

UTT/18/3370/OP

(Development exceeds 5 dwellings in the rural areas)

PROPOSAL: Outline application with all matters reserved except access for the demolition of existing buildings and the erection of up to 9 dwellings and associated development.

LOCATION: Land South of The Farmhouse, Old Mead Road, Henham

APPLICANT: Elsenham Nurseries and Poultry Farm

AGENT: Mr J Salmon

EXPIRY DATE: 7 February 2019 (Extension of time agreed)

CASE OFFICER: Clive Theobald

1. NOTATION

1.1 Outside Development Limits.

2. DESCRIPTION OF SITE

2.1 The site for the purposes of the land edged in red forms the front rectangular section of a redundant poultry farm (site area = 0.9 ha) which lies on the east side of Old Mead Road to the north of the Elsenham Station level crossing. The site rises gently off the road towards the east across the wider holding and comprises an extensive frontage area of grassland running parallel with the road behind which are four old poultry buildings and a stables building running back at right angles behind a recessed perimeter fence. Further poultry buildings making up an extensive grouping of 18 no. buildings as a whole for the former poultry holding are located further back into the holding on a series of internal roadways on the gently rising ground on land within the applicant's ownership and control (land edged in blue), five of which are being used for low key commercial use. It is stated in the planning supporting statement that the majority of the poultry buildings have remained redundant since the late 1980's and that the buildings being used for small scale commercial purposes have been so used since the late 1980's/early 1990's.

2.2 The applicant's dwelling (farmhouse) stands within a small farmyard grouping to the immediate north of the site, whilst a short line of dwellings lies opposite the site. A high density development of newly constructed dwellings on the former goods yard site adjacent to the railway line lies to the south-west of the site, whilst a further dwelling lies to the immediate south with commercial premises situated to the south of this extending back to the railway crossing.

3. PROPOSAL

3.1 This outline proposal relates to the erection of up to 9 no. dwellings and associated development involving the demolition of the aforementioned poultry buildings and stables together with new vehicular access from Old Mead Lane with all matters reserved except Access.

3.2 The indicative drawings submitted (revised) show how a line of up to 9 no.

dwellings, some with attached garages shown, with additional on-plot hardstanding parking could be accommodated at the site together with new shared internal service road.

3.3 The application is accompanied by the following additional reports:

- Building & Countryside Impact Assessment (Sworders, November 2018)
- Transport Statement (Bancroft Consulting, October 2018)
- Preliminary Ecological Appraisal incorporating Bat Survey Inspection (T4ecology Ltd, October 2018).

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The application has been considered against The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, although does not qualify as Schedule 2 development given the size of the development.

5. APPLICANT'S CASE

5.1 The accompanying supporting planning statement (Sworders, November 2018) sets out the background to the application, the proposal, national and local planning policy, material considerations, including reference to the principle of the development, pre-application advice and other matters and concludes as follows:

“The outline planning application is made in the context of the government’s requirement to boost housing land supply and responds specifically to the pressing need identified in Uttlesford District to deliver additional housing. It has been demonstrated that the Development Plan is out of date and that the presumption in favour of sustainable development should apply to the determination of this application, in accordance with NPPF paragraph 11.

Paragraph 8 of the NPPF refers to the three dimensions of sustainable development: economic, social and environmental. The proposal is situated in a sustainable location close to services and facilities, including a train station, and the provision of 9 dwellings on a site which is deliverable will have a positive impact in addressing the five-year land supply issues.

The proposed development is small in size and scale and suitable for a village the size of Henham. There will be no impact upon neighbouring amenity, highway safety, protected species, flood risk or significant visual impact. The proposal will see the removal of a considerable amount of built form, some redundant and some in use. Part of the land is brownfield and the applicant could utilize permitted development rights to potentially achieve 9 new dwellings scattered across the land. The proposal represents the most appropriate re-use of the land in accordance with paragraph 118 of the NPPF.

The provision of an adequate supply of housing therefore has economic consequences for a district beyond jobs created during the construction of the dwellings. Ensuring housing delivery in line with objectively assessed housing needs is a key input into the economic performance of a district.

Uttlesford District Council’s inability to ensure an adequate supply of housing over the next five years is therefore a significant material consideration in terms of economic sustainability as well as in regard to the need to meet the requirements of section 5 of the NPPF.

The site, being a former poultry farm with numerous buildings and some currently in use for commercial storage use (consequently part brownfield land) would be re-used if this application is approved, in accordance with paragraph 118 of the NPPF. The principle of residential dwellings on the north side of station has been established by the recent granting of planning permission for 16 new dwellings at the Old Goods Yard adjacent the host site and a further single dwelling further north adjacent the property known as The Reeds.

In conclusion, it is clear that in the context of paragraph 11 of the NPPF the adverse impacts of the proposal would not 'significantly and demonstrably' outweigh the benefits when assessed against the policies in the NPPF as a whole, and as such the proposal benefits from the presumption in favour of sustainable development and outline planning permission should be granted".

6. RELEVANT SITE HISTORY

- 6.1 The submitted scheme has been the subject of a preliminary enquiry in 2018 when three residential site options for up to nine dwellings were put forward for this site. The Council's response acknowledged the existing somewhat dilapidated state of some of the former poultry buildings on the site and that it could be possible for some of the buildings to be converted to dwellings under the Class Q agricultural permitted development process were it the case that existing agricultural use could be shown and that this previous use had not otherwise been abandoned. It was considered that the site could not be described as isolated, notwithstanding that the site is located on the other side of the railway crossing and that Old Mead Road does not have any pavements or lighting, although recognising this is presently the case experienced for residents of the existing linear frontage housing opposite.
- 6.2 Whilst recognising the environmental benefits of removing some of the existing old poultry buildings at the site in favour of housing, the Council had concerns about the site's edge of village location notwithstanding the stated agricultural redundancy of the site. In noting the three housing options put forward for the site, the advice ended by saying that were the principle of development to be accepted upon persuasive argument, that a linear form of housing along Old Mead Road would be preferable to extending deeper into the site should the client decide to pursue a planning application and that the Council may wish to have the equivalent amount of existing poultry building footprint removed to that of new dwellings to make any housing scheme "net footprint neutral" were this to make such a scheme acceptable in planning terms in terms of environmental gains.
- 6.3 Whilst not directly comparable to the current application, a new dwelling has been granted outline planning permission on appeal within the garden to The Reeds situated opposite the site (ref; UTT/16/2779/OP) when the Inspector noted that it would be possible to walk or cycle into Elsenham thereby reducing reliance on the private car and representing an environmental benefit.

7. POLICIES

Uttlesford Local Plan (2005)

ULP Policy S7 – The Countryside
ULP Policy H1 – Housing Development
ULP Policy H9 – Affordable Housing

ULP Policy H10 – Housing Mix
ULP Policy ENV10 – Noise sensitive development and disturbance from aircraft
ULP Policy ENV14 – Contaminated Land
ULP Policy GEN1 – Access
ULP Policy GEN2 – Design
ULP Policy GEN3 – Flood Risk
ULP Policy GEN7 – Natural Conservation
ULP Policy GEN8 – Vehicle Parking Standards

Emerging Local Plan

Policy SP1 – Presumption in Favour of Sustainable Development
Policy SP2 – The Spatial Strategy 2011-2033
Policy SP3 - The Scale and Distribution of Housing Development
Policy SP10 – Protection of the Countryside
Policy SP12 – Sustainable Development Principles
Policy H1 – Housing Density
Policy H2 – Housing Mix
Policy H6 – Affordable Housing
Policy H10 – Accessible and Adaptable Homes
Policy TA1 – Accessible Development
Policy TA3 – Vehicle Parking Standards
Policy D1 – High Quality Design
Policy D2 – Car Parking Design
Policy EN7 – Protecting and Enhancing the Natural Environment
Policy EN10 - Minimising Flood Risk
Policy EN11 – Surface Water Flooding
Policy EN16 – Contaminated Land
Policy C1 – Protection of Landscape Character

Supplementary Planning Documents/Guidance

SPD – Accessible Homes and Playspace

National Policies

National Planning Policy Framework (NPPF) (July 2018)

Other Material Considerations

National Planning Policy Guidance (NPPG)
Essex Design Guide
ECC Parking Standards
UDC Parking Standards

8. PARISH COUNCIL COMMENTS

8.1 Comments not received.

9. CONSULTATIONS

NATS

9.1 Following a review of its operation in the vicinity of the proposed development NATS (En Route) plc has determined that although this is likely to impact our electronic

infrastructure, this impact can be managed such that it does not affect the provision of a safe and efficient en-route ATC service. Accordingly NATS (En Route) plc has no safeguarding objections to the proposal and as such it is withdrawing its objection of the 21st December 2018.

MAG

- 9.2 The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. It has no aerodrome safeguarding objections to the outline proposal, but it must be consulted on the future SuDS details should this scheme be approved.

It is important that any conditions 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.

UK Power Networks

- 9.3 Thank you for contacting us regarding UK Power Networks equipment at the above site.

I have enclosed a copy of our records which show the electrical lines and/or electrical plant. I hope you find the information useful.

I have also enclosed a fact sheet which contains important information regarding the use of our plans and working around our equipment. Safety around our equipment is our number one priority so please ensure you have completed all workplace risk assessments before you begin any works.

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

ECC Highways

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

ECC Ecology

- 9.5 I have reviewed the Preliminary Ecological Appraisal Report (T4 Ecology Ltd., Oct 2018) supplied by the applicant relating to the likely impacts of development on Protected & Priority habitats and species, particularly nesting birds and identification of proportionate mitigation.

I am satisfied that there is sufficient ecological information available for determination.

This provides certainty for the LPA of the likely impacts on Protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable. I support the reasonable biodiversity enhancements that should also be secured by a condition on any consent.

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

The mitigation measures identified in the Preliminary Ecological Appraisal Report (T4 Ecology Ltd., Oct 2018) should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species particularly nesting birds.

Impacts will be minimised such that the proposal is acceptable subject to conditions based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

Submission for approval and implementation of the details should be a condition of any planning consent:

10. REPRESENTATIONS

10.1 2 representations received (1 Neutral, 1 Object). Neighbour notification period expires 01/02/19 Advertisement expires - n/a, site notice expires 28/01/19.

10.2 Summary of representations received as follows:

- The development would be an improvement on the site's current benign status by removing the redundant poultry buildings
- Inaccuracies in the supporting planning statement relating to dwelling types and storey heights
- Not clear how many existing buildings are to be removed
- Housing mix based on identified need not accurately stated. The identified local need is for more bungalows
- Old Mead Road does not have any pavements or lighting
- Elsenham has been saturated by housing developments and cannot sustain any More.

11. APPRAISAL

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

- A Principle of development (NPPF, ULP Policies S7, H1 and GEN3);
- B Access (ULP Policy GEN1);
- C Design (Scale, Layout (including parking), Appearance and Landscaping (ULP Policies GEN2 and GEN8 and SPD "Accessible Homes and Playspace");
- D Housing Mix (ULP Policy H10);
- E Affordable Housing (ULP Policy H9);
- F Impact on residential amenity (ULP Policy GEN2);
- G Impact on protected species (ULP Policy GEN7);
- H Noise (ULP Policy ENV10);
- I Contaminated Land (ULP Policy ENV14).

A Principle of development (NPPF, ULP Policies S7, H1 and GEN3)

11.1 The NPPF has a presumption in favour of sustainable development whereby paragraph 11 states that LPA's should approve development proposals that accord with an up to date development plan without delay; or where there are no relevant development plan policies or the policies which are most important for determining

planning applications are out of date to grant planning permission unless i) the application policies in the Framework that protect areas of particular importance provides a clear reason for refusing the development proposal; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole.

- 11.2 The proposal site lies outside development limits and is therefore within the countryside for the purposes of ULP Policy S7 which states that the countryside will be protected for its own sake and that development, including new housing, will not be permitted unless it needs to take place there or is appropriate to a rural area. As such, the proposal is contrary Policy S7. However, this policy has been found to be only partially consistent with the NPPF which takes a more positive stance towards rural forms of development if it can be demonstrated that it would be sustainable.
- 11.3 The site is within a 5 minute walk of Elsenham train station and is within reasonably close walking distance to village services and amenities (it is noted that the site is actually in Henham). Notwithstanding its location north of the railway crossing, it is considered that the site can be regarded as being within a reasonably sustainable position relative to this sustainable transport mode and these local services whereby the appeals inspector for the approved new dwelling at The Reeds lying opposite the site took a similar view. The social strand of the NPPF would therefore be engaged. The economic strand would also be engaged from employment arising from the development and likely reliance by the occupiers of the dwellings on local services.
- 11.4 The existing large number of former poultry buildings which make up the applicant's holding, including the five on the proposed development site are considered collectively to detract from the wider appearance of the streetscene whereby the gradual rise in the site from Old Mead Road eastwards makes the buildings appear more stark on the horizon line. Whilst it could be argued that the partly redundant buildings comprise part of the agricultural landscape at this location where this was mentioned for the Council's preliminary enquiry, their removal would nonetheless be desirable in visual amenity terms. In this respect, the applicant has declared a willingness to remove all of the buildings on the holding to include those lying outside the development site itself as strong mitigation to enable the Council to consider the proposed housing scheme more favourably. It has been calculated by the applicant as set out in the submitted "Building and Countryside Impact Assessment" that the removal of all 18 buildings on the site would result in the total removal of 7,734 cubic metres of existing built form compared to a total approximate volume of 4,331 cubic metres of built form being introduced at the site for the proposed 9 no. dwellings as shown indicatively for the current application resulting in a 44% reduction in building volume at the site overall. The applicant has offered to submit a legal obligation by way of a unilateral undertaking as part of the submitted scheme to demolish all of the buildings on the existing poultry holding as shown on the submitted Existing Site Location Plan, dwrg. ref. 218069 OPL 101B, to include the 5 no. buildings within the application site edged in red, to show his intentions in this respect.
- 11.5 Whilst it is considered that this is only one way of assessing the current proposal in terms of its full countryside impact, this offer by the applicant would nonetheless remove the rather unsightly collection of buildings from the site which would represent a significant environmental gain at this semi-rural location to the north of the large commercial buildings situated to the south of the site. It is considered that the demolition of just the 5 no. buildings within the application site itself would be sufficient in planning mitigation terms in the interests of rural amenity enhancement,

although the willingness by the applicant to remove all of the buildings on the site is welcomed. Whilst it is stated that the applicant could use the fall-back position of exercising Class Q or commercial user rights under the prior notification process to convert several of the old poultry buildings to separate dwellings, it is further stated that the applicant does not wish at the present time to pursue this possibility, but would prefer instead to pursue the planning application route as proposed. Clearly, were such a fall-back position to be achievable then this would result in the likely permanent presence of the old buildings on the site with possible negative consequences for visual amenity through what is often seen as inappropriate conversions.

- 11.6 Whilst it is accepted that the proposed dwellings would encroach into the countryside, it is considered from the above assessment that a line of appropriately scaled dwellings along Old Mead Road which would be “book-ended” by The Farmhouse at the northern end of the site providing a “stop” to the development and a dwelling at the southern end with the rear boundary line of the development site being strongly landscaped would have less environmental impact in relative terms than the prevailing situation with the existing building complex and is therefore a material consideration of weight in the tilted planning balance. As such, the environmental strand of the NPPF would be engaged whereby paragraph 118 of the Framework encourages the re-use of brownfield and previously developed land for housing and other purposes where it states that planning policies and decisions should “promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing...”
- 11.7 As such, it is argued that any adverse effects of introducing the proposed development at this location by way of countryside harm by definition would be outweighed by the removal of the existing buildings from the site leading to positive benefits through environmental gains under ULP Policy S7 and thus would amount to a presumption in favour of sustainable development. The site is located within Flood Zone 1, which represents the lowest risk of flooding. As such, the site is not at risk of fluvial flooding. However, it will be necessary for the applicant to submit a SuDs drainage scheme at reserved matters stage to demonstrate that the development would not cause off-site surface water flooding, particularly given the gradual slope of the site.
- 11.8 In view of the foregoing assessment, the principle of residential development is considered acceptable.

B Access (ULP Policy GEN1)

- 11.9 Access falls to be considered with this “in-principle” outline application. Vehicular access to the proposed development would be via a new 6m wide shared entrance to be created from Old Mead Road off of which shared drives would run parallel with the road behind in both a northerly and southerly direction in front of the proposed dwellings for the entire width of the site.
- 11.10 The submitted Highway Impact Assessment has assessed the suitability and transport sustainability of the proposed development taking into account both the single lane nature of Old Mead Lane, recorded crash data for the site and the lack of footpaths and street lighting along the road and has based its highways assessment on NPPF advice, Manual for Streets and Essex Design Guide principles. The crash data has revealed one recorded accident in Old Mead Road within the vicinity of the site during the most 5 year period available (2013-2017) which was approximately 280m south of the site frontage which was classified as slight in severity and

involved one vehicle. The assessment concludes from this that it can be assumed that there are no ongoing highway safety problems associated with Old Mead Road that would adversely affect the ability to deliver a suitable access at the proposed site location.

- 11.11 In terms of sustainability, the assessment remarks that a local combined bus and rail provision is deemed to provide a more than adequate level of sustainable mode of choice for local residents and that other existing residential properties in the vicinity of the site are located a similar distance away and therefore this precedent should remain acceptable. In terms of the lack of a footway and street lighting, the assessment states that *“Overall, it is accepted that the current pedestrian infrastructure in the vicinity of the site is limited. However, the level of pedestrian trips that the proposed development could generate is negligible”*.
- 11.12 ECC Highways have been consulted on the application who have considered the Highway Impact Assessment and who have assessed the impact of the proposed development on highway safety along this section of Old Mead Road and commented that the proposal would be acceptable from a highway and transport perspective subject to highway conditions, including the requirement to close of any existing entrance points into the site from the road. As such, there are no reasonable grounds upon which the Council can sustain an objection on highway grounds and no access objections are raised under ULP Policy GEN1.

C Design (ULP Policy GEN2 and SPD “Accessible Homes and Playspace”)

- 11.13 Scale, Layout, Appearance and Landscaping are reserved matters and therefore do not fall to be considered with this outline application. However, it is necessary to assess whether the proposal would be appropriate in terms of design based upon the level of details submitted for the current application.
- 11.14 Indicative drawings have been submitted with the application to show how the proposed development could appear, although final design details would be the subject of a subsequent DFO application. The submitted indicative streetscene elevation showing example house types shows a variety of 1½ storey scaled detached dwellings designed in local vernacular style, with ridge heights typically at approximately 6.2m. Three dwellings, being those shown for Plots 1, 2 and 4 were originally shown at two storey height, although these have now been reduced to 1½ storey in height following drawing revision to be consistent in scale with the other dwellings shown for the site following initial concerns expressed by officers that the presence of two storey dwellings at the site, which is on slightly rising ground from Old Mead Road, would be out of scale and character with the general building form of those existing dwellings situated opposite. The scale and appearance of the dwellings as now indicatively shown for the development by revision is considered acceptable for this semi-rural site location, whilst the housing density is also considered acceptable, particularly when this is compared to the high density new housing development which exists at the old goods yard to the immediate south-west (ULP Policy GEN2).
- 11.15 Rear gardens for the dwellings are shown to be essentially uniform in size typically with private rear amenity spaces of approximately 450sqm which would meet and considerably exceed the Essex Design Guide 100sqm minimum garden amenity standard for 3 and 4 bedroomed dwellings and would be acceptable garden sizes for the site’s location, notwithstanding that rear gardens for the existing properties situated opposite are larger. That said, the amenity spaces for the high density housing development on the nearby former goods yard are considerably smaller.

- 11.16 Parking for the development is indicatively shown as a combination of covered and front hardstanding parking. Given the outline nature of this proposal which shows representative house types, it is not necessary at this stage to show exact parking arrangements other than to demonstrate that the site would be large enough to accommodate *up to* 9 no. dwellings with compliant parking provision whereby it would be for the applicant to show at reserved matters stage that 9 no. dwellings could be satisfactorily provided at the site with appropriate on-plot parking provision to comply with adopted parking standards. A nine dwelling scheme would require 2.25 no. parking spaces and this is shown on the indicative drawing.
- 11.17 It is therefore considered that the indicative design of the dwellings, including layout as shown, would be acceptable under ULP Policy GEN2. Landscaping details have not been expressly shown, although it would be important at detailed stage for full landscaping details to be shown to reduce the impact of the development on the local landscape.

D Housing Mix (ULP Policy H10)

- 11.18 The proposal would likely to combine a mixture of 3 and 4 bedroomed dwellings as referred to in the applicant's statement. The latest SMAA evidence of needs survey states that a demand exists within the district for 3 and 4+ bedroomed market dwellings (2 and 3 bedroomed for affordable housing) and the proposal would help to fulfil this market demand. The housing mix for the site is therefore considered acceptable for this "in principle" outline application, although it would be for the applicant to show an appropriate balance between 3 and 4 bedroomed dwelling units across the site development at reserved matters stage. Whilst the comments expressed from a third party is noted that Elsenham requires bungalows rather than larger dwellings (note: the site lies in Henham), the Council cannot insist that this site, which is not a Council exception site, should be used expressively for bungalows should the principle of housing at the site be accepted, although it is certainly the case that the site would lend itself to this kind of development given the existing streetscene. No objections are therefore raised under ULP Policy H10.

E Affordable Housing (ULP Policy H9)

- 11.19 The proposal is for "up to" 9 no. market dwellings which would not trigger a requirement for the provision of affordable housing at the site, which it is considered would not be appropriate at this location in any event, or financial contributions in the alternative being less than 11 market dwellings in total providing the total gross floorspace of the development did not exceed 1,000sqm in total. It is stated by the applicant that this would not be the case based upon the indicative house types shown for the development, although it is noted that the dwellings are variously described as being either bungalows or 1½ storeys (i.e. two storeys for the purposes of floorspace calculation).
- 11.20 The applicant would be able to use vacant building credits against the five agricultural buildings to be demolished which lie within the site edged in red (not the buildings which lie outside) which could be offset against any calculated totals and it is considered in this instance that this site would not be appropriate to use the gross floorspace calculation for, particularly as the application is outline only and the precise house types and floor spaces are yet to be known and no objections are therefore raised under ULP Policy H9.

F Impact on residential amenity (ULP Policy GEN2)

11.21 Assessment of the development on existing residential amenity cannot be appropriately made at outline stage. However, the linear nature of the proposed development and the existence of agricultural land to the rear would mean that there would not likely to be significant negative impacts on the adjacent residential properties positioned either end of the site (ULP Policy GEN2).

G Impact on protected species (ULP Policy GEN7)

11.22 The site comprises a number of old poultry buildings and a stable building and a swathe of grassland in front to the road. A preliminary ecological assessment, including a bat survey has been conducted at the site which has not revealed the existence of any protected or priority species, including bats whereby the report of survey states that the buildings on the site at the very most offer negligible bat roosting potential.

11.23 ECC Ecology Place Services have commented on the application and have advised that they have no ecology objections to the proposal based upon the findings of the ecology report subject to an ecology mitigation and enhancement condition. No objections are therefore raised to the development under ULP Policy GEN7.

H Noise (ULP Policy ENV10)

11.24 The Council's EHO has not been formally commented on the submitted application in terms of noise impacts on the proposed development from the nearby London to Cambridge railway line. Notwithstanding this, it is necessary to impose a noise condition requiring a scheme of works to be submitted for subsequent approval to address environmental noise should outline permission be granted for the current application where it is noted that a similar condition was imposed for The Reeds dwelling appeal opposite. No objections are raised under ULP Policy ENV10 on this basis.

I Contaminated Land (ULP Policy ENV14)

11.25 The site contains buildings which historically have been used for poultry farming. It is therefore possible that the site may contain contaminants or pollutants which may be harmful to human, wildlife, aqua and other receptors. Given that the Council's EHO has not been formally consulted on the proposal, it is necessary to impose a standard pre-commencement contamination/remediation condition should outline permission be granted for the current application in principle. No objections are raised under ULP Policy ENV14 on this basis.

12. CONCLUSION

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

- A The principle of residential development at this location is considered acceptable.
- B Shown access arrangements are considered acceptable.
- C The indicated design and layout of the development is considered acceptable.
- D The indicated housing mix is considered acceptable.
- E No affordable housing financial contributions can be reasonably taken from the proposal.
- F The development would unlikely to be detrimental to existing residential amenity.
- G The proposal would not have a harmful impact upon protected or priority species.
- H No noise objections are raised to the proposal subject to a noise condition.

- I No contamination objections are raised to the proposal subject to a contamination/ remediation condition.

Conditions

1. Approval of the details of layout, scale, appearance and landscaping (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.
REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.
REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
3. The development hereby permitted shall be begun no later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.
REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
4. Prior to occupation of any dwelling, the provision of an access formed at right angles to Old Mead Road, as shown in principle on drawing no. F18141/01 (proposed site access layout, Oct 2018) to include but not limited to: minimum 6 metre carriageway width with and clear to ground visibility splays with dimensions of 2.4 metres by 96 metres to the north and 2.4 metres by 85 metres to the south, as measured from and along the nearside edge of the carriageway shall be made. Such vehicular visibility splays shall retained free of any obstruction at all times.
REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to provide adequate inter-visibility between vehicles using the road junction and those in the existing public highway in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).
5. Any redundant access or access width shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, in consultation with the Highway Authority, incorporating the reinstatement to full height of the highway kerbing/verge, immediately the proposed new access is brought into use.
REASON: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).
6. All of the dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.
REASON: To ensure compliance with ULP Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace

7. Prior to commencement of development, a scheme for protecting the proposed dwellings from noise from road traffic and the nearby railway line shall be submitted to and approved in writing by the local planning authority.

None of the dwellings shall be occupied until a scheme has been implemented in accordance with the approved details and shown to be effective, and it shall be retained in accordance with the approved details.

REASON: To provide reasonable living standards within an acoustic environment for the occupiers of the dwellings in accordance with ULP Policy ENV10 of the Uttlesford Local Plan (adopted 2005).

8. No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:
- A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination. This report shall adhere to BS10175:2011.
 - A Phase 2 Site Investigation (where shown as necessary in the Phase 1 Desk Study).
 - A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation).

All such work shall be undertaken in accordance with BS: 10175: 2011 or other appropriate guidance issued by the regulatory authorities. The work shall be sufficient to ensure that measures will be taken to mitigate any risks to human health, groundwater and the wider environment.

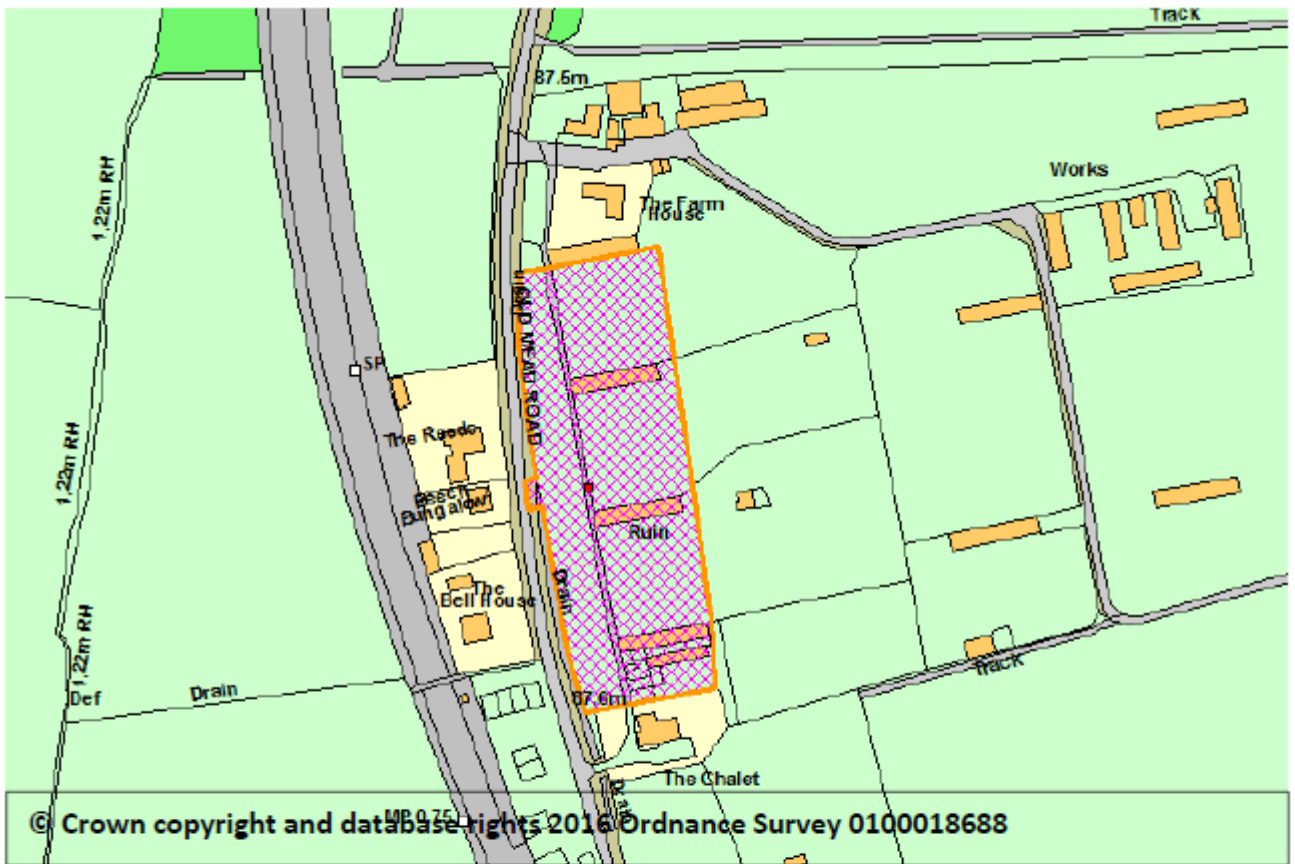
REASON: To protect human health and the environment in accordance with ULP Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

9. No development shall take place until a SuDS drainage scheme has been submitted to and approved in writing by the local planning authority (which shall be at reserved matters stage). Thereafter, the scheme shall be implemented as approved.
REASON: In order to prevent off-site surface water flooding in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

10. All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (T4 Ecology Ltd., Oct 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This includes: the installation of 14 swallow nesting cups onto the new dwellings, integrated swallow boxes (one per dwelling), use of native planting, covering trenches overnight, due diligence regarding nesting birds and maintaining hedgehog permeable boundaries to the properties.

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



Organisation: Uttlesford District Council
Department: Planning
Date: 27 March 2019