with the character of the area, and no undue noise or disturbance would likely be generated.

14.6.17 The proposed properties are well spaced apart and sufficient separation distances have been provided. Habitable rooms to the rear face onto garden areas and landscaping.

14.6.18 Therefore, it is unlikely that the proposed development would directly detract from the amenities of the neighbouring occupiers. Overall, the scheme complies with Policy GEN2.

14.7 E) Scale

14.7.1 The scale refers to information on the size of the development including height, width and length of the proposed buildings.

14.7.2 The masterplan has been designed to comply with the building heights parameter plan which is an approved plan and forms part of the outline consent UTT/13/2107/OP.

14.7.3 The approved Parameters Plan showing a maximum height of 12m above finished ground level. The proposed masterplan conforms with this through the provision of the following:

Majority of homes 2 or 2½ storeys,
2½ and 3 storey buildings marking key nodes and landmarks.
2 x 3 storey buildings in key areas on the periphery of the development
A significant proportion 2 storey buildings
A small proportion of 2.5 storey buildings of the main avenue
1 storey buildings on the southern extent of the site

14.7.4 It is therefore concluded that the proposed master plan complies with the approved building heights parameter plan. The proposals are therefore considered to be generally consistent with the provisions of Policies GEN2 and GEN4 of the adopted Uttlesford Local Plan 2005,

14.8 F) Landscaping

14.8.1 Landscaping refers to the improvement or protection of amenities of the site and surrounding area. Policy ENV3 (open spaces and trees) seeks to ensure that trees and open spaces are not lost unless the need for development outweighs their amenity value.

14.8.2 The main route would be tree lined. Formal public open space, smaller areas of greenspace and soft landscaping have been provided across the site to ensure the scheme retains a green and village character.

14.8.3 The applicant is providing 6.06ha of publicly accessible open space throughout the site including:

A Green heart (with Local Equipped Area for Play)
2 junior sports pitches

Pavilion (in accordance with Sport England requirements, providing changing rooms for 4 teams.

Changing room

A Mini sports pitch (above the parameters requirement)

A Neighbourhood Equipped Area for Play (NEAP)

14.8.4 This includes the attenuation basins which will be dry except in exceptionally rainy periods, therefore allowing amenity use. They are proposed to be landscaped and provide ecological enhancement.

14.8.5 Overall, the proposals provide a high quality multi-functional open space, which will serve a range of requirements whilst also providing a range of recreational opportunities, and this arrangement is considered acceptable to the Local Planning Authority. Some matters of clarification have been raised by the Landscaping Officer which are in the process of being addressed by the applicant. The proposals are therefore considered to be consistent with the provisions of Policies ENV3 of the adopted Uttlesford Local Plan 2005,

14.8.6 Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 states that: 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'

14.8.7 The following biodiversity enhancement measures are proposed:

enhancements of retained scrub, pond and hedgerows

creation of attenuation basins

wildflower and tussock grassland

the installation of integrated and external bat boxes

installation of bird nest boxes and Swift bricks

The scheme will provide a Biodiversity Net Gain of 6.56%, as well as a 192.8% net gain in hedgerow biodiversity.

14.8.8 A response has now been provided to MAG on how the proposals for the pond will not increase bird risk in a revised Bird Hazard Management Plan, to overcome their concerns. However, it should be noted that the outline permission contains a pre-commencement condition (4) requiring the submission and approval of a BHMP.

14.8.9 The submitted documents have been duly reviewed by the Place Services Ecologist who stated that no objection was raised subject to securing biodiversity mitigation and enhancement measures. Natural England consider that the proposal will be unlikely to have significantly different impacts on the natural environment.

Subject to the recommended conditions, the application proposal is considered to accord with ULP Policy GEN7 and the NPPF.

14.9 G) Appearance

14.9.1 Paragraph 126 of the NPPF states that *“the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*. As such, the design quality of the proposal should be duly considered in the overall planning balance

14.9.2 A character assessment has been undertaken to inform the proposals. The materials proposed centre around the character areas and include 5 different brick types (varying between red and buff); cream render is proposed; a mixture of cladding (flint, weatherboard white and weatherboard black); and roof tiles (slate, brown, redbrown and brown).

14.9.3 The Inspector stated that there was harm afforded to the heritage assets, although overall, the public benefits of the scheme and benefits in general outweighed the harm. As such the impact on the heritage assets is acceptable.

14.9.4 Notwithstanding the above, *the Heritage Team have commented on the proposals as follows “the development is predominantly two storey dwellings, constructed of brick with tiled or slate-effect roofs, with a cluster of single-storey dwellings at the southern border. The lower heights at this end will reduce the impact on the setting of the listed buildings to the south and the scale of the proposed development is considered acceptable. It is considered that the materials are in keeping with the modern development on the east side of the railway line, which is predominantly constructed of brick. Although there was a preference for higher quality materials, they considered that nevertheless, “the choice of materials is unlikely to cause harm to the setting of the listed buildings because of the distances between the development and the heritage assets; and they conclude that “I do not consider the details of the scheme to result in any additional harm to the setting of the listed buildings. Therefore, I have no objection to this application”*. It is also stated that the boundary treatment is considered to be acceptable.

14.9.5 It is considered that the materials reflect the local vernacular and assimilate with the site. The detailing proposed and provides articulation including chimneys, gables and canopies.

In general terms, the proposed choice of materials will give a good variety of treatments across the site, which would enhance the setting of the development. The proposals are therefore considered to be consistent with the provisions of Policies GEN2 of the adopted Uttlesford Local Plan 2005.

14.10 H) Highways

- 14.10.1** Policy GEN1 seeks to ensure that development is only permitted if the access is appropriate, traffic generation does not have a detrimental impact on the surrounding road network, it is designed to meet the needs of people with disabilities and it encourages sustainable modes of transport. The access for the scheme was approved as part of the outline approval and previous reserved matters application. The applicant is working with the Highway Authority to provide additional information and minor alterations to improve the scheme.
- 14.10.2** The applicant has sought to make have made walking and cycling an attractive option, especially to the school, through the provision of the shared footway / cycleway running from the main access and the train station access to the school, allowing safe and convenient walking and cycling opportunities. They have also provided trim trail playing equipment along the eastern boundary cycleway, and in the north-western corner again alongside the cycleway, to make walking an active and playful option.
- 14.10.3** In terms of distribution of visitor parking, although the parking is not evenly distributed there are a number of plots (38 total) that are provided with an additional parking space, above that required by parking standards. These extra spaces can be utilised as visitor spaces for those plots, freeing up formal visitor parking spaces for others.
- 14.10.4** There are also pedestrian waiting areas which have been designed on the basis that most parents will walk to drop off and pick up students. It should also be noted that the school will provide parking for staff within its own land, so the visitor parking spaces will only be used by parents at drop off and pick up times.
- 14.10.5** The parking provision is considered acceptable given the sustainable location of the site, including the enhancement and provision of pedestrian links, improvement to public transport.
- 14.11 I) Other Matters**
- 14.11.1 Noise**
- 14.11.2** Policy ENV10 of the Local Plan seeks to ensure that residential development will not be permitted if the occupants would experience significant noise disturbance
- 14.11.3** The applicant has proposed a 2.4 metre high noise barrier along the western boundary with the railway line to prevent noise pollution which would be in keeping with Policy ENV10 of the Local Plan.
- 14.11.4 Flooding**

- 14.11.5** Policy GEN3 contains the Local Plan policy for flooding, although this has effectively been superseded by the more detailed and up-to-date flood risk policies in the NPPF and the accompanying PPG.
- 10.11.6** The approved Parameter Plan showed approximate locations of 3 SuDS attenuation basins located in the east, south-west and north-west of the site.
- 14.11.7** This remains the same within the proposed scheme, however the drainage basis to the south has been moved slightly east to be adjacent to the sports pitches. Following infiltration testing this was considered more appropriate. It is considered that this minor change is appropriate and would not impact on the layout of the development.
- 14.11.8** The proposed drainage strategy is to convey surface water run-off from the development to three attenuation basins located on the eastern, southern and north-western boundaries of the site.
- 14.11.9** A pumping station is proposed adjacent to the north-western attenuation basin. This area was previously shown in the parameter plan as open space. The submitted site layout plan highlights that this is a newly proposed area. The applicant states that this is required because of the topography of the site and to allow flows from low lying areas to be pumped to the proposed foul connection point. It is considered that this is acceptable given the general conformity with the parameter plan and would compromise a minor alteration in the context of the site area and development proposals.
- 14.11.10** The Local Lead Flood Authority have raised no objection subject to conditions.
- 14.11.11** Overall, it is considered that the proposals comply with GEN3 and ENV12 of the Local Plan.
- 14.11.12** **Contributions**
- 14.11.13** Policy GEN6 seeks Infrastructure provision to support development which is towards direct on-site provision by the developer as part of a scheme or in the immediate vicinity of the development.
- 14.11.14** Contributions were sought and secured by s106 agreement relating to Education Land for a primary school also formed part of the s106 agreement. Within the north-east extent of the site land has been retained within the site which will be offered to Essex County Council for the future provision of the Primary School and Early Years Childcare Facility. This concurs with the parameters plan. In accordance with the s106 agreement, the primary school site totals 1.093ha and the early years site totals 0.13ha.

14.11.15 Planning Balance

14.11.16 The LPA are unable to demonstrate a 5-year housing land supply, therefore paragraph 11d of the NPPF is engaged, and the titled balance should be in favour of housing.

14.11.17 The inspector undertook a planning balance exercise as part of the appeal scheme and stated *“I have concluded that the economic benefits should carry moderate weight; and that significant weight should be given to the provision of up to 350 much needed new dwellings, with significant weight also being given to the provision of up to 140 affordable homes. The provision of new public open space, including a new junior football pitch and changing rooms carries moderate weight, with modest weight going to the environmental and ecological benefits. The provision of land for a primary school, and an Early Years and Childcare facility attracts modest weight, whilst enhancement of the local bus service attracts moderate weight. Finally, the provision of a direct pedestrian and cycle link from the proposed development to the rail station attracts modest weight. Set against these benefits, the harm to the character and appearance of the countryside carries limited weight; great weight has to be attributed to the heritage harm; and finally, the loss of BMV land attracts very limited weight”*. In conclusion, the Inspector considered that *“the adverse impacts of allowing this proposal would not significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”*.

14.11.18 Paragraph 11 of the NPPF makes it clear that planning application decisions should apply a presumption in favour of sustainable development. Furthermore, it sets out that where relevant development policies are out-of-date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

14.11.19 The design of the scheme has evolved positively during the application. The scheme would provide good quality housing and design and although there are some elements which could be improved somewhat, the application is assessed holistically, considering the need to maximise the potential of the site and the significant public benefits of the proposed housing, the overall design approach is found to be acceptable.

14.11.20 Outlining the positives of the scheme, the public benefits include the contribution of 350 residential units towards the districts housing target. It is further acknowledged that the Council is currently unable to demonstrate a 5 YHLS and as such the proposed housing would make a very significant contribution towards this shortfall and this weighs strongly in favour of the scheme. The applicant has also agreed to 40% of the total provision and this also weighs in favour of the scheme. There will be clear economic benefits to the local and wider area through construction of homes, and the spending of future occupiers

14.11.21 Overall, it is considered that the public benefits of the scheme as a whole which includes the provision of a significant amount of housing are such that they outweigh any harm.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

15.1.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

15.1.2 The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

15.1.3 Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised

15.2 Human Rights

15.2.1 There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) 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

16. CONCLUSION

16.1 The submitted Reserved Matters would accord with the development plan and National Planning Policy Framework 2021, and no material considerations indicate that the application should be refused.

16.1 The application accords with policy, will provides an important contribution to housing land supply position in a high-quality design led scheme.

It is therefore recommended that approval be granted subject to conditions

17. CONDITIONS

1. Landscaping
If within a period of 10 years from the date of planting the tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent to any variation.

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

2. Dwellings shall not be occupied until such time as their associated vehicle parking area indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011, and Uttlesford Local Plan Policy GEN1.

3. a) No development of the natural turf playing field shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:
 - (i) A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and
 - (ii) Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

(b) The approved scheme shall be carried out in full and in accordance with a timeframe agreed with the Local Planning Authority. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

REASON: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy LC4 of the Uttlesford Local Plan.

4. No development of the natural turf playing field shall commence until a schedule of playing field maintenance including a programme for implementation covering the period prior to handover to the management body has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. Following practical completion of natural turf playing field the approved schedule shall be complied with in full.

REASON: To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose and to accord with Development Plan Policy LC4 of the Uttlesford Local Plan.

5. No development of the playing fields shall take place until details of the ball stop fencing to be provided around the boundary of the sports pitches will be submitted to the Local Planning Authority for approval.

REASON: To protect the amenities of the adjoining and future occupiers in accordance with GEN2 and GEN4.

6. Prior to the first occupation of any dwelling, details of solar photovoltaic panel arrangements shall be submitted to and approved in writing by the Local Planning Authority, confirming the details and location of the photovoltaic panels within each phase of development of the site.

REASON: To ensure an acceptable standard of development in accordance with Policy GEN2 and the Interim Climate Change Policy.

Statutory Consultee responses

Your Ref: UTT/21/3269/DFO
Our Ref: TST/SD/KMW/
Date:- 18/01/2022



Essex County Council

Andrew Cook
Director of Highways and Transportation

CC: by email Cllr Gooding

To: Uttlesford District Council
Assistant Director Planning & Building Control
Council Offices
London Road
SAFFRON WALDEN
Essex CB11 4ER

County Hall
Chelmsford
Essex CM1 1QH

Response

Application No. UTT/21/3269/DFO
Applicant Bloor Homes C/o Pegasus Group
Site Location Land To The North West Of Henham Road Elsenham
Proposal Approval of reserved matters (layout, scale, appearance and landscaping) relating to outline application UTT/17/3573/OP for the erection of 350 dwellings, internal roads, open space and sports pitch provision, other associated infrastructure including that required to serve future primary school and early years facility and siting of sports pavilion

The Highway Authority has assessed the layout of the development shown in drawing number ST161 there are a number of issues that need to be resolved and further information will be required from that applicant before a formal recommendation can be issued. The matters that require further consideration are listed below:

1. Cycle connections

- a. Details of the access to the cycle route from Old Mead Road should be provided, this should include visibility splays and any barriers or signing required.
- b. Provide forward visibility splay around the corner adjacent to the pumping station to ensure it is kept clear of fencing and vegetation.
- c. A walking/cycle connection between the roads serving plots 287 and 286 should be provided to serve the west of the site.
- d. The hoggin path to the east of the site near plots 1-6 will be a natural pedestrian and cycle desire line to the school from the should and it would be better if it was a hardwearing surface cycle/pedestrian route.
- e. Dropped kerbs should be provided to allow cyclists to access the cycleway when coming from the side roads.

2. Spine Road

- a. There is a section of the spine road that is different to the approved application UTT/21/2799 (the addition of a layby adjacent to the playing fields). It should be ensured this is clear of the visibility splays for the access to the playing field.

Clarification is needed and the correct process agreed with the planning authority.

- b. If the layby is intended for coaches and mini-buses it should be signed as such.
- c. A visibility splay should be provided from the access to the playing fields.
- d. A footway/cycleway should be provided to the playing fields from the spine road.

a. A footway/cycleway should be provided to the playing fields from the spine road.

3. Playing fields

- a. A footway/cycleway should be provided to the Pavillion so pedestrians and cyclists do not have to walk through the carpark. footway/cycleway required above.
- b. Cycle parking should be provided for the playing fields in accordance with the Essex parking standards

4. Road Layout

- a. Visibility splays should be shown for all junctions within the site (visibility splays will be adopted and harden).
- b. The required 0.5m maintenance strip for shared surfaces should be shown on the plans
- c. The refuse vehicle used to track the sites is shorter than that used by UDC, which has a length of 10.324m details are at the end of this letter.
- d. To ensure a 20mph speed limit throughout the development traffic calming should be shown and should adhere to the latest regulations and guidance
- e. Shared surfaces should be 6m in width.
- f. Footways should taper where the road transitions from D or E type road to a shared surface
- g. ECC does not adopt lighting on shared surfaces.
- h. A crossing point is shown at plot 342 which crosses onto a verge and should connect to the footway
- i. The turning heads at 288/297, 284/280 do not conform to the Essex Design Guide. The tracking of the turning heads on the northern boundary show the vehicle going across the walking/cycling links into the site and also into the primary school land.
- j. Accesses should be at right angles to the highway plots 58 and 57 should be reconsidered.

5. Parking

- a. The concentrations visitor parking around the school and green mean that 59% of the visitor parking is in these two areas and other areas of the development do not have any or very few visitor parking spaces. This could lead to inappropriate parking on footways or blocking the road.
- b. We would not want vehicles reversing in the area of the school where children are walking and cycle to school. Any parking provided should be parallel parking. The preference is for high quality walking and cycling facilities rather than a large amount of parking.
- c. There is a large number of dwellings where vehicles will be triple parked, these might not be used properly and parking inappropriately might occur, so these should be avoided.
- d. Any dwellings without a garage should be provided with secure cycle parking on plot, these should be identified on the plan.
- e. It is not clear where cycles will be parked in the home office garages as only 6m x 3m of the internal space is available for parking and other storage which does not comply with the Essex Parking Standards.

-
- f. The cycle parking for flats would be improved and make better use of space if double doors were provided and put on the longer side, as bikes could be more easily manoeuvred and it would be more convenient.

The highway authority would not want the application approved until the comments above have been addressed.

Essex County Council
**Development and Flood Risk
Environment and Climate Action,**
C426 County Hall
Chelmsford
Essex CM1 1QH



Henrietta Ashun
Uttlesford District Council
Planning Services

Date: 13th April 2022
Our Ref: SUDS-005629
Your Ref: UTT/21/3269/DFO

Dear Henrietta Ashun,

Consultation Response – UTT/21/3269/DFO - Land To The North West Of Henham Road Elsenham

Thank you for your email which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based on the following:

Condition 1

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

- Provide engineering site layout of the proposed drainage network at the site. This should include the following details: manholes cover levels, invert levels, pipes dimensions, slopes, basin top and base levels, and invert levels both at inlet and

outlets, outflow rates, as well as top water level in the attenuation basins/ponds during 100year plus 40percent CC allowance.

- Provide calculations for the conveyance and storage network for the proposed development. The network should not predict surcharge in 1yr events, and should not predict flooding in 30year events. During 100 year plus 40pc cc event if any marginal flooding is predicted then it should be directed away from the building using appropriate site grading.
- Detailed engineering drawings of each component of the drainage scheme.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Condition 2

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

Reason

The National Planning Policy Framework paragraph 167 and paragraph 174 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

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

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

Condition 3

Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

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

Reason

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

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 4

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

Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

We also have the following advisory comments:

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.
<https://www.essex.gov.uk/protecting-environment>

In the event that more information was supplied by the applicants then the County Council may be in a position to withdraw its objection to the proposal once it has considered the additional clarification/details that are required.

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);

3

-
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

Appendix 1 - Flood Risk responsibilities for your Council

The following paragraphs provide guidance to assist you in determining matters which are your responsibility to consider.

- Safety of People (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements)

You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals as we do not carry out these roles during a flood.

- Flood recovery measures (including flood proofing and other building level resistance and resilience measures)

We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. Both flood resilience and resistance measures can be used for flood proofing.

Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. The National Planning Policy Framework confirms that resilient construction is favoured as it can be achieved more consistently and is less likely to encourage occupants to remain in buildings that could be at risk of rapid inundation.

Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective.

Further information can be found in the Department for Communities and Local Government publications '[Preparing for Floods](#)' and '[Improving the flood performance of new buildings](#)'.

- Sustainability of the development

The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises the key role that the planning system plays in helping to mitigate and adapt to the impacts of climate change, taking full account of flood risk and coastal change; this includes minimising vulnerability and providing resilience to these impacts. In making your decision on this planning application we advise you consider the sustainability of the development over its lifetime.

Essex County Councils
Minerals & Waste Planning
County Hall
Chelmsford
Essex CM1 1QH



Your ref UTT/21/3269/DFO
Our ref:
Date: 09 November 2021

Dear Sir / Madam

Nature of Response: To address minerals and waste safeguarding implications arising through Application UTT/21/3269/DFO.

Proposal: Approval of reserved matters (layout, scale, appearance and landscaping) relating to outline application UTT/17/3573/OP for the erection of 350 dwellings, internal roads, open space and sports pitch provision, other associated infrastructure including that required to serve future primary school and early years facility and siting of sports pavilion

Location: Land To The North West Of Henham Road, Elsenham, Hertfordshire

Thank you for your email received 5th November 2021 consulting the Mineral and Waste Planning Authority (MWPA) on the above proposals.

The MWPA previously entered a representation in relation to Application Reference UTT/17/3573/OP on 7th August 2019. This stated that having reviewed the Mineral Resource Assessment (MRA) Addendum 2019, the MWPA accepts the overarching conclusion that the prior extraction of mineral underlying the application site is not practicable.

No waste safeguarding implications were identified in relation to this application.

On the basis of the above, the MWPA have no comments to make with regards to this application.

Yours sincerely,



**National Highways Planning Response (NHPR 21-09)
Formal Recommendation to an Application for Planning Permission**

From: Martin Fellows (Regional Director)
Operations Directorate
East Region
National Highways
PlanningEE@highwaysengland.co.uk

To: Uttlesford District Council

CC: transportplanning@dft.gov.uk
spatialplanning@highwaysengland.co.uk

Council's Reference: UTT/21/3269/DFO

Location Land to the North West of Henham Road Elsenham

Proposal Approval of reserved matters (layout, scale, appearance and landscaping) relating to outline application UTT/17/3573/OP for the erection of 350 dwellings, internal roads, open space and sports pitch provision, other associated infrastructure including that required to serve future primary school and early years facility and siting of sports pavilion

Referring to the consultation on a planning application dated 16 March 2022 referenced above, in the vicinity of the A120 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:


- a) offer no objection (see reasons at Annex A);
- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);~~
- ~~c) recommend that planning permission not be granted for a specified period (see reasons at Annex A);~~
- ~~d) recommend that the application be refused (see reasons at Annex A)~~

National Highways Planning Response (NHPR 21-09) September 2021

Highways Act 1980 Section 175B is not relevant to this application.¹

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

Signature: 	Date: 21 March 2022
Name: Mark Norman	Position: Spatial Planner
National Highways Highways England Woodlands Manton Lane Bedford MK41 7LW	

Annex A National Highway's assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Date: 09 December 2021
Our ref: 374469
Your ref: UTT/21/3269/DFO



Clive Theobald, c/o planning@uttlesford.gov.uk

BY EMAIL ONLY

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Mr Theobald

Planning consultation: UTT/21/3269/DFO - Approval of reserved matters(layout, scale, appearance and landscaping) relating to outline application UTT/17/3573/OP for the erection of 350 dwellings, internal roads, open space and sports pitch provision, other associated infrastructure including that required to serve future primary school and early years facility and siting of sports pavilion

Location: Land To The North West Of Henham Road, Elsenham

Thank you for your consultation on the above dated 05 November 2021 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE: NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application has potential to damage or destroy the interest features for which Hatfield Forest Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) has been notified.

Natural England is working alongside the National Trust in carrying out research into visitor patterns, impacts and mitigation measures to Hatfield Forest SSSI/NNR. To date, this work has included winter and summer visitor surveys and identified a Zone of Influence (Zoi) of 14.6km which has been shared with your authority with the view of establishing a strategic solution for visitor impacts to the Forest.

On this basis, this application falls within the currently identified Zoi for recreational impacts to Hatfield Forest SSSI, NNR, whereby new housing within this zone is predicted to generate impacts and therefore will be expected to contribute towards mitigation measures, such as a financial contribution.

Whilst we are working towards a strategic solution, Natural England advises that for the purposes of addressing the interim situation, a bespoke mitigation package should be sought for this application, which we suggest is designed in consultation with the National Trust as site managers. Natural England is aware that the outline planning permission which governs this reserved matters application (ref UTT/17/3573/OP) is subject to a Section 106 agreement which requires the owner to pay a specified "Hatfield Forest Contribution" (a sum of £44,323 for the provision of visitor monitoring and mitigation works carried out by or on behalf of the National Trust at Hatfield Forest) prior to the commencement of the development.

In the absence of a strategic solution, Natural England would not want to see any permissions granted that would create a precedent of acceptability for additional housing developments close to Hatfield Forest SSSI, NNR. Accordingly, in order to mitigate the adverse impacts of the associated increase in visitor pressure, the Local Planning Authority should ensure that the Hatfield Forest Contribution referred to above is secured prior to commencement of the development, as required by the Section 106 Agreement.

Further advice on mitigation

Hatfield Forest is a National Nature Reserve (NNR). It is nationally designated as a Site of Special Scientific Interest (SSSI) and regarded to be of international importance for its ancient wood pasture-forest habitats. The interest features of these habitats are vulnerable to recreational impacts and within recent years there has been increasing concern regarding the number of visitors. It has been noted that there has been significant increases in visitor numbers, linked to nearby residential development. Both Natural England and the National Trust therefore have concerns regarding the impacts of increasing visitor pressure on the designated site and it is apparent that the current number of visitors is exceeding carrying capacity of some important SSSI habitats and features.

Further advice on mitigation

Hatfield Forest is a National Nature Reserve (NNR). It is nationally designated as a Site of Special Scientific Interest (SSSI) and regarded to be of international importance for its ancient wood pasture-forest habitats. The interest features of these habitats are vulnerable to recreational impacts and within recent years there has been increasing concern regarding the number of visitors. It has been noted that there has been significant increases in visitor numbers, linked to nearby residential development. Both Natural England and the National Trust therefore have concerns regarding the impacts of increasing visitor pressure on the designated site and it is apparent that the current number of visitors is exceeding carrying capacity of some important SSSI habitats and features.

More recently, the National Trust has undertaken visitor surveys to establish a Zone of Influence (Zoi) for recreational impacts to Hatfield Forest SSSI, NNR. To date, the results of the winter and summer surveys have indicated a zone of 14.6km radius from the site. Natural England regards this information as material and therefore would anticipate that the application be assessed in the context of these issues and the developing strategic solution. Please note Natural England's Impact Risk Zones have since been updated to reflect this Zoi. New residential housing within this Zoi therefore is likely to damage the interest features of Hatfield Forest SSSI/NNR and consequently requires further assessment in the context of this development.

The evidence in relation to these joint concerns have been shared with your authority and we wrote to all Local Planning Authorities identified as falling within the Zoi to confirm Natural England's position via the letter dated 5th April 2019 and letter dated 24th September 2019. More recently, a joint letter from Natural England and the National Trust (dated 28th June 2021) has been sent to your Authority outlining the updated position and including the costed Mitigation Strategy prepared by the National Trust. We would direct you to these letters for further information on Natural England's recommended approach. Whilst we are working towards a strategic solution with the relevant Local Planning Authorities Natural England advises that for the purposes of addressing the interim situation, a bespoke mitigation package should be sought for this application, which we suggest is designed in consultation with the National Trust as site managers. Where possible this should be designed in-line with the package of mitigation measures as drafted by the National Trust. In this regard it is noted that the outline planning permission which governs this reserved matters application (ref UTT/17/3573/OP) is subject to a Section 106 agreement which requires the owner to pay a specified "Hatfield Forest Contribution" (a sum of £44,323 for the provision of visitor monitoring and mitigation works carried out by or on behalf of the National Trust at Hatfield Forest) prior to the commencement of the development. This planning obligation is required in order to make the development acceptable in planning terms and the Hatfield Forest Contribution should therefore be secured prior to commencement of the development to ensure the necessary mitigation can be undertaken.

We would take this opportunity to highlight your authority's duties under the Wildlife and Countryside Act 1981 (as amended), notably under section 28G with respect of the SSSI. Appropriate measures, such as the mitigation outlined above, should therefore be taken to ensure the conservation and enhancement of the SSSI. This is further reflected within paragraphs 174 and 180 of the NPPF, whereby authorities should seek to protect and enhance the natural environment, including sites of biodiversity value.

In terms of Local Policy, which in this case is the current adopted Uttlesford DC Local Plan (2005), we note that policy ENV7 refers to the protection of the Natural Environment and designated sites. The policy states that "Development proposals that adversely affect areas of nationally important nature concerns, such as Sites of Special Scientific Interest and National Nature Reserves will not be permitted unless the need for development outweighs the particular importance of the nature conservation value of site or reserve...".

On this basis, notwithstanding the current (draft) status of the developing Mitigation Strategy, Natural England considers that there is clear justification for the securing of the "Hatfield Forest Contribution" referred to above, to ensure compliance with the above referenced local and national policies.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

SITE SPECIFIC ASSESSMENT

We consider that the provision of 'on-site' measures, within the red line boundary of the site, can be important in helping to reduce the frequency of visits to sensitive designated sites if effectively designed in quantity and quality. We would advise that as the Local Planning Authority, an assessment is made as to whether the on-site provision, such as green infrastructure is sufficiently designated to provide mitigation, prior to the determination of this application.

For areas of green infrastructure, we would generally advise that these should include elements, such as the following:

- High-quality, informal, semi-natural areas
- Circular dog walking routes of >2.7 km and/or with links to surrounding public rights of way (PRoW)
- Dedicated 'dogs-off-lead' areas
- Signage/leaflets to householders to promote these areas for recreation
- Dog waste bins etc.

Notwithstanding this, the unique draw of the identified designated site means that even well-designated, 'on-site' provisions are unlikely to fully mitigate impacts. Natural England therefore agrees that it is appropriate to consider the agreement of 'off-site' mitigation measures (outside of the red line boundary). As stated, the development of a strategic solution is currently underway which will include a mitigation package, though this has not yet been developed. However, as noted above, the governing outline planning permission (ref UTT/17/3573/OP) is subject to a planning obligation which secures mitigation for the off-site impacts of increased recreational pressure at Hatfield Forest SSSI/NNR. This planning obligation is required in order to make the development acceptable in planning terms and the Hatfield Forest Contribution should therefore be secured prior to commencement of the development to ensure the necessary mitigation can be undertaken.

Local authorities have responsibilities towards the conservation of SSSIs under [s28g of the Wildlife & Countryside Act \(1981 as amended\)](#), and your biodiversity duties under [s40 of the NERC Act 2006](#). If you have not already done so, we recommend that you ensure that sufficient information in the form of an SSSI impact assessment report or equivalent is built into the planning application validation process.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Other advice

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geo-conservation group or other recording society and a local landscape characterisation document in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Designing lighting to encourage wildlife.
- Adding a green roof to new buildings.

Natural England's [Biodiversity Metric 3.0](#) may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the [Small Sites Metric](#) may be used. This is a simplified version of [Biodiversity Metric 3.0](#) and is designed for use where certain criteria are met. It is available as a beta test version.

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access.
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips)
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore).

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside [Biodiversity Metric 3.0](#) and is available as a beta test version.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#)

This concludes Natural England's advice at this stage which we hope you will find helpful.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

If you have any queries relating to the advice in this letter please contact me at: tessa.lambert@naturalengland.org.uk

Please consult us again once the information requested above, has been provided.

Yours sincerely

Subject: [External] App Ref: UTT/21/3269/DFO: Land To The North West Of Henham Road, Elsenham
Date: 26 November 2021 16:23:14
Attachments: [pitch sizes \(metric\) 2013.pdf](#)

For the attention of Clive Theobold
Dear Mr. Theobold

App Ref: UTT/21/3269/DFO: Land To The North West Of Henham Road, Elsenham (Sport England Ref: PA/21/E/UT/60088)

Thank you for consulting Sport England on the above application.

Summary:

An **objection** is made to the planning application due to a range of issues being raised about the design, layout and management of the proposed sports ground as set out in this response. Advice is provided on solutions for addressing these issues. Advisory comments about the design and layout of the proposed development with respect to active design considerations which are **requested** to be considered before the application is determined.

Sport England – Non Statutory Role and Policy

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications. <https://www.gov.uk/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space>

This application falls within the scope of the above guidance as it relates to the creation of one or more playing pitches.

Sport England assesses this type of application in line with its planning objectives and with the National Planning Policy Framework (NPPF). Sport England's planning objectives are to PROTECT existing facilities, ENHANCE the quality, accessibility and management of existing facilities, and to PROVIDE new facilities to meet demand. Further advice is provided in Sport England's Planning for Sport guidance which can be found here:

<https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance/>.

The Proposal and Assessment against Sport England's Objectives and the NPPF

Sports Ground

The planning application involves the approval of reserved matters for the residential development on land to the north west of Henham Road in Elsenham that was granted outline planning permission (UTT/17/3573/OP) through appeal in 2020. The development includes a sports ground to the south of the site that has been designed to accommodate a 9v9 junior football pitch, a 5v5 mini football pitch, a NEAP, sports pavilion and an ancillary car park. I would wish to make comments on the following matters:

- **Sports Ground Layout:** While the principle of providing sufficient space to accommodate a 9v9 junior football pitch and a 5v5 football pitch is welcomed, there are the following issues with the proposed layout:
 - **Junior Football Pitch Run-off:** A run-off area to the south of the 9v9 junior pitch is not shown. An unobstructed run-off area of at least 3 metres is required around the whole of the pitch is required for safety reasons. The hedgerow/trees along the southern boundary cannot form part of the run-off area;
 - **5v5 Mini Football Pitch Dimensions:** While the FA no longer uses imperial measurements, the FA's dimensions for a 5v5 mini football pitch are 43 x 33 metres (40 x 30 yards) with a minimum 3m perimeter run-off area. The dimensions shown on the plan are 46 x 50 yards although when measured off the Site Plan appear to be approximately 39 x 27 yards. It would therefore appear that the 5v5 pitch shown would not meet the recommended dimensions (in metres or yards);
 - **Potential 7v7 Mini Football Pitch:** Most sports grounds designed for junior and mini football provide space for accommodating the full range of junior and mini football pitches to provide the flexibility for clubs to meet all of their needs on the same site. While the layout shows a

9v9 junior and a 5v5 mini pitch, it is unclear whether the layout would offer the flexibility to provide a 7v7 mini pitch instead of a 5v5 pitch if required by the users of the site. It is therefore requested that the site layout shows how a 7v7 pitch could be accommodated as an alternative to a 5v5 pitch if required.

an alternative to a site plan is required.

- **NEAP and Car Park:** To provide more space for accommodating football pitches in order to allow a potential 7v7 football pitch to be marked out and to allow pitch markings to be realigned from season to season to address wear, it is requested that consideration be given to reviewing the siting and size of the NEAP and the siting of the car park. It is unclear whether all of the space shown for the NEAP is required and positioning it next to the football pitches is not ideal because when the football pitches are in use this can create conflicts between the users of the NEAP and the football pitches due to the risk of ball strike from the football pitches. The siting of the car park is set back from the road (Main Avenue) and creates some open space between the road and the car park which does not appear to have any function. Collectively the NEAP and car park siting do not make the most efficient use of the space available and if possible the NEAP should be sited away from the football pitches. A reconfiguration of the NEAP and car park on the east side of the sports ground could help address these matters.

To address the above issues, it is requested that a revised layout of the sports ground is prepared which addresses the above points. Dimensions of pitches should be shown in metres rather than yards and should accord with the attached FA guidance

- **Football Pitch Construction and Design:** No details have been provided with the planning application about the proposed construction and design of the football pitches. In order to assess the suitability of the site to accommodate sports pitches, it will be important that the ground conditions and pitch specification to prepare the site as a playing field are given careful consideration due to the need to understand the implications of topography, soils, drainage, surface preparation etc. Without this there is a risk that the pitches will not be fit for purpose because they will suffer from problems such as waterlogging and uneven surfaces. This matter would usually have been dealt with as a requirement of a planning condition imposed on the outline planning permission but such a condition has not been included. It is therefore requested that a sports pitch feasibility study (undertaken by a sports turf specialist/agronomist) is prepared before the application is determined which would assess the ground conditions of the site and recommend a scheme for preparing the playing fields to the required specification. A detailed construction specification would then be prepared based on the study recommendations. Detailed guidance on the issues that require consideration in a feasibility study is set out in Sport England's guidance 'Natural Turf for Sport' <https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/outdoor-surfaces>. Examples of feasibility studies, details of sports turf consultants etc can be provided upon request. If the Council is of the view that this matter can be addressed through a planning condition being imposed requiring the feasibility study and construction specification to be submitted and approved prior to any construction starting on the sports ground then a model planning condition can be provided upon request.

- **Interim Sports Pitch Maintenance:** Linked to the construction and design, there is a need to ensure that an appropriate maintenance programme for the new sports pitches is put in place to ensure that the pitches are maintained to a suitable standard following their completion prior to handover to the management body. Without this, there is a risk that the quality of the pitches will quickly decline following their completion due to an inadequate or inappropriate maintenance regime being applied. While the section 106 agreement makes provision for a maintenance contribution to fund long term maintenance post handover it does not make provision for interim maintenance by the applicant in advance of the handover. Sport England has experience of local authorities not accepting transfer of sports pitches provided in developments because they have not been adequately maintained during the interim period between construction works being completed and the handover which can sometimes be a considerable time period. To address this, it is essential that an appropriate maintenance programme is delivered by the applicant until the pitches are handed over. It is therefore requested that provision is made for an interim maintenance programme to be prepared which could form part of the above requested playing field construction specification. If the Council is of the view that this matter can be addressed through a planning condition being imposed requiring the interim maintenance programme to be submitted and approved prior to completion of the transfer of the sports ground to the management body then a model planning condition

can be provided upon request.

- **Ball Stop Fencing:** It is noted that a 2.5 metre chain link fence is proposed around the northern and western boundaries of the sports ground to prevent balls entering the adjoining residential properties and road. While ball stop fencing is welcomed, 2.5m is not considered to be sufficiently high to address ball stop especially behind the goals to the north of the sports ground. The Football Association recommend that 4.5 metre high fencing is provided to provide adequate ball stop. An alternative to fencing is netting or a combination of fencing and netting. It is therefore requested that the height of the proposed fencing is reviewed to address potential residential amenity and highway safety issues arising. A planning condition is also requested that makes provision for the detailed design of the fencing to be submitted and approved.

- **Pavilion and Parking Facilities:** The planning application does not include a floor plan of the proposed pavilion. It is therefore not possible to provide informed advice to the Council on whether the pavilion would meet the specification requirements of the section 106 agreement which are set out in paragraph 5.88 of the Design Compliance Statement. It would not be appropriate to consider the detailed design of the pavilion at a later date through a separate reserved matters application because if the footprint is inadequate for meeting the requirements of the section 106 agreement this may have consequential implications for the layout of the remainder of the sports ground which is being determined through the current application. It is therefore requested that a floor plan is provided to allow an informed assessment to be made. In relation to the car park, the above comments on the siting of the car parking should be considered with a view to maximising the space available for football pitches. Sport England does not provide advice on the quantity of parking provision so it is therefore recommended that the Council considers whether the proposed 25 spaces is adequate for meeting needs
- **Relationship with adjoining Cricket Ground:** The cricket ground to the south of the sports ground has been used in the past by Stansted Hall & Elsenham Cricket Club. This is currently disused for cricket for a number of reasons including the lack of pavilion facilities but the ECB has advised that potential exists for cricket to return to the site in the future. While the applicant has no obligation to design the proposed sports ground to help support the re-establishment of cricket on the adjoining site, the provision of the pavilion and car parking would offer the opportunity to facilitate the re-establishment of cricket which would benefit the residents of the new development which is pertinent given that the proposed sports ground is suitable for football but not cricket. The ECB have therefore requested that the pavilion is designed to support cricket use as well as football use. Sport England and the ECB can provide further guidance on this matter upon request but minor design amendments such as the floor area of the changing rooms can allow the pavilion to be suitable for cricket as well as football. If possible, it is also requested that the layout of the sports ground is designed to facilitate a potential pedestrian access through the hedgerow that separates the sites.
- **Facility Management:** It is understood that following completion of the sports ground, it would be transferred to either Elsenham Parish Council, Henham Parish Council or Uttlesford District Council. It is considered essential that in view of the issues raised above, the views of these bodies in their potential capacity as the future management body of the sports ground are taken into account as decisions taken on the design and layout of the sports ground will have implications of the long term management and sustainability of it.

It is considered that all of the issues raised above require consideration and addressing before the planning application is determined. Without this, the proposed sports ground may not be fit for purpose from a design perspective and may not be responsive to the needs of the community it is intending to serve. There may also be implications for its operational sustainability over a long term period. In view of the range of issues raised above, an **objection** is made to the planning application. I would be willing to review this position if the issues identified above were considered and appropriately addressed as part of the planning application. In view of the range of issues raised above, I would encourage the applicant to discuss the proposals with Sport England before making any amendments to the application as further advice can be provided and any queries can be answered.

to ensure:

Active Design

Sport England, in conjunction with Public Health England, has produced 'Active Design' (October 2015) <https://www.sportengland.org/facilities-planning/active-design/>, a guide to planning new developments that create the right environment to help people get more active. The guidance sets out ten key principles for ensuring new developments incorporate opportunities for people to take part in sport and physical activity. The Active Design principles are aimed at contributing towards

the Government's desire for the planning system to promote healthy communities through good urban design which is consistent with section 8 of the NPPF. Sport England commends the use of the guidance in the master planning process for new residential developments. It should also be noted that the current version of the Essex Design Guide (February 2018) <https://www.essexdesignguide.co.uk/> has embedded the Active Design principles into the guide. The development proposals offer opportunities for incorporating the active design principles and some of the proposals are welcomed and considered to be consistent with the principles. During consideration of the planning application, it is recommended that particular consideration is given to the following matters:

- The pedestrian access to key facilities such as Elsenham Station and bus stops is welcomed. The connection point and supporting pedestrian route to Elsenham Station has also been designed considerably with dwellings overlooking the footpath within the site area to provide natural surveillance and use of street lighting to create a safer environment at night. Furthermore, urban design principles such as permeable development blocks with dwellings fronting the public realm, use of focal buildings, openness and enclosure and the use of materiality on dwellings and shared surfaces, combine to provide a legible, attractive and safe environment for pedestrians. The majority of car parking is on plot, removing cars from the public realm to reduce the dominance of cars. A hierarchy of streets has been applied with a good network of footpaths and pedestrian cycle connections included within the street typologies. However, there is a large amount of 'primary route' in the central and northeast part of the site and we would suggest that some of these streets be downgraded to secondary streets to provide streets that are smaller in size and more focused on pedestrian movement as oppose to vehicular routes.

- There does not appear to be a travel plan included within the proposals and we would request that one is developed to assist with the promotion of active travel opportunities for the site. An important feature of travel plans include welcome packs which provide information on walking and cycling for future residents. This is a simple way to encourage active travel and form new habits to reduce car use as residents move into the site. As the design of the of the school and sports pavilion are developed, we would expect to see supporting cycle equipment such as secure cycle parking, showers and lockers included to encourage users and employees to cycle to the facilities.
- The central location of the LEAP is welcomed and it provides natural surveillance to make space attractive and usable. The open space strategy includes a 'playable landscape' approach with formal play spaces, pedestrian routes that offer a varied activity network utilising landform and natural features. To enhance this aspect of the scheme, informal play and exercise features should be added along the green routes, features such as naturalistic play equipment and trim trail workout equipment would encourage further activity for instance.
- The Building for a Healthy Life Assessment states that rest stops will be provided along the green routes within the scheme to assist visitors with mobility issues and encourage people to connect with nature. However, the landscape proposals appear to only show two benches in the LEAP. To comply with this ambition we would expect to see further benches added to the scheme in key areas such as the green routes, attenuation basin footpaths, the primary school and sports pavilion.
- Potential exists for greater connectivity between the various green spaces proposed within the development and for the creation of a circular footpath around the development for walking and running. For example, there does not seem to be any pedestrian linkages between the central village green, the attenuation basin to the south west of the site and the sports ground. The same would apply to the links between the central village green and the attenuation basin to the north west of the site. There is the potential to connect them up through creating a green link around the western periphery of the site but this opportunity has not been taken. A footpath could connect them all to provide a chain of green spaces for recreational use but instead they would appear to be a series of self-contained green spaces. While there appears to be a continuous footpath around the periphery of the east and north of the development this does not extend to cover the other parts of the development to create a loop;
- It is positive to see integration of landscaping and some integration of SuDS within the site, particularly the eastern attenuation basin has a footpath that activates the space and enables

users to access the amenity benefits of SuDS features. Information boards and viewing platforms should be used to enhance the amenity value of these SuDS features. The attenuation basins to the north west and south west of the site should be supported by circular footpaths and seating to encourage residents to walk to them and around them for informal recreation as the basins provide an additional opportunity for informal recreation. The attenuation basin to the east of the site should be supported by seating at key points on the perimeter footpath;

- The central village green should provide an open area not constrained by landscaping, ponds etc that can be used for community events as this will encourage residents to visit the green for activities;
- Cycle parking should be considered in prominent locations at the front of properties rather than in rear gardens to encourage cycle use.

I hope that these comments can be given full consideration when a decision is made. I would be happy to discuss the response with the local planning authority and/or the applicant as the determination of the application progresses. Please contact me if you have any queries. We would be grateful if you would advise us of the outcome of the application in due course by forwarding a copy of the decision notice.

Yours sincerely

Agenda Item 4



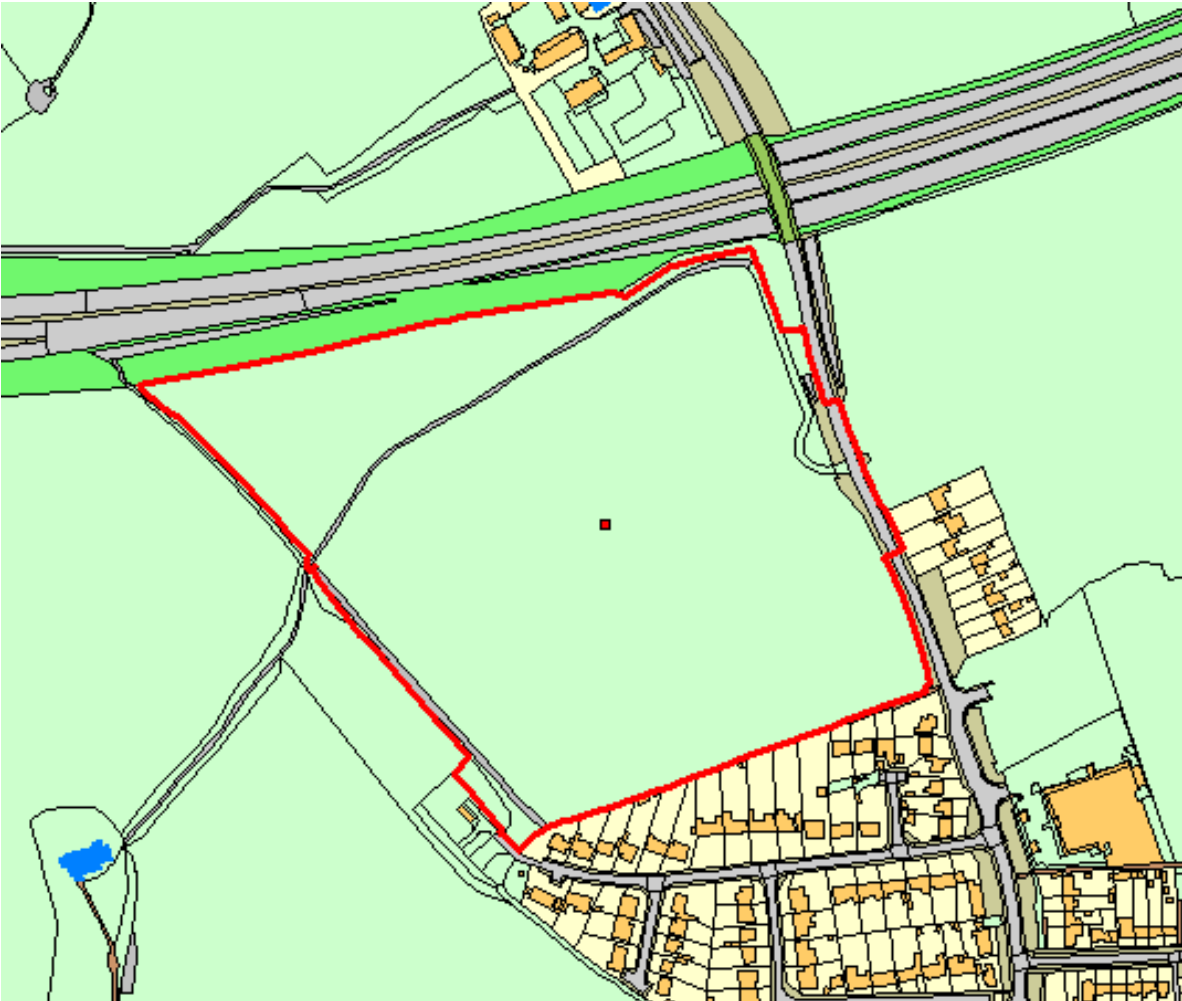
ITEM NUMBER: 4

PLANNING COMMITTEE DATE: 27 APRIL 2022

REFERENCE NUMBER: UTT/22/0152/DFO

LOCATION: LAND WEST OF PARSONAGE ROAD, TAKELEY

SITE LOCATION PLAN:



© Crown copyright and database rights 2021 Ordnance Survey 0100018688
Organisation: Uttlesford District Council Date: 14 April 2022

PROPOSAL: Details following outline application UTT/19/0393/OP (approved under appeal reference APP/C1570/W/19/3234530), details of appearance, landscaping, layout and scale for the erection of 110 no. dwellings with associated open space, landscaping and other drainage and highway infrastructure.

APPLICANT: Stonebond (Chelmsford) Ltd

AGENT: Pegasus Group

EXPIRY DATE: 26 April 2022

EOT Expiry Date:

CASE OFFICER: Henrietta Ashun

NOTATION: Outside Development Limits
Countryside Protection Zone

REASON THIS APPLICATION IS ON THE AGENDA: Major application

1. EXECUTIVE SUMMARY

- 1.1** Planning permission is sought for reserved matters in relation to an approved outline scheme for up to 119 dwellings. This reserved matters application is for 110 dwellings and relates to layout, scale, landscaping and appearance.
- 1.2** It is considered that the details submitted meet local and national policy requirements and material considerations have been duly taken into account.
- 1.3** The proposed layout, scale, landscaping and appearance adopt many of the design principles incorporated in the approved parameters plan set out within the outline planning approval.
- 1.4** The applicant has worked with the LPA to produce a high-quality sustainable development that would provide much needed accommodation in the district.

2. **RECOMMENDATION**

That the Interim Director of Planning and Building Control be authorised to **GRANT** permission for the development subject to those items set out in section 17 of this report -

A) Conditions

3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 The application site measures approximately 9.52 ha and is located outside the development limits of Takeley on the northern edge of the village. The site slopes gently from east to north-west. The site constitutes two fields in arable use located on the western side of Parsonage Road and to the south of the A120.
- 3.2 There is residential development located to the south of the site. The A120 is the northern boundary and Parsonage Road the eastern boundary. There are agricultural fields to the west and a church is located within the rural setting to the west of the site.
- 3.3 A public right of way passing through the northern part of the site forming part of a wider network of footpaths, including providing connection to the church.

4. **PROPOSAL**

- 4.1 Planning permission is sought for reserved matters following outline application UTT/19/0393/OP (approved under appeal reference APP/C1570/W/19/3234530) for details of appearance, landscaping, layout and scale for the erection of 110 no. dwellings with associated open space, landscaping and other drainage and highway infrastructure.
- 4.2 Of the 110 dwellings, 11 are allocated as custom build properties and 44 are provided as affordable homes.
- 4.3 Outline Planning consent was granted at appeal for access only for a development of up to 119 dwellings (including affordable housing) including vehicular and pedestrian accesses, infrastructure, open space, footpath links, children's play area, landscaping, green infrastructure, surface water management, wastewater pumping station and associated works and either a community building (use class D1); or a dwelling', appeal reference APP/C1570/W/19/3234530, planning application reference UTT/19/0393/OP on the 31st January 2020.

A Section 106 agreement is secured to provide:
affordable housing (40% with 70% Affordable Rented and 30% intermediate)
self-build and custom-build housebuilding plots
open space

play area provision
 health contributions
 mitigation measures to offset likely impacts on the Hatfield Forest Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR),
 skylark mitigation
 education contribution
 highway improvements
 improvements to the public rights of way (PROW)

4.4 Reserved matters are now sought in relation to details of appearance, landscaping, layout and scale. The applicant has made changes through the process to address minor concerns raised by Council Officers (Landscape, Urban Design, Housing) and the Highway Authority. Changes have also been made to further address some of the comments of the Parish Council.

5. **ENVIRONMENTAL IMPACT ASSESSMENT**

5.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017; as such the outline application did not require an Environmental Impact Assessment.

6. **RELEVANT SITE HISTORY**

6.1

Reference	Proposal	Decision
UTT/21/1103/NMA	Non-material amendments to UTT/19/0393/OP including- enlargement of the extent of the developable area to the northwest as well as minor variations along the western, northern and eastern boundaries	Approved
UTT/21/3745/DOC	Application to discharge condition 9 (Written Scheme of Investigation) attached to UTT/19/0393/OP (approved under Appeal APP/C1570/W/19/3234530 - Appeal A)	Discharged in part
UTT/22/0119/NMA	Non-material amendment to UTT/19/0393/OP approved at APP/C1570/W/19/3234530 - Variation to location of four arm roundabout.	Approve

UTT/21/3782/FUL	Construction of temporary access at Land Off Parsonage Road Adjacent To A120	Under consideration
UTT/18/3250/SCO	Request for a screening opinion for development of up 120 dwellings with associated landscaping and infrastructure	Opinion Given

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 The Localism Act requires pre-application consultation on certain types of planning applications made in England. As such the following consultation events have been held by the applicants:

- The Applicant gave a pre-application presentation to Members of Parish
- Takeley Parish Council at a meeting on 14th January 2022
- Leaflets were distributed to addresses around the site explaining the proposal
- A dedicated website was also created and the address was included on the leaflet.

7.2 Pre-application discussions with officers from Uttlesford District Council were held.

7.3 The applicant has entered into a Planning Performance Agreement (PPA) with Uttlesford District Council.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Highway Authority

8.1.1 From a highway and transportation perspective the impact of the proposal shown in drawings numbers CHE228-CON-XX-00-DR-C-95- /120 rev P02 /008 rev P01 /009 rev P01, is acceptable to the Highway Authority subject to mitigation and conditions.

8.2 Health and Safety Executive

8.2.1 The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore, at present HSE does not need to be consulted on any developments on this site. However, should there be a delay submitting a planning application for the proposed development on this site, you may wish to approach HSE again to ensure that there have been no changes to CDs in this area in the intervening period.

8.3 National Highways

8.3.1 Referring to the consultation on a planning application dated 27 January 22 referenced above, in the vicinity of the A120 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

a) offer no objection (see reasons at Annex A)

8.4 Local Flood Authority

8.4.1 Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the reserved matter application reference UTT/22/0152/DFO. The application will be subject to the same conditions applied to outline planning reference UTT/19/0393/0P.

The Sustainable Drainage proposals submitted with the reserved matter application require further clarification on the following matters and need to be addressed during the detailed planning process.

Greenfield runoff calculation method requires further site investigation at detail design stage to support HOST class, with further evidence to support the greenfield runoff calculations.

It is required for the drainage design to provide interception storage in line with Essex SuDS Design Guide.

Surface runoff treatment from the southern part of the development. Further clarification on the very small swale without a retention facility before entering the attenuation pond. We would ask clarification on swale functionality to achieve runoff treatment for medium pollution hazard land use category.

We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively.

8.5 Environment Agency

8.5.1 Thank you for your consultation dated 26 January 2022. We have reviewed the application as submitted and have no comments. We previously commented on this application at the outline stage under reference AE/2019/123950, dated 5 April 2019.

8.6 Natural England

8.6.1 SUMMARY OF NATURAL ENGLAND'S ADVICE: NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED We consider that without appropriate mitigation the application has potential to damage or destroy the interest features for which Hatfield Forest Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) has been notified. Natural England is working alongside the National Trust

in carrying out research into visitor patterns, impacts and mitigation measures to Hatfield Forest SSSI/NNR.

To date, this work has included winter and summer visitor surveys and identified a Zone of Influence (Zoi) of 14.6km which has been shared with your authority with the view of establishing a strategic solution for visitor impacts to the Forest. On this basis, this application falls within the currently identified Zoi for recreational impacts to Hatfield Forest SSSI, NNR, whereby new housing within this zone is predicted to generate impacts and therefore will be expected to contribute towards mitigation measures, such as a financial contribution.

Whilst we are working towards a strategic solution, Natural England advises that for the purposes of addressing the interim situation, a bespoke mitigation package should be sought for this application, which we suggest is designed in consultation with the National Trust as site managers. In the absence of a strategic solution, Natural England would not want to see any permissions granted that would create a precedent of acceptability for additional housing developments close to Hatfield Forest SSSI, NNR. As these mitigation's are in the process of being defined in a 'mitigation package', we cannot comment further at this stage of the particulars of a future mitigation strategy. In order to mitigate these adverse effects mitigation measures are required / or mitigation options should be secured.

8.7 Sport England

- 8.7.1** Thank you for consulting Sport England on the above application. The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case but would wish to give the following advice to aid the assessment of this application.

General guidance and advice can however be found on our website:
<https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-forsport#> planning applications.

9. PARISH COUNCIL COMMENTS

- 9.1** Takeley Parish Council have objected on the following grounds:

Houses have few character features
Window treatment is unclear
The position of the 3-storey block is not supported and would dominate streetscene
Buildings adjacent to roundabout should be moved
Further provision of bungalows
Lack of visitor parking
Enhance planting requested along entire length of northern boundary

A financial contribution is sought to maintain/enhance existing community hall financial contribution sought for off site enhancement of sports facilities to include a new sports pavilion

10. CONSULTEE RESPONSES

10.1 UDC Housing Enabling Officer

I am pleased to note that following a discussion with the applicant the number of affordable rented flats has been reduced and the number of affordable rented houses has been increased. The affordable and market housing mix now meets the need identified within the SHMA 2017 and the inclusion of both market and affordable bungalows is welcomed.

The affordable provision is also well integrated within the site. The proposed properties also meet or exceed the Nationally Described Space Standards (NDSS). The revised amenity garden plan shows that the majority of plots will have gardens that meet or exceed the minimum sizes recommended in the Essex Design Guide (EDG). However, the proposed 3-bedroom properties plots 57, 71, 72 and 105 to 108 will have gardens ranging from 68sqm to 75sqm against a recommended garden size of 100sqm.

10.1.1 UDC Urban Design Officer

When considered against the available policy (GEN2 Design) taking into account positive and negative aspects of the scheme, and on balance, an overall objection on urban design grounds is not raised. When considered against the building for healthy life there are points for improvement which are detailed in this assessment”.

10.2 UDC Environmental Health

10.2.1 I have been asked to consider further information submitted in response to the consultation responses dated 16th February 2022 and 8th March 2022.

The applicant has submitted additional information in the form of a revised noise assessment - Planning Condition Report dated 23/03/2022 Project Reference: 65202433-SWE-ZZ-XX-YA-0001 Revision: C03.

The report seeks to demonstrate compliance with condition 20 that was imposed at appeal ref APP/C1570/W/19/3234530 regarding the noise mitigation measures obligatory to achieve the desired internal and external noise levels.

Specifically, section 6 deals with the specifications required to achieve the required internal noise levels. In summary I can confirm that if the dwellings are constructed in accordance with the details given, and in particular section 6.3 relating to the installation of continuous mechanical

extract ventilation (MEV), and the overall detail given in Appendices C & D the condition relating to internal noise levels will be met.

Section 7 deals with outside amenity levels and has revised the boundary treatment plan to include the standard garden boundary treatments (i.e., fences), at a height of 1.8m above ground, as well as a number of barriers, assumed to be brick walls, to a height of 3.2m, which have been detailed in figure 4. These amendments have been used to produce a revised noise contour map in figure 5, it should be noted that the modelling has been based on the barriers being more than 10 kg/m². In summary, whilst the shows significant improvement from the previously submitted model it still does not demonstrate full compliance with the condition. However, it must be considered that the majority of the plots do fall below the required noise levels and that the demonstrated exceedances are marginal and that in the circumstances increasing the height of barriers to achieve full compliance would not be reasonable nor practicable.

10.3 UDC Landscape Officer/Arborist

10.3.1 My recommendations have been incorporated into the revised planting plans, together with the surface treatment of the paths. The details are considered satisfactory and can be approved.

10.4 Place Services (Conservation and Heritage)

10.4.1 Built Heritage Advice pertaining to an application for the Details Following Outline application of UTT/19/0393/OP (approved under appeal Ref: APP/C1570/W/19/3234530), details of appearance, landscaping, layout and scale. For the development of up to 199 dwellings with associated open space, landscaping and other drainage and highway infrastructure.

The application site is an area of agricultural land to the west of Parsonage Road and north of modern development within Takeley. The Grade I listed Church of The Holy Trinity (list entry number: 1168843) is located to the west of the site and across the dual carriageway to the north is the Grade II listed Old House Farmhouse (list entry number: 1322590). There is also a Public Right of Way which traverses the site to the Church.

It is important to note that the Inspector from the Appeal concluded that the development would fail to preserve the setting of the Grade I listed building, the Church of The Holy Trinity, the harm being at the lower end of the spectrum. Upon review of the submitted documents, I do not consider the proposals to result in any additional harm, as found by the Inspector previously under the appeal, Ref: APP/C1570/W/19/3234530, therefore I raise no objection to this application.

10.5 Place Services (Ecology)

10.5.1 No objection subject to securing biodiversity mitigation and enhancement measures

Summary

We have reviewed the Scheme of Ecological Mitigation & Enhancement (Applied Ecology Ltd., January 2022) and Biodiversity Net Gain Assessment Report (Applied Ecology Ltd.) relating to the likely impacts of development on designated sites, protected species and Priority species & habitats and identification of appropriate mitigation measures.

We are satisfied that there is sufficient ecological information available for determination of this application.

The S106 agreement includes a payment to Hatfield Forest as a contribution to the Site Access Management and Monitoring Measures Strategy undertaken by the National Trust. The site has also provided informal, semi-natural areas, a circular dog walking route, play areas, trim trail stations and links with existing public rights of way.

Skylark Mitigation has also been secured by a S106 agreement with plots being provided off site.

The proposals will also provide 30 integrated sparrow terraces and 29 integrated bat boxes, Hedgehog Highways and over 10% biodiversity net gain in habitats.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats. The mitigation and enhancement measures, including a sensitive lighting strategy, were secured by conditions at outline planning stage alongside a Landscape and Ecological Management Plan (LEMP) and Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) and so no further conditions are required.

We support the proposed reasonable biodiversity enhancements, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d of the National Planning Policy Framework (2021). We would support the additional provision of Swift boxes, which have been shown to be used by a number of species.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

10.6 Place Services (Archaeology)

10.6.1 The archaeological condition recommended on outline application UTT/19/0393/OP required a programme of archaeological trial trenching and excavation. The Written Scheme of Investigation for the trial trenching has been submitted and approved but the archaeological works have not yet been undertaken. Therefore, the condition is reiterated.

RECOMMENDATION: An Archaeological Programme of Trial Trenching followed by Open Area Excavation

1. No development or preliminary groundworks can commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which

has been submitted by the applicant and approved by the planning authority prior to reserved matters applications being submitted.

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

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

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

Reason for Archaeological recommendation

The Historic Environment Record indicates that the proposed development lies within a significantly sensitive area of heritage assets. The proposed development area is located in close proximity to previous archaeological excavations on the A120 and the G2 expansion of Stansted Airport. Within the Site, to the northwest, exists the remains of a Medieval deserted settlement (EHER4597) which is centred around the church. Excavations directly northeast of the proposed development have recovered extensive Roman archaeological deposits including a roundhouse, droveways and quarrying pits (EHER45255). A single cremation burial (EHER45256) was recovered to the east indicating a cemetery in the area. It is likely that these multi period deposits extend into the area proposed for development.

10.7 Crime Prevention Officer

10.7.1 Whilst there are no apparent concerns with the layout to comment further, we would require the finer detail such as the proposed lighting, planned apartments mail delivery, access control and visitor entry systems, and physical security measures.

We would welcome the opportunity to consult on this development to assist the developer demonstrate their compliance with this policy by achieving a Secured by Design Homes award. An SBD award is only achieved by compliance with the requirements of the relevant Design Guide ensuring that risk commensurate security is built into each property and the development as a whole.

10.8 Manchester Airport Group

10.8.1 The Safeguarding Authority for Stansted Airport has assessed the revised details provided and unfortunately, we must maintain our objection due to its potential to increase the risk of a Birdstrike to aircraft using Stansted Airport.

In detail:

Previously we requested more detail on the wetland meadow to include management/mitigation measures – there is still no further details on the proposed wetland meadow.

Previously we requested details on marginal planting around SuDS and also confirmation that no basin will include any islands – details of this have still not been supplied.

Should any building be proposed on the development which includes a flat/shallow-pitched roof then detailed mitigation/management measures will need including in a robust BHMP – mitigation details are in place for roof spaces within the BHMP should any building with this type of roof be added to the development, however, more detail is required including a monitoring programme for any buildings with flat-roofs and that removal of birds/eggs/nests is carried out under the guidance of the Natural England CL-12 license.

Other key details to include in the final BHMP include: all the below details are still missing from the updated

BHMP:

- (although details of monitoring are included) more details are required on how/when this will be carried out and also should be in agreement with STN
- Record keeping to include allowing STN to have sight of them
- Failure Criteria
- Site inspection and access by STN
- Review of BHMP process
- In perpetuity statement’ – reference to the BHMP being to ‘remain in force for the life of the development’ is made in Section 1.7, however, it also states that the BHMP will only be implemented on completion of the development. This requires amendment as the BHMP also includes mitigation measures for the construction phase.

It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Stansted Airport, or not attach conditions which Stansted Airport has advised, it shall notify Stansted Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

10.9 **NATS Safeguarding**

10.9.1 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria.

Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

11. REPRESENTATIONS

11.1 Site notice/s were displayed on site and 178 notifications letters were sent to nearby properties. A press notice was also issued.

11.3 Objections:

11.3.1 Noise

11.3.2 Water pressure

11.3.3 Drainage and flooding

11.3.4 Infrastructure

11.3.5 Schools

11.3.6 Coalescence

11.3.7 Lack of renewable energy sources

11.3.8 Loss of landscaping and biodiversity

11.3.9 Anti-social behaviour

11.3.10 Lack of Services

11.3.11 Overlooking

11.3.12 Airport related parking

12. MATERIAL CONSIDERATIONS

12.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the "Considerations and Assessments" section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

12.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

(a)The provisions of the development plan, so far as material to the application,;

- (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

12.3 Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area

12.4 The Development Plan

- 12.4.1** Essex Minerals Local Plan (adopted July 2014)
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
Uttlesford District Local Plan (adopted 2005)
Felsted Neighbourhood Plan (made Feb 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)
Thaxted Neighbourhood Plan (made February 2019)

13. POLICY

13.1 National Policies

- 13.1.1** National Planning Policy Framework (2021)

13.2 Uttlesford District Plan 2005

- 13.2.1** S7 – The Countryside Policy
S8 – The Countryside protection zone
GEN1- Access Policy
GEN2 – Design Policy
GEN3 -Flood Protection Policy
GEN4 - Good Neighbourliness Policy
GEN5 –Light Pollution Policy
GEN6 - Infrastructure Provision Policy
GEN7 - Nature Conservation Policy
GEN8 - Vehicle Parking Standards Policy
H9 - Affordable Housing,
Policy H10 - Housing Mix Policy
ENV2 - Development affecting Listed Buildings Policy

ENV3 - Open Space and Trees, Policy
ENV4 - Ancient monuments and Sites of Archaeological Importance
Policy - ENV5 - Protection of Agricultural Land Policy
ENV10 -Noise Sensitive Development, Policy
ENV13 - Exposure to Poor Air Quality Policy
ENV14 - Contaminated Land

13.3 Supplementary Planning Document or Guidance

13.3.1 Uttlesford Local Residential Parking Standards (2013)
Essex County Council Parking Standards (2009)
Supplementary Planning Document- Accessible homes and play space
homes Essex Design Guide
Uttlesford Interim Climate Change Policy (2021)

14. CONSIDERATIONS AND ASSESSMENT

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

14.2 **A) Principle of Development**
B) Housing Supply
C) Housing Mix
D) Layout
E) Scale
F) Landscaping
G) Appearance
H) Highways
I) Other Matters

14.3 A) Principle of development

14.3.1 Planning history

14.3.2 Outline planning permission was previously granted on the site, following an appeal which was allowed on the 31st January 2020, appeal reference APP/C1570/W/19/3234530. This scheme will be referred to within this report as the 'approved outline scheme' and the Planning Inspectors comments within the appeal decision will also be referenced accordingly.

14.3.3 It should be noted that a non-material amendment to the approved outline parameter plans was granted which allowed the enlargement of the development area to the north-west and other changes to allow for further landscaping including a greater provision of green spaces within the developable area and to ensure that appropriate design standards can be met.

14.3.4 Below are key headlines in relation to the approved outline scheme:

Up to 119 dwellings (including affordable housing)
open space

children's play area
wastewater pumping station
and either a community building OR a dwelling

The applicant has proposed 110 dwellings (9 less than approved) which is allowed under the parameters of the development description. No community building is proposed; however the parameters stated a community building or a dwelling would be provided and there are no conditions on the approved outline consent which restrict this.

- 14.3.5** The site is located Outside of Development Limits and within the Countryside Protection Zone, as such Policy S7 and S8 are relevant. The development will also result in the loss of agricultural land, therefore policy ENV5 is relevant.

Notwithstanding the above, the principle of the development has been accepted at Outline application stage. Of note, in terms of coalescence with the airport, the Inspector noted "*I acknowledge that both appeals would reduce the open fields between the airport and Takeley, in a location where the gap between the airport and surrounding development is less than in other areas of the CPZ. That would result in some harm. However, again that harm would be limited due to a number of factors*". Therefore, the harm was identified albeit it was quantified as limited.

- 13.3.6** In conclusion the Inspector stated "*Taking all considerations in to account, the benefits of the appeal development are very weighty, the adverse impacts limited. Together, they indicate that the adverse impacts of granting permission in this case would not significantly and demonstrably outweigh the benefits. Overall, therefore, the material considerations in this case indicate a decision should be made other than in accordance with the development plan and therefore the appeal should be allowed*".

Effectively the principle of housing development on this site has been established and the outline planning consent is a key material consideration subject to detailed consideration of the potential development impacts and consideration of relevant policies.

14.4 B) HOUSING SUPPLY

- 14.4.1** The NPPF describes the importance of maintaining a five-year supply of deliverable housing sites. The Council's housing land supply currently falls short of this and is only able to demonstrate a supply of 3.52 years (5 YHLS update April 2021).

- 14.4.2** Paragraph 11 of the NPPF considers the presumption of sustainable development, this includes where there are no relevant development plan policies, or where policies which are most important for determining the application are out-of-date. This includes where the 5 YHLS cannot be delivered. As the council is currently unable to demonstrate a 5 YHLS, increased weight should be given to housing delivery when considering

the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).

14.4.3 The proposed development would contribute to the provision of housing in the district where there is an evident need, and the balance is tilted in favour of the provision of housing. Again, this principle has been established and accepted.

14.5 C) HOUSING MIX

14.5.1 Policy H10 Housing Mix of the adopted Local Plan requires new developments to provide a mix of dwelling types. A mixture of housing types are proposed to suit different needs. 11 custom build plots are also proposed.

Housing mix:

1BF/Mais	12	11%
2BF/Mais/FOG	14	13%
2BH	10	9%
3BH	39	35%
4BH*	35	32%
Total	110	100%

14.5.2 95% of the properties will be M4(2) and 6 units will be M4(3) bungalows. All of the houses across the site are Nationally Described Space Standard compliant and changes have been made as requested by the Housing and Enabling Officer to enable the affordable and market housing mix to meet the need identified within the SHMA 2017 and the inclusion of both market and affordable bungalows is welcomed.

14.5.3 Policy H9 states that the Council will seek to negotiate on a site-to-site basis an element of affordable housing of 40%. 44 affordable homes are pepper-potted across the site in 'clusters' of no more than 10 units which are clearly separated. The houses are tenure blind. The proposed properties also meet or exceed the Nationally Described Space Standards (NDSS).

14.5.4 The revised amenity garden plan shows that the majority of the plots will have gardens that meet or exceed the minimum sizes recommended in the Essex Design Guide. There are 5 plots with a garden which is somewhat below the guidance (68-75 m² rather than 100 m²). This guidance does not form part of adopted Policy and given that the level of provision is not significantly below requirements and only applies to a small proportion of the units, on balance this is considered acceptable and would not warrant a refusal

14.6 D) LAYOUT

14.6.1 National and local policies seek to secure good quality design which respects general townscape and the setting of heritage assets and is a key aspect of sustainable development.

14.6.2 Policy GEN2 of the Local Plan states seeks to ensure that design of all new development is compatible with the scale, form, layout, appearance and materials of surrounding buildings. Policy GEN2 of the Local Plan states seeks to ensure that design of new development would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

14.6.3 The layout refers to buildings, routes and open spaces within the development and how they are laid out.

14.6.4 The applicant has provided a table showing the lands uses and open space as shown below:

Land Use	Area (ha)
Application Area	9.61
Development Area	4.25
Proposed Woodlands	1.05
Area of open space	3.43
Highways works	0.38
Drainage	0.50

14.6.5 The approved parameters plan sets out the arrangement of the uses within the scheme. From the mid-point to the southern boundary is the residential component called the 'development area' which includes open space and vehicle parking, the north of which is public open space. To the north-western extent of the site woodland is proposed. As such, the proposed reserved matters correspond with the approved parameters plan.

14.6.6 The Council's Urban Design Officer stated that *"taking into account positive and negative aspects of the scheme, and on balance, an overall objection on urban design grounds is not raised. When considered against the building for healthy life there are points for improvement which are detailed in this assessment"*.

14.6.7 The Urban Design Officer gave a combination of green and amber scores based on the 'Building for a Healthy Life' standard. One red score was given in relation to 'healthy streets'. This element has been further discussed with the applicant and the following comments and points of clarification were provided:

Some of the trees shown lining the street are within areas of public realm and will be managed by a management company or adopted, whilst others will be located within private front gardens. In these instances, a

restrictive covenant will be introduced on plot purchasers to ensure that the trees are retained and maintained in perpetuity. The suggested covenant wording is: "Not to cut down, damage or remove any existing tree or hedge on the Property or any other plant planted pursuant to the requirements of the Authorities".

Breaking the road or transitioning to a shared surface would be unacceptable to the Highways Authority without a substantial redesign to the road hierarchy and site layout to provide appropriate access and turning.

Speed restraint in the form of humps has been provided on the road, and, therefore, buildouts/narrowing is not considered necessary to manage traffic speeds

The natural curve of the looped access ensures permeability is retained and avoids speeding

Raised tables are shown

Acceptable footway materials in the Essex Highways Design and Construction Manual are black tarmac or concrete block paving

Notwithstanding adoption issues, the highways consultant team would not recommend buff tarmac as utility companies will only reinstate their openings in black tarmac leading to an increasingly patchwork appearance over the life span of the development

The applicant has agreed to the use of conditions to cover comments made about additional street furniture and materials used for parking areas.

14.6.8 It is concluded therefore that the proposed layout adopts the design principles incorporated in the approved Parameter Plan set out within the Outline Planning Approval. Further, these proposals have been assessed against the Building for Life principles and no objections have been raised by the Urban Design Officer in this regard. The proposal is therefore considered to be consistent with the provisions of Policies GEN2 of the adopted Uttlesford Local Plan 2005.

14.6.9 Policy ENV2 requires development affecting a listed building to be in keeping with its scale, character and surroundings. The Grade I listed Church of The Holy Trinity (list entry number: 1168843) is located to the west of the site. The Inspector stated that he affords "*great weight to the conservation of designated heritage assets. I consider that the harm to the significance of the heritage asset identified would be less than substantial at the lower end of that spectrum*". Taking this into account, Place Services Heritage do not consider the proposals to result in any additional harm, as found by the Inspector previously and therefore raise no objection.

- 14.6.10** It is clear that the harm to heritage assets has previously been identified and is considered to outweigh the public benefits which still exist.
- 14.6.11** The separation distances afforded between facing habitable room windows within the proposed development itself are satisfactory in and would prevent a loss of privacy and provide suitable daylighting.
- 14.6.12** Units will have access to amenity space which is secure and useable.
- 14.6.13** Given that the only use would be residential in nature, this would be in keeping with the locality.
- 14.6.14** Therefore, it is unlikely that the proposed development would directly detract from the amenities of the neighbouring occupiers. Overall, the scheme complies with Policies GEN2 and GEN4.
- 14.6.15** The applicant has proposed the following sustainability measures:
Sustainable construction techniques
Fabric First approach
Glazing designed to maximise daylight and optimise solar gains.
Improving water efficiency
Provision of electric vehicle charging points for all dwellings
- 14.6.16** No renewable energy sources are proposed as noted by the Urban Design Officer; however the applicant seeks to exceed current building control requirements by 9-10%. This is considered to be acceptable and adheres to some of the principles in the Interim Climate Change Policy.

14.7 E) SCALE

- 14.7.1** The scale refers to information on the size of the development including height, width and length of the proposed buildings. The masterplan has been designed to comply with the building heights parameter plan which is an approved plan and forms part of the outline consent.
- 14.7.2** The proposed development achieves a gross density of 26 dwellings per hectare based on a developable area of 4.25 hectares overall.
- 14.7.3** In terms of storey heights, the parameter plan demonstrates that the development area is set up to 3 storeys, however it would be predominately 2 storeys with element of 2.5 to 3 storeys. On the edge of the development area, on the southern extent of the site, the dwellings are up to 2 storeys.
- 14.7.4** The proposed details reflect the parameter plan and propose the following:
The majority of units extending 2 storeys in height with single storey garages

Single storey bungalows proposed on the south-eastern part of the development area

1 x 3 storey building is proposed providing an apartment block located at the site entrance off Parsonage Road

- 14.7.5** The Urban Design Officer raised concerns over the 3 storey apartment block height on the rural edge, however it is noted that this is the only 3 storey building and the scale is in keeping with the parameter plan as part of the outline consent which is a material consideration. It should be observed that a condition was imposed on the outline consent noting that the 'reference to the storey height of buildings on the parameter plan is for illustrative purposes only'- to show what could be proposed and to ensure the scale of the development is appropriately considered.
- 14.7.6** Notwithstanding the above, a significant proportion of the development area was shown as 'up to 3 storeys' on the parameters plan. This has been duly considered and reviewed by the applicant during the design process resulting in a single 3 storey element. Furthermore, the number of units have been reduced from the maximum units permitted (119), to allow for a more sensitive scheme.
- 14.7.7** Furthermore, the majority of the units are 2 storey and the 3 storey element creates a gateway into the site providing interest and a landmark within the development.
- 14.7.8** It is therefore concluded that the proposed master plan complies with the approved building heights parameter plan. The proposals are therefore considered to be generally consistent with the provisions of Policies GEN2 and GEN4 of the adopted Uttlesford Local Plan 2005.

14.8 F) LANDSCAPING

- 14.8.1** Landscaping refers to the improvement or protection of amenities of the site and surrounding area. Policy ENV3 (open spaces and trees) seeks to ensure that trees and open spaces are not lost unless the need for development outweighs their amenity value.
- 14.8.2** The parameter plan shows the existing vegetation proposed to be retained on the western boundary and along the Public Right of Way to the north of the site. A woodland is proposed on the north-western part of the site and a large open space area. The proposed detailed plans reflect this and show the woodland measuring 1.06 ha and open space measuring 3.43 ha. The open space includes a walking route, a children's play area, SuDS feature, landscaping and amenity open space. Incidental pocket greens are also located within the development.
- 14.8.3** The applicant proposes a landscape led approach to the proposed development and a multi-functional Green and Blue Infrastructure masterplan has been produced in keeping with the parameters plan. The following elements are proposed:

Landscaping including tree planting and hedgerow along routes and boundaries

Coppiced woodland to be created along the north of the open space.

Woodland walk with key locations for 'play on the way' trim trail stations.

Natural play space to include a selection of timber play items, mounding and natural play elements.

Pocket parks with 'play on the way' stations.

Seasonally wet attenuation areas, including swales

- 14.8.4** Many of the trees and hedgerow will be retained on site, however in order to accommodate the development and access the following are proposed to be removed: 2 low quality or poor longevity trees, 4 whole low quality landscape features and sections of 5 low quality/ poor longevity landscape features.
- 14.8.5** The Landscaping Officer has stated that his recommendations have been incorporated into the revised planting plans, together with the surface treatment of the paths as such the details are considered satisfactory.
- 14.8.6** The proposals are therefore considered to be consistent with the provisions of Policies ENV3 and GEN2 of the adopted Uttlesford Local Plan 2005.
- 14.8.7** Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 states that: 'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'
- 14.8.8** Natural England raised no objection subject to providing sufficient mitigation. The S106 agreement agreed at outline stage includes a payment to Hatfield Forest as a contribution to the Site Access Management and Monitoring Measures Strategy undertaken by the National Trust. The proposed development also provides informal, semi-natural areas, a circular dog walking route, play areas, trim trail stations and links with existing public rights of way. Skylark Mitigation has also been secured by a S106 agreement with plots being provided off site. The proposals will also provide 30 integrated sparrow terraces and 29 integrated bat boxes, Hedgehog Highways and over 10% biodiversity net gain in habitats.
- 14.8.9** As a result of the retention of vegetation, creation of habits, new flora and woodland, the development will result in a net gain of +6.84 habitat area units which is equivalent to a net gain of +29.53%. The submitted documents have been duly reviewed by the Place Services Ecologist who have stated that no objection is raised subject to securing the proposed biodiversity mitigation and enhancement measures.
- 14.8.10** Please note that that an amended plan was submitted to MAG to address concerns raised within their objection with regards to the bird hazard management plan.

14.8.11 Subject to the recommended conditions, the application proposal is considered to accord with ULP Policy GEN7 and the NPPF.

14.9 G) APPEARANCE

14.9.1 Paragraph 126 of the NPPF states that *“the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*. As such, the design quality of the proposal should be duly considered in the overall planning balance.

14.9.2 The design ethos is centred on interpreting local patterns to create a *simple minimalistic architectural language*. Symmetry and regularity are main features in the design. Articulation is proposed through the use of canopy’s, porches, gables, bays and dormers.

14.9.3 The proposed design has achieved a ‘simple contemporary’ style for the house types. Three palettes of material combinations are proposed for the walls, roofs and door colours: Contemporary Edwardian, Contemporary Cottage and Contemporary Barn.

14.9.4 In general terms, the appearance of the development which would enhance the setting of the development. The proposals are therefore considered to be consistent with the provisions of Policies GEN2 of the adopted Uttlesford Local Plan 2005.

14.10 H) HIGHWAYS

14.10.1 Policy GEN1 seeks to ensure that development is only permitted if the access is appropriate, traffic generation does not have a detrimental impact on the surrounding road network, it is designed to meet the needs of people with disabilities and it encourages sustainable modes of transport.

14.10.2 The outline consent agreed all matters related to access and off-site highway works.

14.10.3 The vehicular access remains the same via Parsonage Road. The spine road runs east of west within the site. The Highways Authority have stated that the impact of the proposal is acceptable subject to the following mitigation and conditions.

14.10.4 The proposed development also connects into the existing network of rights of way and footpaths surrounding the site. The development includes cycle and pedestrian links.

14.10.5 Policy GEN 8 applies appropriate car parking standards which include minimum cycle spaces and maximum vehicle spaces. 1 bed units are provided with 1 parking space and 1 cycle space; 2 bed units are provided with 2 parking spaces and 2 cycle spaces; 3 bed units are provided with 2 parking space and 2 cycle spaces; and 4 bedroom units are provided with 4 parking spaces (2 within the garage) and 2 cycle spaces. 27 visitor parking spaces are now proposed. The Highways Authority have reviewed the provision and consider it acceptable. Cycle parking will also now be provided at the LEAP at the suggestion of the Highway Authority.

14.10.6 The Highways Authority have stated that the impact of the proposal is acceptable subject to the following mitigation and conditions.

14.10.7 The parking provision is considered acceptable given the sustainable location of the site, including the enhancement and provision of pedestrian links and enhanced public transport.

14.11 I) OTHER MATTERS

14.11.1 Noise

14.11.2 Policy ENV10 of the Local Plan seeks to ensure that residential development will not be permitted if the occupants would experience significant noise disturbance. The internal noise experienced by future occupiers are within the properties meet specified guidance. The noise and mitigation report has been amended to improve the noise levels within the garden areas. The Environmental Health Officer noted *“whilst this shows significant improvement from the previously submitted model it still does not demonstrate full compliance with the condition. However, it must be considered that the majority of the plots do fall below the required noise levels and that the demonstrated exceedances are marginal “*. It is considered that on balance the applicant has improved the layout to ensure any harm is not undue. Furthermore, the Inspector did not consider noise to be an issue and the approved scheme is in keeping with the approved parameters. Moreover, it is observed that the guidance is not adopted policy and the proposal does not depart significantly from the prescriptive guidance. On balance it is considered that the impact of noise from surrounding sources would be an acceptable for future occupiers.

14.11.3 Flooding

Policy GEN3 contains the Local Plan policy for flooding, although this has effectively been superseded by the more detailed and up-to-date flood risk policies in the NPPF and the accompanying PPG. The outline consent included conditions to ensure the flood risk is minimised and drainage is sufficient.

14.11.4 The Local Lead Flood Authority have not objected to the proposal and consider that the original conditions from the outline should be imposed in order to seek further information. It is noted that these conditions are still in force and would need to be duly discharged by the applicant.

14.11.5 Overall, it is considered that the proposals comply with GEN3 and ENV12 of the Local Plan.

14.12 PLANNING BALANCE

14.12.1 The LPA are unable to demonstrate a 5 YHLS, therefore paragraph 11d of the NPPF is engaged, and the titled balance should be in favour of housing.

14.12.2 At outline stage there was harm identified by the Inspector including harm to heritage assets (albeit less than substantial), loss of agricultural land and harm to the CPZ, landscape and visual impacts; however, it was considered that the benefits of the scheme outweighed the harm. As such the principle of the development has been established.

14.12.3 The planning benefits of the site includes the provision of provision of 110 high quality new homes of a range of sizes, types and tenures including 40% affordable units; provision of public open space; new habitat; and improvements to connectivity.

14.12.4 It is considered that the public benefits of the scheme as a whole which includes the provision of a significant amount of housing are such that they outweigh any harm.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

15.1.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

15.1.2 The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

15.1.3 Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised

15.2 Human Rights

15.2.1 There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) 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

16. CONCLUSION

16.1 The submitted Reserved Matters would accord with the development plan and National Planning Policy Framework 2022, and no material considerations indicate that the application should be refused.

16.2 The application accords with policy, will provide an important contribution to housing land supply position in a high-quality design led scheme.

It is therefore recommended that approval be granted subject to conditions.

17. CONDITIONS

1 Dwellings shall not be occupied until such time as their associated vehicle parking area indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011, and Uttlesford Local Plan Policy GEN1.

2 Dwellings shall not be occupied until such time as their associated cycle parking indicated on the approved plans, has been provided.

REASON: To ensure appropriate bicycle parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

- 3** At an agreed phase in the development a walking/cycle link on to Parsonage Road from the point opposite plot number 8/9 with a minimum of width of 3m shall be provided.

REASON: To provide safe and convenient walking and cycle access in accordance with Policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and Policy GEN1 of the Uttlesford Local Plan.

- 4** Any planting adjacent to the public rights of way to be planted a minimum of 3m from the extent of the public right of way.

REASON: To maintain a clear passage for pedestrians without encroachment from vegetation in accordance with Uttlesford Local Plan Policy GEN1.

- 5** If within a period of 10 years from the date of planting the tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent to any variation.

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

- 6** Prior to occupation details of the location of additional street furniture shall be submitted and approved by the Local Planning Authority prior to the occupation of the development.

REASON: To ensure an acceptable standard of development in accordance with Uttlesford Local Plan Policy GEN2.

- 7** The proposed hedging adjacent to the PROW shall be included in the maintenance regime for the development, to ensure the is kept hedging clear of the definitive route of the Public Right of Way.

REASON: To ensure the continued safe passage of pedestrians on the public right of way and accessibility in accordance with Policies DM1 and DM11 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011, and Uttlesford Local Plan Policy GEN1.

- 8** Prior to occupation materials used for parking spaces shall be submitted and approved by the Local Planning Authority prior to the occupation of the development.

REASON: In order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8 and ENV3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 9** Boundary treatment and associated landscaping of the specified units subject to additional mitigation within the noise report ref. 65202433-SWE-ZZ-XX-YA-0001 Revision: C03 to be submitted for and approved by the Local Planning authority prior to the construction of those units.

REASON: To ensure an acceptable standard of development in accordance with GEN2 and GEN4 of the Uttlesford Local Plan 2005.

Statutory Consultee responses:

Your Ref: UTT/22/0152/DFO
Our Ref:HT/TPD /SD/KW/ 33183/4B
Date:- 11/04/2022



Essex County Council

Paul Crick
Director for Highways and Transportation

CC: Essex Highways DM
Cllr S Barker

To: Uttlesford District Council
Assistant Director Planning & Building Control
Council Offices
London Road
SAFFRON WALDEN
Essex CB11 4ER

County Hall
Chelmsford
Essex CM1 1QH

Recommendation

Application No. UTT/22/0152/DFO
Applicant Stonebond (Chelmsford) Ltd
Site Location Land West Of Parsonage Road, Takeley
Proposal Details following outline application UTT/19/0393/OP (approved under appeal reference APP/C1570/W/19/3234530), details of appearance, landscaping, layout and scale for the erection of 110 no. dwellings with associated open space, landscaping and other drainage and highway infrastructure.

Note

The initial application has been adjusted to reflect the highways comments dated the 17/03/2022 and 04/04/2022. This response supersedes both those responses.

From a highway and transportation perspective the impact of the proposal shown in drawings numbers CHE228-CON-XX-00-DR-C-95- /120 rev P02 /008 rev P01 /009 rev P01, is acceptable to the Highway Authority subject to the following mitigation and conditions:

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

1. Dwellings shall not be occupied until such time as their associated vehicle parking area indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority. **Reason:** To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the

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

2. Dwellings shall not be occupied until such time as their associated cycle parking indicated on the approved plans, has been provided. **Reason:** To ensure appropriate bicycle parking is provided In accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
3. At an agreed phase in the development a walking/cycle link on to Parsonage Road from the point opposite plot number 8/9 with a minimum of width of 3m shall be provided. **Reason:** To provide safe and convenient walking and cycle access in accordance with Policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
4. Any planting adjacent to the public rights of way to be planted a minimum of 3m from the extent of the public right of way. **Reason:** to maintain a clear passage for pedestrians without encroachment from vegetation.

Informatives:

- (i) As part of the S38 agreement a parking scheme to control airport fly parking, similar to those in adjacent residential areas should be considered.
- (ii) If required one visitor parking space maybe used to accommodate a car club vehicle.

- (iii) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.
- (iv) Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
- (v) The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.
- (vi) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

-
- (vii) The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath no **20 (Takeley)** shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

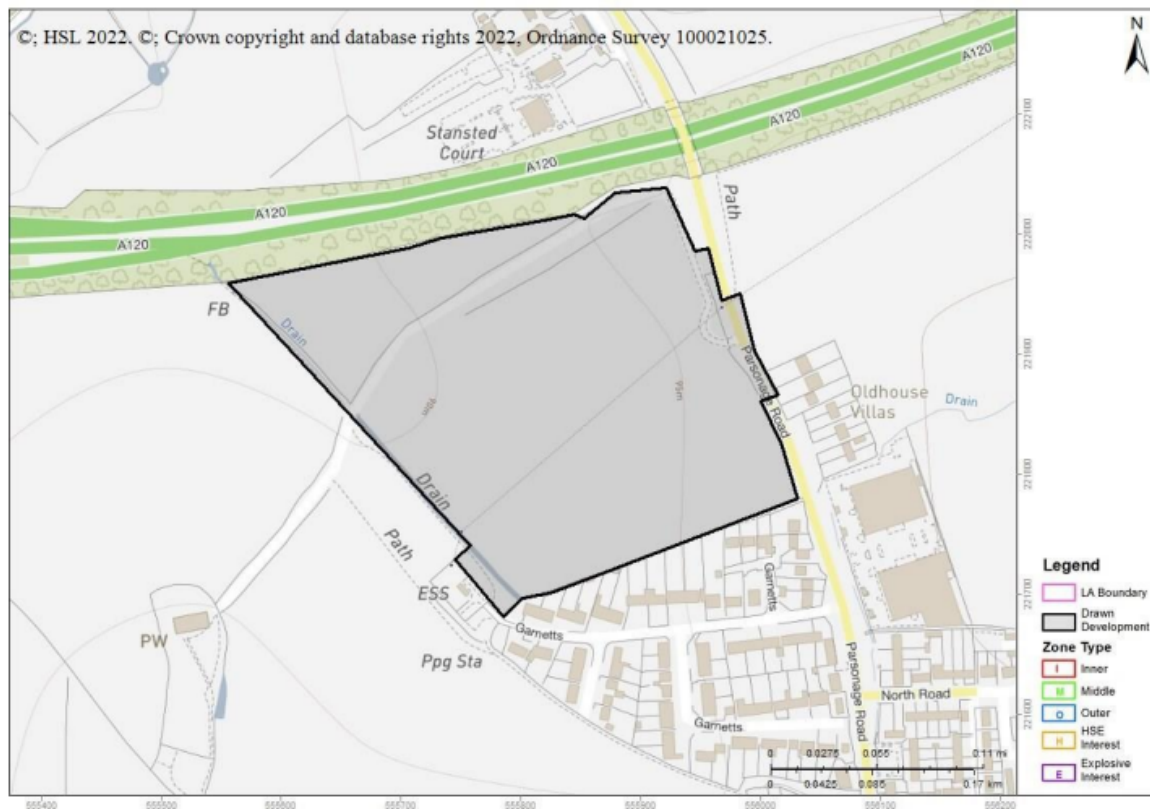
The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

Advice : HSL-220126131626-45 Does Not Cross Any Consultation Zones

Your Ref: UTT/22/0152/DFO

Development Name:

Comments:



The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site. However, should there be a delay submitting a planning application for the proposed development on this site, you may wish to approach HSE again to ensure that there have been no changes to CDs in this area in the intervening period.



**National Highways Planning Response (NHPR 21-09)
Formal Recommendation to an Application for Planning Permission**

From: Martin Fellows(Regional Director)
Operations Directorate
East Region
National Highways
PlanningEE@highwaysengland.co.uk

To: Uttelsford District Council

CC: transportplanning@dft.gov.uk
spatialplanning@highwaysengland.co.uk

Council's Reference: Utt/22/0152/DFO

Location: Land of of Parsonage Road Takeley

Proposal: Details following outline application
UTT/19/0393/OP (approved under
appeal reference
APP/C1570/W/19/3234530), details
of appearance, landscaping, layout
and scale for the erection of 110 no.
dwellings with associated open
space, landscaping and other
drainage and highway
infrastructure.

Referring to the consultation on a planning application dated 27 January 22 referenced above, in the vicinity of the A120 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- a) offer no objection (see reasons at Annex A);

- ~~b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);~~
- ~~e) recommend that planning permission not be granted for a specified period (see reasons at Annex A);~~
- ~~d) recommend that the application be refused (see reasons at Annex A)~~

National Highways Planning Response (NHPR 21-09) September 2021

Highways Act 1980 Section 175B is not relevant to this application.¹

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

Annex A National Highway's assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regards to UTT/22/0152/DFO and has been prepared by Mark Norman.

This application is unlikely to result in a severe impact upon the Strategic Road Network.

¹ Where relevant, further information will be provided within Annex A.

Essex County Council
Development and Flood Risk
Environment and Climate Action,
C426 County Hall
Chelmsford
Essex CM1 1QH



Ms Henrietta Ashun
Uttlesford District Council
Planning Services

Date: 2nd March 2022
Our Ref: SUDS-005804
Your Ref: UTT/22/0152/DFO

Dear Madam,

Consultation Response – UTT/22/0152/DFO: Land West of Parsonage Road, Takeley CM22 6PU

Thank you for your email received on 03/02/2022 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the reserved matter application reference UTT/22/0152/DFO. The application will be subject to the same conditions applied to outline planning reference UTT/19/0393/0P.

The Sustainable Drainage proposals submitted with the reserved matter application require further clarification on the following matters and need to be addressed during the detailed planning process.

- Greenfield runoff calculation method requires further site investigation at detail design stage to support HOST class, with further evidence to support the greenfield runoff calculations.

-
- It is required for the drainage design to provide interception storage in line with Essex SuDS Design Guide.
 - Surface runoff treatment from the southern part of the development. Further clarification on the very small swale without a retention facility before entering the attenuation pond. We would ask clarification on swale functionality to achieve runoff treatment for medium pollution hazard land use category.

We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.

<https://www.essex.gov.uk/protecting-environment>

In the event that more information was supplied by the applicants then the County Council may be in a position to withdraw its objection to the proposal once it has considered the additional clarification/details that are required.

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed

SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.

- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

Yours sincerely,

Richard Atkins
Development and Flood Risk Officer
Team: Green Infrastructure and Sustainable Drainage
Service: Climate Action and Mitigation
Essex County Council



Henrietta Ashun
Uttlesford District Council
Development Control
Council Offices London Road
Saffron Walden
Essex
CB11 4ER

Our ref: AE/2022/126813/01-L01
Your ref: UTT/22/0152/DFO
Date: 16 February 2022

Dear Ms. Ashun

DETAILS FOLLOWING OUTLINE APPLICATION UTT/19/0393/OP (APPROVED UNDER APPEAL REFERENCE APP/C1570/W/19/3234530), DETAILS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR THE ERECTION OF 110 NO. DWELLINGS WITH ASSOCIATED OPEN SPACE, LANDSCAPING AND OTHER DRAINAGE AND HIGHWAY INFRASTRUCTURE.

LAND WEST OF PARSONAGE ROAD, TAKELEY

Thank you for your consultation dated 26 January 2022. We have reviewed the application as submitted and have no comments. We previously commented on this application at the outline stage under reference AE/2019/123950, dated 5 April 2019.

We trust this is useful

Yours Sincerely

A handwritten signature in blue ink, appearing to be the letter 'M'.

Date: 24 February 2022
Our ref: 382085
Your ref: UTT/22/0152/DFO



Henrietta Ashun
Principal Planning Officer
Uttlesford District Council

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

BY EMAIL ONLY

T 0300 060 3900

Dear Ms Ashun,

Planning consultation: Details following outline application UTT/19/0393/OP (approved under appeal reference APP/C1570/W/19/3234530), details of appearance, landscaping, layout and scale for the erection of 110 no. dwellings with associated open space, landscaping and other drainage and highway infrastructure

Location: Land West Of Parsonage Road, Takeley

Thank you for your consultation on the above dated and received by Natural England on 26 January 2022.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE: NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application has potential to damage or destroy the interest features for which Hatfield Forest Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) has been notified.

Natural England is working alongside the National Trust in carrying out research into visitor patterns, impacts and mitigation measures to Hatfield Forest SSSI/NNR. To date, this work has included winter and summer visitor surveys and identified a Zone of Influence (Zol) of 14.6km which has been shared with your authority with the view of establishing a strategic solution for visitor impacts to the Forest.

On this basis, this application falls within the currently identified Zol for recreational impacts to Hatfield Forest SSSI, NNR, whereby new housing within this zone is predicted to generate impacts and therefore will be expected to contribute towards mitigation measures, such as a financial contribution.

Whilst we are working towards a strategic solution, Natural England advises that for the purposes of addressing the interim situation, a bespoke mitigation package should be sought for this application, which we suggest is designed in consultation with the National Trust as site managers.

In the absence of a strategic solution, Natural England would not want to see any permissions granted that would create a precedent of acceptability for additional housing developments close to Hatfield Forest SSSI, NNR. As these mitigation are in the process of being defined in a 'mitigation package', we cannot comment further at this stage of the particulars of a future mitigation strategy.

In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required / or the following mitigation options should be secured.

Further advice on mitigation

Hatfield Forest is a National Nature Reserve (NNR). It is nationally designated as a Site of Special Scientific Interest (SSSI) and regarded to be of international importance for its ancient wood pasture-forest habitats. The interest features of these habitats are vulnerable to recreational impacts and within recent years there has been increasing concern regarding the number of visitors. It has been noted that there has been significant increases in visitor numbers, linked to nearby residential development. Both Natural England and the National Trust therefore have concerns regarding the impacts of increasing visitor pressure on the designated site and it is apparent that the current number of visitors is exceeding carrying capacity of some important SSSI habitats and features.

More recently, the National Trust has undertaken visitor surveys to establish a Zone of Influence (Zol) for recreational impacts to Hatfield Forest SSSI, NNR. To date, the results of the winter and summer surveys have indicated a zone of 14.6km radius from the site. Natural England regards this information as material and therefore would anticipate that the application be assessed in the context of these issues and the developing strategic solution. Please note Natural England's Impact Risk Zones have since been updated to reflect this Zol . New residential housing within this Zol therefore is likely to damage the interest features of Hatfield Forest SSSI/NNR and consequently requires further assessment in the context of this development.

The evidence in relation to these joint concerns have been shared with your authority and we wrote to all Local Planning Authorities identified as falling within the Zol to confirm Natural England's position via the letter dated 5th April 2019 and letter dated 24th September 2019 . More recently, a joint letter from Natural England and the National Trust (dated 28th June 2021) has been sent to your Authority outlining the updated position and including the costed Mitigation Strategy prepared by the National Trust. We would direct you to these letters for further information on Natural England's recommended approach. Whilst we are working towards a strategic solution with the relevant Local Planning Authorities Natural England advises that for the purposes of addressing the interim situation, a bespoke mitigation package should be sought for this application, which we suggest is designed in consultation with the National Trust as site managers. Where possible this should be designed in-line with the package of mitigation measures as drafted by the National Trust.

We would take this opportunity to highlight your authorities duties under the Wildlife and Countryside Act 1981 (as amended), notably under section 28G with respect of the SSSI. Appropriate measures, such as the mitigation outlined above, should therefore be taken to ensure

the conservation and enhancement of the SSSI. This is further reflected within paragraphs 174 and 180 of the NPP, whereby authorities should seek to protect and enhance the natural environment, including sites of biodiversity value.

In terms of Local Policy, which in this case is the current adopted Uttlesford DC Local plan (2005), we note that policy ENV7 refers to the protection of the Natural Environment and designated sites. The policy states that "Development proposals that adversely affect areas of nationally important nature concerns, such as Sites of Special Scientific Interest and National Nature Reserves will not be permitted unless the need for development outweighs the particular importance of the nature conservation value of site or reserve...".

On this basis, notwithstanding the current (draft) status of the developing Mitigation Strategy, Natural England would anticipate that mitigation measures, such as an appropriate financial contribution towards measures within Hatfield Forest SSSI/NNR are sought to ensure compliance with the above referenced local and national policies.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

We consider that the provision of 'on-site' measures, within the red line boundary of the site, will be important in helping to reduce the frequency of visits to sensitive designated sites and that they should be effectively designed to provide both the quantity and quality required. We would advise that as the Local Planning Authority, an assessment should be made as to whether the on-site provision, such as green infrastructure is sufficient to provide mitigation, prior to the determination of this application.

For areas of green infrastructure, we would generally advise that these should include elements, such as the following:

- High-quality, informal, semi-natural areas
- Circular dog walking routes of >2.7 km and/or with links to surrounding public rights of way (PRoW)
- Dedicated 'dogs-off-lead' areas
- Signage/leaflets to householders to promote these areas for recreation
- Dog waste bins etc.

Notwithstanding this, the unique draw of the identified designated site means that even well-designated, 'on-site' provisions are unlikely to fully mitigate impacts. Natural England therefore agrees that it is appropriate to consider the agreement of 'off-site' mitigation measures (outside of the red line boundary). As stated, the development of a strategic solution is currently underway which will include a mitigation package, though this has not yet been developed. As per the 'on-site' measures, Natural England would therefore recommend in the interim period, until these strategic mitigation measures have been identified, that a suitably worded planning condition or obligation is attached to any planning permission. We would recommend discussion in correspondence with the National Trust as site managers to determine appropriate and proportionate mitigation for this application.

Natural England therefore advises that permission should not be granted until such time as these

Page 3 of 5

mitigation measures have been assessed and secured through the appropriate means. We would be happy to comment further as the need arises.

Local authorities have responsibilities towards the conservation of SSSIs under [s28g of the Wildlife & Countryside Act \(1981 as amended\)](#), and your biodiversity duties under [s40 of the NERC Act 2006](#). If you have not already done so, we recommend that you ensure that sufficient information in the form of an SSSI impact assessment report or equivalent is built into the planning application validation process.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Other advice

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity)
- local landscape character
- local or national biodiversity priority habitats and species.

Natural England does not hold locally specific information relating to the above. These remain material considerations in the determination of this planning application and we recommend that you seek further information from the appropriate bodies (which may include the local records centre, your local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document in order to ensure the LPA has sufficient information to fully understand the impact of the proposal before it determines the application. A more comprehensive list of local groups can be found at [Wildlife and Countryside link](#).

Protected Species

Natural England has produced [standing advice](#)¹ to help planning authorities understand the impact of particular developments on protected species. We advise you to refer to this advice. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Environmental gains

Development should provide net gains for biodiversity in line with the NPPF paragraphs 174(d), 179 and 180. Development also provides opportunities to secure wider environmental gains, as outlined in the NPPF (paragraphs 8, 73, 104, 120, 174, 175 and 180). We advise you to follow the mitigation hierarchy as set out in paragraph 180 of the NPPF and firstly consider what existing environmental features on and around the site can be retained or enhanced or what new features could be incorporated into the development proposal. Where onsite measures are not possible, you should consider off site measures. Opportunities for enhancement might include:

- Providing a new footpath through the new development to link into existing rights of way;
- Restoring a neglected hedgerow;
- Creating a new pond as an attractive feature on the site;
- Planting trees characteristic to the local area to make a positive contribution to the local landscape;
- Using native plants in landscaping schemes for better nectar and seed sources for bees and

¹ <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

- birds;
- Incorporating swift boxes or bat boxes into the design of new buildings;
- Designing lighting to encourage wildlife;
- Adding a green roof to new buildings;

Natural England's [Biodiversity Metric 3.0](#) may be used to calculate biodiversity losses and gains for terrestrial and intertidal habitats and can be used to inform any development project. For small development sites the [Small Sites Metric](#) may be used. This is a simplified version of [Biodiversity Metric 3.0](#) and is designed for use where certain criteria are met. It is available as a beta test version.

You could also consider how the proposed development can contribute to the wider environment and help implement elements of any Landscape, Green Infrastructure or Biodiversity Strategy in place in your area. For example:

- Links to existing greenspace and/or opportunities to enhance and improve access;
- Identifying opportunities for new greenspace and managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips);
- Planting additional street trees;
- Identifying any improvements to the existing public right of way network or using the opportunity of new development to extend the network to create missing links;
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition or clearing away an eyesore);

Natural England's [Environmental Benefits from Nature tool](#) may be used to identify opportunities to enhance wider benefits from nature and to avoid and minimise any negative impacts. It is designed to work alongside [Biodiversity Metric 3.0](#) and is available as a beta test version.

Biodiversity duty

Your authority has a [duty](#) to have regard to conserving biodiversity as part of your decision making. Conserving biodiversity can also include restoration or enhancement to a population or habitat. Further information is available [here](#)

This concludes Natural England's advice at this stage which we hope you will find helpful.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

Subject: [External] UTT/22/0152/DFO - Land West Of Parsonage Road Takeley CM22 6RJ
Date: 27 January 2022 16:14:08

Thank you for consulting Sport England on the above application.

The proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

General guidance and advice can however be found on our website:

https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications

If the proposal involves the **loss of any sports facility** then full consideration should be given to whether the proposal meets Par. 97 of National Planning Policy Framework (NPPF), link below, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a **new sports facility**, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes:

<http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If the proposal involves the provision of additional **housing** (then it will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then new and/or improved sports facilities should be secured and delivered in accordance with any approved local policy for social infrastructure, and priorities set out in any Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how **any new development**, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/how-we-can-help/facilities-and-planning/design-and-cost-guidance/active-design>

Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.

Yours sincerely,

Planning Administration Team

Planning.central@sportengland.org

Subject: [External] App Ref: UTT/21/3269/DFO: Land To The North West Of Henham Road, Elsenham
Date: 30 March 2022 16:52:57

For the attention of Henrietta Ashun
Dear Ms. Ashun

App Ref: UTT/21/3269/DFO: Land To The North West Of Henham Road, Elsenham (Sport England Ref: PA/21/E/UT/60088)

Thank you for consulting Sport England on the amended plans and information that have been submitted in relation to the above application. Since our formal response dated 26th November 2021 was submitted the applicant has engaged with Sport England to address some of the comments made in this previous response focused around the sports ground layout and the pavilion design. Following consideration of the amended plans I can advise that the comments made in our previous response about the sports ground layout and the pavilion design have been substantially addressed and that the proposed design of both the sports ground and the pavilion is broadly welcomed.

However, I would wish to make the following advisory comments based on the amended plans:

Sports Ground Layout:

- *5v5 Mini Football Pitches:* While the principle of showing how two 5v5 mini football pitches could be overlaid over the 7v7 football pitch is welcomed, as there would be a run-off area of only around 1 metre between the two 5v5 pitches, only one of the pitches could be used at any one time for safety reasons unless the run-off area between the pitches was extended to 6 metres. It is difficult to see how this could be achieved without reducing the size of the NEAP

Pavilion Design and Layout:

- *Officials Changing Area:* To meet current Football Foundation/Sport England guidance, the changing area within the officials changing rooms needs to be at least 6 sq.m and this needs to exclude areas of the changing room that cannot be used for changing. As the 6 sq.m identified in each changing room includes the area behind the entrance door and the drying off area which cannot be used for changing, the area available for changing is closer to 4 sq.m in practice. Consideration should therefore be given to whether the layout can be amended to enlarge the officials changing rooms to allow 6 sq.m that is suitable for changing.
- *Team Changing Rooms:* While it has been explained by the applicant in the covering letter that 4 changing rooms have been proposed to meet the requirements of the section 106 agreement, the need for 4 changing rooms is questioned given that the site only has potential to be used for junior and mini football where no more than 2 changing rooms would realistically be expected to be used in practice. The space saved by potentially removing two changing rooms could be used to provide other facilities that would support the operation of the pavilion and meet the needs of the users.

Ball Stop Fencing: The proposal to increase the height of the weldmesh fencing around the perimeter of the sports ground from 2.5m to 3m is welcomed although 3m is still not considered to be sufficiently high to address ball stop especially behind the goals to the north of the sports ground. The Football Association recommend that 4.5 metre high fencing is provided to provide adequate ball stop.

Relationship with adjoining Cricket Ground: The proposal to indicate a potential gate access to the disused cricket ground site to the south of the sports ground is welcomed and positively responds to comments made in our previous response.

Football Pitch Construction and Design: Our previous comments would still apply. This can be addressed through the imposition of the following planning condition which is based on condition 10a of our model conditions schedule:

- (a) *No development of the natural turf playing field shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England:*
- (i) *A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and*
 - (ii) *Based on the results of the assessment to be carried out pursuant to (i) above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The*

scheme shall include a written specification of soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

- (b) *The approved scheme shall be carried out in full and in accordance with a timeframe agreed with the Local Planning Authority. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.*

*Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose and to accord with Development Plan Policy **.*

Informative: The applicant is advised that the scheme should comply with the relevant industry Technical Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to 'Natural Turf for Sport' guidance note.

Interim Sports Pitch Maintenance: Our previous comments would still apply. This can be addressed through the imposition of the following planning condition which is based on condition 10a of our model conditions schedule

No development of the natural turf playing field shall commence until a schedule of playing field maintenance including a programme for implementation covering the period prior to handover to the management body has been submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. Following practical completion of natural turf playing field the approved schedule shall be complied with in full.

*Reason: To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose and to accord with Development Plan Policy **.*

Informative: It is recommended that the maintenance schedule and programme for implementation is developed by a specialist turf consultant. The applicant should be aiming to ensure that any new or replacement playing field is fit for its intended purpose and should have regard to Sport England's technical Design Guidance Note entitled 'Natural Turf for Sport' (2011) and relevant design guidance of the National Governing Bodies for Sport e.g. performance quality standards produced by the relevant pitch team sports, for example the Football Association.

I can therefore confirm that **our position on the application remains as set out in our original response dated 26th November 2021 as supplemented by this response.**

We would be grateful if you would advise us of the outcome of the application in due course by forwarding a copy of the decision notice. Please contact me if you have any queries.

Yours sincerely
Roy Warren
Planning Manager



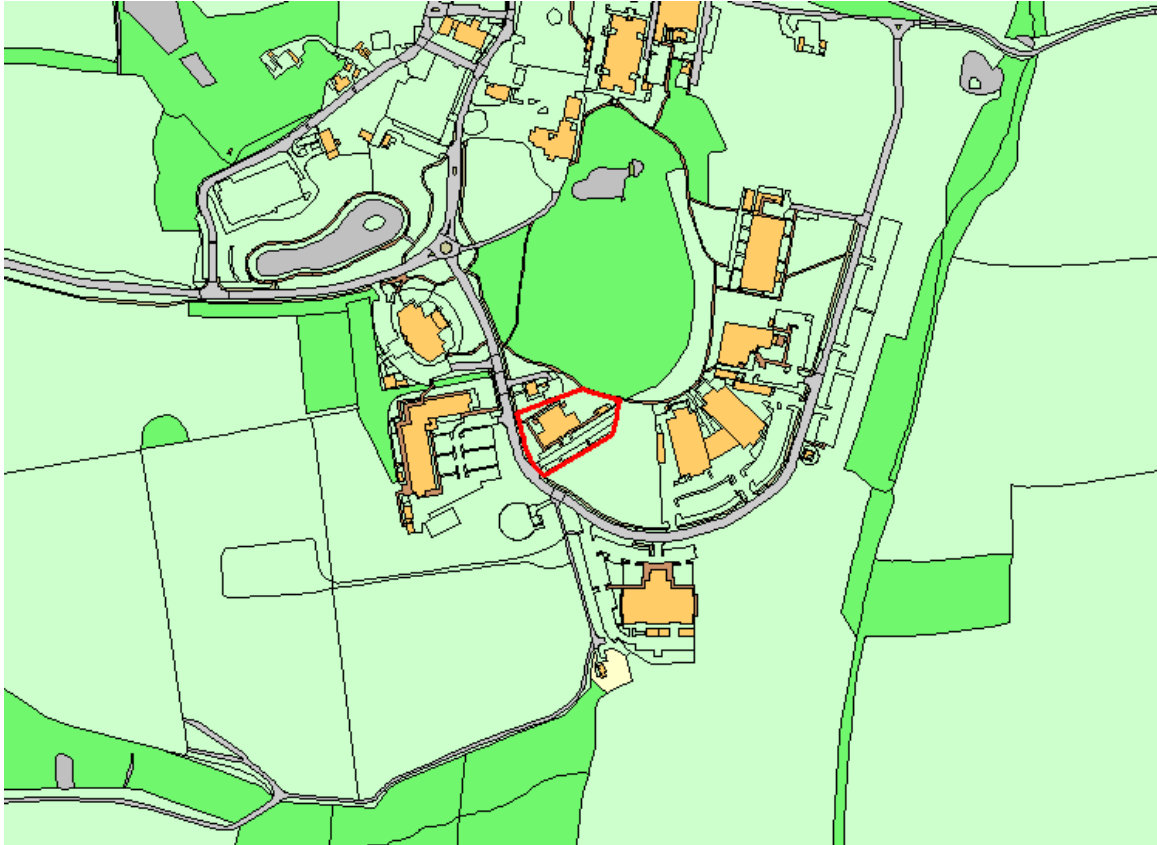
ITEM NUMBER: 5

PLANNING COMMITTEE DATE: 27 April 2022

REFERENCE NUMBER: UTT/21/3735/FUL

LOCATION: THE TRINITY BUILDING, B400, CHESTERFORD PARK, LITTLE CHESTERFORD

SITE LOCATION PLAN:



**© Crown copyright and database rights 2021 Ordnance Survey 0100018688
Organisation: Uttlesford District Council. Date: 23rd March 2022**

PROPOSAL: Proposed reconfiguring of building into additional laboratory space and office usage.

Proposed features to be added exterior:

Exterior doors to front of building, next to main entrance,
Exterior Door to the kitchen area to rear of building, presently a window,
Installing a pergola to the rear of the building
Laying a patio under pergola

S73 retrospective application for:

Enclosing the existing cycle shed to use as storage space and adding a cycle shed cover from cycle shed
Fenced plant enclosure to rear of the building to secure generator, additional plant required for labs and paved pathway from the rear to the front of the building.

APPLICANT: Mr Robert Tompkins (Cambridge Epigenetix)

AGENT: N/A

EXPIRY DATE: 10 March 2022

EOT Expiry Date 29 April 2022

CASE OFFICER: Chris Tyler

NOTATION: Chesterford Park Boundary,
Safeguarding Employment Land,

REASON THIS APPLICATION IS ON THE AGENDA: Application site part owned by UDC.

1. EXECUTIVE SUMMARY

1.1 The application considers both proposed development and retrospective development to the Trinity Building (B400). The proposed works including the internal reconfiguration and introduction of staff outdoor space, pergola and new access doors are considered appropriate in terms of the character of the appearance of the existing building and application site.

1.2 The retrospective development including enclosing of the existing cycle shed, introduction of new cycle shelter, fenced enclosure, gas cabinet/ cages and paved pathway. The external appearance of the retrospective works are considered to be in compatible with the overall character and appearance of the existing building and Research Park.

1.3 From the information submitted and observations during the case officers site visit the proposal will not result in any harm to protected sites, habitats or protected and priority species.

2. **RECOMMENDATION**

2.1 That the Interim Director of Planning and Building Control be authorised to **GRANT** permission for the development subject to those items set out in section 17 of this report.

3. **SITE LOCATION AND DESCRIPTION:**

3.1 The application relates to the Trinity Building (B400) located to the southern section of buildings that are included within Chesterford Research Park. To the east of the building is a detached storage building.

4. **PROPOSAL**

4.1 This application seeks planning permission for the proposed reconfiguring of building into additional laboratory space and office usage. The proposed external works include, exterior doors to front of building, next to main entrance, exterior Door to the kitchen area to rear of building, presently a window, construction of pergola to the rear of the building and laying a patio under pergola

4.2 This application also seeks retrospective planning permission to enclose the exiting cycle shed and use as storage space, adding a cycle shelter. Also included is a 1.5m high fenced enclosure to rear of the building to secure the generator, additional plant and cover required for the labs and paved pathway from the rear to the front of the building.

5. **ENVIRONMENTAL IMPACT ASSESSMENT**

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

6. **RELEVANT SITE HISTORY**

6.1

Reference	Proposal	Decision
UTT/1622/05/FUL	Proposed erection of new building for B1 use	Approved

UTT/13/2652/FUL	Retrospective application for extraction flue and associated ducting and grill/louvre	Approved
-----------------	---	----------

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 The application did not include any pre application advice from the Council or consultation exercise carried out by the applicant.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 N/A

9. PARISH COUNCIL COMMENTS

9.1 No comments received.

10. CONSULTEE RESPONSES

10.1 UDC Environmental Health

10.1.1 No objections of further recommendations made.

11. REPRESENTATIONS

11.1 12 notifications letters were sent to nearby properties.

11.2 Support

11.2.1 N/A

11.3 Object

11.3.1 N/A

11.4 Comment

11.4.1 No representations received.

12. MATERIAL CONSIDERATIONS

12.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the "Considerations and Assessments" section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

12.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

(a) The provisions of the development plan, so far as material to the application,;

(aza) a post-examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

12.3 The Development Plan

- 12.3.1** Essex Minerals Local Plan (adopted July 2014)
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
Uttlesford District Local Plan (adopted 2005)
Felsted Neighbourhood Plan (made Feb 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)
Thaxted Neighbourhood Plan (made February 2019)

13. POLICY

13.1 National Policies

- 13.1.1** National Planning Policy Framework (2021)

13.2 Uttlesford District Plan 2005

Policy S5- Chesterford Park Boundary
Policy E2 - Safeguarding Employment Land,
Policy GEN2 – Design
Policy GEN4 – Good neighbourliness
Policy ENV11 – Noise Generators

13.3 Emerging Great and Little Chesterford Neighbourhood Plan

Post Regulation 14 Publication - very limited weight attached.

13.4 Supplementary Planning Document or Guidance

Essex Design Guide
Uttlesford Interim Climate Change Policy (2021)

14. CONSIDERATIONS AND ASSESSMENT

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

14.2 A) Whether the development adversely impact the character and

appearance of the locality and is acceptable in size, scale and design

B) Whether the development adversely impacts neighbouring residential amenity

C) Impact on biodiversity

14.3 A) Whether the development adversely impact the character and appearance of the locality and is acceptable in size, scale and design

14.3.1 Policy S5 of the Uttlesford Local Plan states that Chesterford Park Research and Development is defined as a developed site in the countryside. Facilities for research and development will be permitted within these boundaries if they are in accordance with this Plan.

14.3.2 The proposed development includes changes to the internal configuration of the building to provide additional laboratory space. The proposed external works include introduction of additional entrance door next to the main access to the building. Introduction of external paved area and pergola for staff use and installation and replacing the existing window with a door to provide access to the new outdoor area. The external appearance of the proposed works are considered to be compatible with the existing building and in character with the overall character and appearance of the Research Park therefore in accordance with the relevant Local Plan Policies and the NPPF regarding good design.

14.3.3 The retrospective development includes enclosing the side section of the existing cycle shed to provide additional storage area. Introduction of a covered cycle shed area. The external appearance of the retrospective works to the storage building and cycle shed are considered to be in compatible with the overall character and appearance of the existing building and Research Park therefore in accordance with the relevant Local Plan Policies and the NPPF regarding good design.

14.3.4 Further retrospective works include the construction of a fenced plant enclosure to rear of the building, mechanical and electrical plant cover, gas cage and paved area. The fence area will provided safe and secure area for the existing generator and gas cage. The external appearance of the retrospective works are considered to be in compatible with the overall character and appearance of the existing building and Research Park therefore this too is also in accordance with the relevant Local Plan Policies and the NPPF regarding good design.

14.4 B) Whether the development adversely impacts neighbouring residential amenity

- 14.4.1** ULP Policy ENV11 advises noise generated from development will not be permitted if it is liable to affect adversely the reasonable occupation of existing noise sensitive development nearby, this is also consistent with the aims of ULP Policies GEN2 and GEN4.
- 14.4.2** The Council's Environmental Health Officer has been consulted as part of the planning application, no objections or further recommendations have been made. As such is considered the proposed and retrospective development would not adversely impact the neighbouring businesses in terms of noise and disturbance. The proposed development is therefore in accordance with Local Plan Policies GEN2, GEN4 and ENV11.

14.5 C) Impact on biodiversity

- 14.5.1** Policy GEN7 and Paragraph 179 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.
- 14.5.2** The applicant has completed the Biodiversity Validation Checklist and confirmed that no protected sites and habitats or protected and priority species will be harmed by the development. The application site consists of the immediate area around the main building and includes landscapes areas currently in use. From the case officer site visit the proposal does not trigger the requirement of further ecology surveys and as such the development is in accordance with ULP Policy GEN7 and the NPPF.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

- 15.1.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.
- 15.1.2** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 15.1.3** Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

15.2 Human Rights

15.2.1 There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) 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.

16. CONCLUSION

16.1 The proposed development and retrospective development is acceptable in terms of size, scale and design and would not adversely impact the character and appearance of the locality therefore comply with ULP Policies S5, E2 and GEN2 and the NPPF.

16.2 The development due to its location and nature would not adversely impact the amenity of neighbouring occupiers complying with ULP GEN2, GEN4, and ENV11.

16.3 The development will not result in any harm to protected sites and habitats or protected and priority species, therefore in accordance with ULP Policy GEN7 and the NPPF.

16.4 As such taking into consideration the assessment of the proposed and retrospective development the application is recommended for approval subject to conditions.

17. CONDITIONS

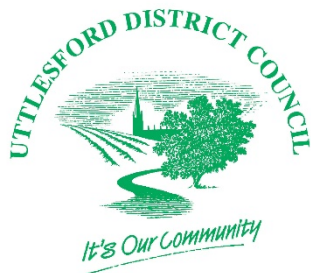
1 The proposed development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans, unless otherwise agreed in writing by the local planning authority:

- Site and Location Plan - 931-400-LP1
- Existing and Proposed Floor Plan - 4212_2021 01 E

REASON: To provide further certainty and clarity that the development should be constructed in accordance with the plans assessed as part of the application, and to allow the plans to be later varied if needed in order to facilitate the delivery of the development, in accordance with the provisions of s96a of the Town and Country Planning Act 1990, as amended.



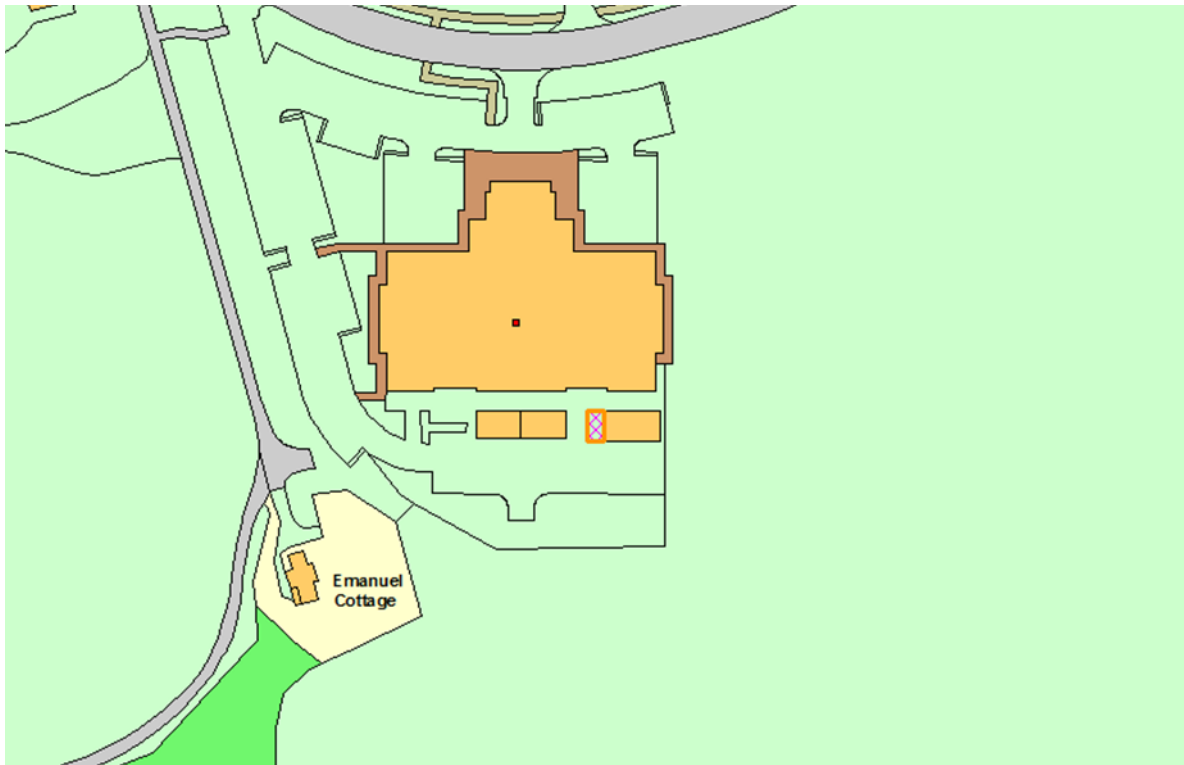
ITEM NUMBER: 6

PLANNING COMMITTEE DATE: 27 April 2022

REFERENCE NUMBER: UTT/22/0326/FUL

LOCATION: EMMANUEL BUILDING, CHESTERFORD PARK,
LITTLE CHESTERFORD

SITE LOCATION PLAN:



© Crown copyright and database rights 2021 Ordnance Survey 0100018688
Organisation: Uttlesford District Council. Date: 23rd March 2022

PROPOSAL: Proposed installation of FFN Generator and erection of louvered enclosure

APPLICANT: Mr David Greenwood (Illumina Cambridge Ltd)

AGENT: Mrs Lucy Palmer (Ingleton Wood LLP)

EXPIRY DATE: 5 April 2022

EOT Expiry Date: 29 April 2022

CASE OFFICER: Chris Tyler

NOTATION: Chesterford Park Boundary, Safeguarding Employment Land

REASON THIS APPLICATION IS ON THE AGENDA: Application site part owned by UDC

1. EXECUTIVE SUMMARY

1.1 This application is in regard to the installation of a backup generator and enclosure area. The generator will be located next to the existing outbuilding to the south of the main building and will include louvered screen enclosure. The enclosure is considered to compatible with the existing building and character of the site.

1.2 The proposed generator will provide backup power supply to the Emmanuel Building and will only be used in the event of power failure. The proposal will not result in any harm to occupiers of neighbouring buildings in terms of noise or disturbance and a condition is included for a post completion noise survey.

1.3 From the information submitted and observations during the case officers site visit the proposal will not result in any harm to protected sites, habitats or protected and priority species.

2. RECOMMENDATION

2.1

That the Interim Director of Planning and Building Control be authorised to GRANT permission for the development subject to those items set out in section 17 of this report.
--

3. SITE LOCATION AND DESCRIPTION:

3.1 The application relates to the Emmanuel Building located to the south of the cluster of buildings that are included within Chesterford Research Park. The building includes a number of existing out buildings to the south of the main building.

4. PROPOSAL

4.1 This application is in regard to the installation of a backup generator and enclosure area. The generator will be located next to the existing outbuilding to the south of the main building and will include louvered screen enclosure. The enclosure will include 2.12m high powdered coated steel panels and will have footprint of 6.4m by 4.5m

5. ENVIRONMENTAL IMPACT ASSESSMENT

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

6. RELEVANT SITE HISTORY

6.1

Reference	Proposal	Decision
UTT/1881/04/FUL	Proposed B1 research and development building	Approved
UTT/0214/06/FUL	Erection of lobbies to new building approved under reference UTT/1881/04/FUL	Approved
UTT/14/2495/CLP	Alterations to out buildings and use in association with existing B1 use of main building.	Approved

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 The application did not include any pre application advice from the Council or consultation exercise carried out by the applicant.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 N/A

9. PARISH COUNCIL COMMENTS

9.1 No comments received

10. CONSULTEE RESPONSES

10.1 UDC Environmental Health

10.1.1 No objections of further recommendations made.

11. **REPRESENTATIONS**

11.1 12 notifications letters were sent to nearby properties.

11.2 **Support**

11.2.1 N/A

11.3 **Object**

11.3.1 N/A

11.4 **Comment**

11.4.1 No representations received.

12. **MATERIAL CONSIDERATIONS**

12.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

12.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

(a)The provisions of the development plan, so far as material to the application:

(aza) a post-examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

12.3 **The Development Plan**

12.3.1 Essex Minerals Local Plan (adopted July 2014)
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
Uttlesford District Local Plan (adopted 2005)
Felsted Neighbourhood Plan (made Feb 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)

Thaxted Neighbourhood Plan (made February 2019)

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (2021)

13.2 Uttlesford District Plan 2005

13.2.1 Policy S5- Chesterford Park Boundary
Policy E2 - Safeguarding Employment Land
Policy GEN2 – Design
Policy GEN4 – Good neighbourliness
Policy ENV11 – Noise Generators

13.3 Great and Little Chesterford Neighbourhood Plan

13.3.1 Post Regulation 14 Publication- very limited weight attached.

13.4 Supplementary Planning Document or Guidance

13.4.1 Essex Design Guide
Uttlesford Interim Climate Change Policy (2021)

14. CONSIDERATIONS AND ASSESSMENT

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

14.2 A) Whether the development adversely impact the character and appearance of the locality and is acceptable in size, scale and design

B) Whether the development adversely impacts neighbouring residential amenity

C) Impact on biodiversity

14.3 A) Whether the development adversely impact the character and appearance of the locality and is acceptable in size, scale and design

14.3.1 Policy S5 of the Uttlesford Local Plan states that Chesterford Park Research and Development is defined as a developed site in the countryside. Facilities for research and development will be permitted within these boundaries if they are in accordance with this Plan.

14.3.2 The proposal relates to the installation of the generator to be, located next to the existing outbuildings to the south of the main building. The external appearance of the enclosure is considered to be compatible

with the existing buildings, whilst the scale of the enclosure will make a modest introduction that would be appropriate for this location and therefore in accordance with the relevant Local Plan Policies and the NPPF regarding good design.

14.4 B) Whether the development adversely impacts neighbouring residential amenity

14.4.1 ULP Policy ENV11 advises noise generated from development will not be permitted if it is liable to affect adversely the reasonable occupation of existing noise sensitive development nearby, this is also consistent with the aims of ULP Policies GEN2 and GEN4.

14.4.2 The Council's Environmental Health Officer has been consulted as part of the planning application and does not make any objection to the proposed development, specifically the noise generated by the generator unit. A condition has been recommended for the submission of post completion noise survey should be undertaken. If the noise levels are predicted to be in excess of 10 dB(A) above background noise levels a noise mitigation shall be implemented.

14.4.3 As such with the imposition of the recommended noise condition the proposal is considered appropriate in this location and would not adversely impact the neighbouring businesses. The proposed development is therefore in accordance with Local Plan Policies GEN2, GEN4 and ENV11.

14.5 C) Impact on biodiversity

14.5.1 Policy GEN7 and Paragraph 179 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.

14.5.2 The applicant has completed the Biodiversity Validation Checklist and confirmed that no protected sites and habitats or protected and priority species will be harmed by the development. The site includes hardstanding serving the existing main building and the outbuildings. From the case officer's site visit the proposal does not trigger the requirement of further ecology surveys and as such the development is in accordance with ULP Policy GEN7 and the NPPF.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

15.1.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have

due regard to the advancement of equality in the exercise of its powers including planning powers.

15.1.2 The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

15.1.3 Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

15.2 Human Rights

15.2.1 There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) 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.

16. CONCLUSION

16.1 The proposed development and retrospective development is acceptable in terms of size, scale and design and would not adversely impact the character and appearance of the locality therefore comply with ULP Policies S5, E2 and GEN2 and the NPPF.

16.2 The development would not adversely impact the amenity of neighbouring occupiers, subject to a condition on noise therefore complying with ULP GEN2, GEN4, and ENV11.

16.3 The development will not result in any harm to protected sites, habitats or protected and priority species, therefore in accordance with ULP Policy GEN7 and the NPPF.

16.4 As such taking into consideration the assessment of the proposed development the application is recommended for approval subject to conditions.

17. 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 first operation of generator hereby approved a post completion noise survey must be submitted to and approved in writing by the Local Planning Authority. This assessment shall be undertaken by a suitably competent person.

Where the proposed or actual plant and equipment noise levels are predicted to be in excess of 10 dB(A) above background noise levels a noise mitigation scheme shall be implemented.

The development shall thereafter be carried out as approved unless agreed in writing with the Local Planning Authority

REASON: To ensure the development does not have any harmful impact to the surrounding properties with regards to noise and disturbance in accordance with ULP Policies GEN4 and ENV11.

- 3** The development hereby permitted shall be carried out in accordance with the following approved plans, unless otherwise agreed in writing by the local planning authority:

- Location Plan - 112011-IW-ZZ-ZZ-DR-A-2001 P01
- Enclosure Plan- 112011-IW-ZZ-ZZ-DR-A-2050

REASON: To provide further certainty and clarity that the development should be constructed in accordance with the plans assessed as part of the application, and to allow the plans to be later varied if needed in order to facilitate the delivery of the development, in accordance with the provisions of s96a of the Town and Country Planning Act 1990, as amended.

Late List –Planning Committee 27/04/22

This document contains late items received up to and including the end of business on the Friday before Planning Committee. The late list is circulated at 2.00pm on the Monday prior to Planning Committee. This is a public document and it is published with the agenda papers on the UDC website.

Item Number	Application reference number	Comment
3	UTT/21/3269/DFO	Final comments have been received from the Highway Authority, raising no objection to the scheme. Full comments are as follows:

Your Ref: UTT/21/3269/DFO
Our Ref: TST/SD/KMW/4B
Date:- 20/04/2022



Essex County Council

Andrew Cook
Director of Highways and Transportation

CC: by email Cllr Gooding
Essex Highways Development Management

To: Uttlesford District Council
Assistant Director Planning & Building Control
Council Offices
London Road
SAFFRON WALDEN
Essex CB11 4ER

County Hall
Chelmsford
Essex CM1 1QH

Response

Application No. UTT/21/3269/DFO
Applicant Bloor Homes C/o Pegasus Group
Site Location Land To The North West Of Henham Road Elsenham
Proposal Approval of reserved matters (layout, scale, appearance and landscaping) relating to outline application UTT/17/3573/OP for the erection of 350 dwellings, internal roads, open space and sports pitch provision, other associated infrastructure including that required to serve future primary school and early years facility and siting of sports pavilion

This response supersedes the highway response dated the 18/01/2022

The Highway Authority assessed the layout of the development originally submitted and made a number of comments. Revised plans and additional information have been provided by the applicant to address these comments. The revised layout has been tested against the swept path analysis for a 10.3m refuse vehicle, visibility splays are satisfactory, details of the cycle connection have been provided and the parking and area around the school land has been adjusted and walking and cycling routes been provided. The visitor parking meets the Essex Parking Standards and although not distributed evenly around the site, from a highway perspective is unlikely to cause a safety hazard.

From a highway and transportation perspective the impact of the proposal as shown in drawing Number P21-029-37 REV T dated 20/04/22 is acceptable to the Highway Authority subject to the following mitigation and conditions:

		<ol style="list-style-type: none"> 1. Dwellings shall not be occupied until such time as their associated vehicle parking area indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority. Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the 2. Dwellings shall not be occupied until such time as their associated cycle parking indicated on the approved plans, has been provided in accordance with the EPOA Parking Standards. Reason: To ensure appropriate bicycle parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011. 3. Prior to beneficial use of the sports pavilion cycle parking shall be provided in accordance with the EPOA Parking Standards. In addition, cycle parking for 4 cycles shall be provided at the LEAP. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times. Reason: To ensure appropriate cycle 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. 4. Prior to construction of the road layout, a scheme of traffic calming appropriate for a 20mph road to be submitted to the highway authority and the approved scheme to be implemented in conjunction with the road layout. Reason: To provide a low-speed environment in the residential area in interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011. <p>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.</p>
--	--	---

		<p>Informatives:</p> <ul style="list-style-type: none">(i) The area around the school land will be subject to detailed design which may include Traffic Regulation Orders, parking restrictions and crossings as well signing and lining to ensure safe access for the pupils and residents.(ii) All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.(iii) Any signal equipment, structures and non-standard materials proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for a period of 15 years following construction. To be provided prior to the issue of the works licence.(iv) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to SMO2 -
--	--	--

Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford.
CM2 5PU.

- (v) Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
- (vi) The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.
- (vii) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.
- (viii) The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over PROW no. 13/21 shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.



pp. Director for Highways and Transportation
Enquiries to Katherine Wilkinson
Internet: www.essex.gov.uk
Email: Katherine.wilkinson@essex.gov.uk

	<p><u>Additional representations</u></p> <p>Late Representations have been received from Elsenham Parish Council requesting that Section 9 of the Officers report is withdrawn, as it does not represent the Parish views following the submission of amended plans.</p> <p>Please note that Section 9.1 of the report refers to a summary of Elsenham Parish Council objections. These were updated in March/April 2022 representations following re-consultation of amended plans. Please see below a summary of the March/April objections, which can supplement Section 9.1 of the report:</p> <p>Please note that these relate to amended objections, following major revisions by the applicant. As a consequence, 4 sections have been deleted, 12 have been revised and 6 remain unaltered. The sequence has been amended and the representations divided into two parts (major objections and other considerations). 1 appendix has been deleted and 1 appendix has been added. The representation is detailed extending 58 pages in total with the appendices and 16 pages without. A summary of the detailed objection is as follows:</p> <p>MAJOR OBJECTIONS</p> <ol style="list-style-type: none"> 1. Garden sizes 2. Resident parking 3. Visitor vehicle parking 4. Visitor cycle parking 5. Number of storeys 6. Recreational walking 7. Tree maintenance 8. Pond 9. Access via Hailes Wood <p>OTHER CONSIDERATIONS</p> <ol style="list-style-type: none"> 10. Community involvement 11. Plans 12. Housing mix 13. Design 14. Sports pavilion 15. Roads within the development
--	--

		<p>16. Speed limit 17. Community Hall 18. Phasing Plan 19. Miscellaneous</p> <p>In conclusion to the major objections <i>“is that the site cannot sustain the proposed number of 350 dwellings and that a revised application should be submitted”</i></p> <p><i>“EPC takes the view that the applicants have not demonstrated that 350 dwellings can reasonably be accommodated, and that the proposals should be reconsidered accordingly”.</i></p> <p><u>Additional Information/amendments</u></p> <p>The applicant has submitted amended plans for consistency. This includes a site layout plan which highlights the changes undertaken following a meeting with UDC Design Officer in March 2022.</p> <p>An updated parking and garden space schedule has been provided for each unit.</p> <p><u>Relevant updates to the report</u></p> <p>The site location plan on the front sheet of the committee report relates to the application site and the wider access. Please note that the access is owned by the applicant and has already been subject to reserved matters approval. The reserved matters excludes the access as is shown on the originally submitted plans.</p> <p>Paragraph 3.2: The PROW transverses the access and is thus outside of the Reserved Matters application.</p> <p>Paragraph 14.6.13: The applicant is proposing on-plot EV charging points, and 5 additional charging points for visitor use.</p> <p>Paragraph 14.6.5: Plot 312 now has a shortfall of 6 sqm.</p> <p>Paragraph 14.8.3: The applicant is proposing 9v9 pitch (in accordance with the Section106) and one extra 7v7 pitch that can also be used as a 5v5 pitch.</p>
--	--	--

		<p>Paragraph 14.8.5: The Landscaping Officer comments have now been addressed by way of amended plans.</p> <p><u>Additional conditions</u> are as follows:</p> <ol style="list-style-type: none"> I. Notwithstanding the details of materials shown on the Materials Plan (P21-0295_28 Rev F) hereby approved, no above ground construction shall take place until additional detail confirming type, colour and manufacturer have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details. REASON: In the interests of the appearance of the development, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the NPPF. II. Prior to beneficial use of the sports pavilion cycle parking shall be provided in accordance with the EPOA Parking Standards. In addition, cycle parking for 4 cycles shall be provided at the LEAP. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times. Reason: To ensure appropriate cycle 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 and Policies GEN1 and GEN8 of the Uttlesford Local Plan 2005. III. Prior to construction of the road layout, a scheme of traffic calming appropriate for a 20mph road to be submitted to the highway authority and the approved scheme to be implemented in conjunction with the road layout. Reason: To provide a low-speed environment in the residential area in interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and Policies GEN1 and GEN8 of the Uttlesford Local Plan 2005. IV. Dwellings shall not be occupied until such time as their associated cycle parking indicated on the approved plans, has been provided in accordance with the EPOA Parking Standards. Reason: To ensure appropriate bicycle parking is provided In
--	--	--

		<p>accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and Policies GEN1 and GEN8 of the Uttlesford Local Plan 2005.</p> <p>V. No development shall be occupied until confirmation has been provided that either:- all sewage works upgrades required to accommodate the additional flows from the development have been completed; or - a development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Reason: Sewage Treatment Upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents, in accordance with Policies GEN3 and GEN6 of the Uttlesford Local Plan 2005.</p>
4	UTT/22/0152/DFO	<p>Late representations Comments from Takeley Parish Council received 22.04.22</p> <p><i>'The Parish Council acknowledges the landscaping and design changes in response to our previous comments. Landscape, public open space and play space elements are supported. The general layout and colour palette is also supported, with the exception of two aspects of concern:</i></p> <p>1) <i>We do not support the location and height of the apartment block, which would be on the highest ground, and we feel it will dominate the street scene. We agree with the urban design comments that the apartment block would be better located in a central square within the development and should be 2.5 storey not 3-storey.</i></p> <p>2) <i>The officer's report says that the Parish Council would like more bungalows, however, our comment was specifically about plots 17 and 18, a pair of semi-detached 2-storey houses which we feel will overshadow the existing bungalows adjacent to the development and will be out of place in the grouping of bungalows within the new development.</i></p>

		<p><i>Should the committee be minded to approve the application, we request planning conditions to prevent airport fly-parking and to provide an enhanced resident travel pack to encourage use of public transport'.</i></p> <p><u>Late consultee comments</u> MAG Aerodrome Safeguarding Group have provided their response (dated 20.04.22) to the updated Bird Hazard Management Plan (BHMP) they have now removed their objection and consider the scheme is 'fit-for-purpose' however two further amendments have been requested.</p> <p><u>Amendments</u> The applicant's Bird Hazard Management Plan has been updated to incorporate the following two points requested by the MAG Aerodrome Safeguarding Group:</p> <ul style="list-style-type: none"> • The level of monitoring stated has been increased to at least once a week during the gull breeding season (from mid-April to mid-June). • The following sentence has been added 'Should the potential of an increased birdstrike risk be identified by any element of the development, then a meeting between the airport, the site owner and the Local Planning Authority will be convened at the earliest opportunity to discuss how the situation can be resolved'.
5	UTT/21/3735/FUL	None
6	UTT/22/0326/FUL	None

Note – The purpose of this list is to draw Members attention to any late changes to the officer report or late letters/comments/representations. Representations are not reproduced in full they are summarized

Late items from **STATUTORY CONSULTEES** are reproduced in full.