

The item below was deferred at the meeting of 18th September 2019 so that the comment of Takeley Parish Council could be reported on the agenda. Paragraph 8.1 of the report below has been amended accordingly.

UTT/19/1583/FUL (TAKELEY)

(More than five dwellings elsewhere than Great Dunmow, Saffron Walden or Stansted)

PROPOSAL: **Erection of 8 no. 3 Bedroom Dwellings**

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

APPLICANT: **Sole Concepts LTD**

AGENT: **Sole Concepts Limited**

EXPIRY DATE: **4 September 2019 (Extension of time granted to 23 September 2019)**

CASE OFFICER: **Jonathan Doe**

1. NOTATION

1.1 Countryside Protection Zone
 Outside Development Limits

2. DESCRIPTION OF SITE

- 2.1 The site comprises a rectangular parcel of land on the southern side of School Lane, close to the junction with Broxted Road, the main road leading through Molehill Green.
- 2.2 The site has a frontage of some 70m and an average depth of some 40m. At the time of the officer's site visit the site had been cleared and temporary fencing had been erected along the frontage of the site.
- 2.3 On the opposite side of the road, to the north, are semi-detached houses and a village hall at the junction of School Lane with Broxted Road. A substantial one-and-a-half storey dwelling, Blossoms Cottage, is to the west of the site and a bungalow, Sunny View, is to the east.

3. PROPOSAL

- 3.1 Erection of 8 no. 3 Bedroom Dwellings.
- 3.2 The houses would be set out generally in a line of four pairs of semi-detached houses facing the road. However, the detailed positioning of the semi-detached pairs of houses would be such that the faces of the houses would be slightly splayed, not perfectly parallel with the line of School Lane and the front elevations of each pair would not be level with each other but rather set out in a subtle saw tooth type arrangement. The appearance to the design is discussed below.
- 3.3 Parking would be provided on driveways running to the side of each semi-detached house. Two parking spaces, one behind the other, would be provided to each

house. Parking spaces would be set back from the carriageway edge a sufficient distance, the length of the drives would be long enough such that causal parking for a third car could be accommodated in front of the parking spaces to the side of each house. Parking provision and the aspect of parking spaces relating to the overall appearance of the design is discussed below.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 Town and Country Planning (Environmental Assessment):
The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

5. APPLICANT'S CASE

- 5.1 The applicant's agent has submitted the ecology report submitted with the outline planning application; a transport statement; and, a planning statement.
- 5.2 The planning statement makes a case that the design within the current application gives an appearance to the design with a more relaxed, "cottagey" style with appropriate separation distances of six metres. The current design has, however, retained the lower eaves height to the front elevations. This is said to give openness to the proposed appearance across the site with a character of a "less developed" street scene.
- 5.3 A landscaping also forms part of the application documentation. This shows a line of shrubs set out to form a hedge with openings between shrubs set back 3m from the carriageway edge. A line of shrubs would also be set along the side boundaries of front gardens. Driveways would have a gravel surface (although the highway authority would require that the first 6m of the drive's 19m length be of an alternative, bound surface). Landscaping proposals also relate to the rear gardens.

6. RELEVANT SITE HISTORY

- 6.1 Outline planning permission was granted by the Council in 2018 with all matters reserved except for access, layout and scale for the erection of 4 no. pairs of semi-detached dwellings at Land South of School Lane, Mole Hill Green, Takeley (UTT/18/0527/OP - date of decision 10 July 2018).

- 6.2 The Officer's report to the Council's Planning Committee for the proposed development summarised the main reasons for the approval recommendation as follows:

A The principle of the development is deemed to be appropriate in that it would be of a sustainable development in accordance with the National Planning Policy Framework.

B The scale and layout are broadly acceptable.

C The proposal would not adversely affect the biodiversity on site subject to mitigation measures.

D The proposed development would not compromise the safety of the highway.

E Development should not commence until an archaeological investigation has been completed.

F The development should be acceptable in terms of minimising aircraft noise subject to acceptable mitigation measures.

- 6.3 The principle of building in this part of the Countryside Protection Zone was

considered on balance to be appropriate; the Committee report stated at paragraph 11.2 that: "The site's location is some distance from Stansted Airport and so the development would not merge into the Airport's environs. The development would obviously create a built form in an open area and so would impact on the countryside; however this negative consideration must be balanced against the NPPF's emphasis on sustainable development".

- 6.4 Paragraph 11.8 added that: "To summarise, the proposal must be assessed primarily against the NPPF as well as the Local Plan. The current lack of a five year supply of housing means that a development must be approved if the proposal meets the three tests of sustainability and its benefits outweigh any harm. The proposal would satisfy the economic and social criteria and, on balance, the environmental role as well, although there would be some negative impact in this respect. Providing the proposal creates a net benefit in planning terms by complying with all other relevant policies, the principle of the development on the site is acceptable".
- 6.5 In terms of consideration of scale, the report noted at paragraph 11.11 that; "A proposal should relate to its immediate area and be generally sympathetic to nearby buildings without overly dominating the street scene in terms of scale or mass. Dwellings in the area are characterised by generously sized plots. The development would follow this theme, and provide each house with sufficient private amenity space to meet the LPA's guidelines. The properties' staggered building line follows the building line between the existing dwellings to the east and west of the site and corresponds to the lane. Like the semi-detached dwellings that face the site, the development would be set back from the road".
- 6.6 More recently, a planning application seeking full planning permission, UTT/19/0571/FUL, was refused. The single reason for refusal related essentially to design. The reason for refusal was:
"The development in the form proposed would lead to material harm to the openness and permanence of the Countryside Protection Zone at this site location and additionally would lead to overdevelopment of the site due to the excessive scale of the dwellings as shown for this 8 no. three bedroomed housing scheme which would give rise to a cramped appearance across the site and an overly urbanised streetscene detrimental to the rural amenities of the immediate area contrary to ULP Policies S8, S7 and GEN2 of the Uttlesford Local Plan (adopted 2005) and would as a result fail to represent a presumption in favour of sustainable development contrary to the NPPF (as revised) because of the degree of environmental harm which would be caused by the development."

7. POLICIES

Uttlesford Local Plan (2005)

S7 - The Countryside

S8 - The Countryside Protection Zone

GEN1 - Access

GEN2 - Design

GEN7 - Nature Conservation

GEN8 - Vehicle Parking Standards

ENV10 - Noise Sensitive Development and Disturbance from Aircraft

Emerging Local Plan

SP 1 - Presumption in Favour of Sustainable Development
SP 3 - The Scale and Distribution of Housing Development
SP 10 - Protection of the Countryside
H 10 - Accessible and Adaptable Homes
TA 3 - Vehicle Parking Standards
D 1 - High Quality Design
D 2 - Car Parking Design
EN 17 - Noise Sensitive Development

Supplementary Planning Documents/Guidance

Accessible Homes and Play Space

National Policies

National Planning Policy Guidance (NPPF) (February 2019)

Other Material Considerations

ECC Parking Standards
UDC Parking Standards
Essex Design Guide (2018 version)

8. PARISH COUNCIL COMMENTS

- 8.1 Takeley Parish Council respectively request that outline permission is re-obtained for UTT/19/1583/FUL – MOLEHILL GREEN TAKELEY and that the Molehill Green planning application be removed from the next Uttlesford Agenda on the 18th September.

It had previously been obtained under UTT/18/527/OP

The first reason is that it is a separate planning application to the outline planning application agreed in 2018 and as changes have been made it should be treated as a separate re-application.

Temporary Case officer Mr Doe reports under 11.3 of his report to the planning committee states:-

An assessment of the design begins with the fact that the placing of built form on the site has been deemed acceptable by outline planning permission UTT/18/0527/OP. The indicative design for that proposal shows a proposal very similar to that of the current application. The significant difference is that the outline design was for two-bedroomed houses, rather than the currently proposed three bedrooms, with the houses being less deep than that as now proposed. The layout, of a staggered line, and the streetscene, of houses with eyebrow dormers separated by double widths of driveways, was the same as now proposed. It is, however, the case that appearance was a reserved matter

The Council is now under new administration and may make decision in accordance with how it deems relevant process.

The second reason why outline permission needs to be re-applied is that there was an inaccuracy in the former Temporary Case Officers Report in 2018. Peter McEvoy made no reference to the supplementary guidance on the Countryside Protection Zone (Luc report) previously adopted by Uttlesford District Council. The overlooked guidance is significant as treating the area as Green Belt, as per the recommendations of the adopted report underpins the Principal that Development should not occur.

In 2018 Case Officer Peter McEvoy made reference to the assumptions that do not align to the area being treated as Green Belt and treated the application as open

countryside making indirect reference instead to policy S7. However it should have been highlighted the area falls under the full weight of Green Belt Protection as outlined in the national planning policy framework as the Countryside Protection supplementary guidance indicates the area should be treated as Green Belt.

Temporary Case officer Peter McEvoy previously wrote:-

Planning permission will be granted if the development is required to be in the CPZ or else is appropriate for a rural area, but in both cases, the development must not adversely affect the open characteristics of the zone

Clearly the NPPF holds significant weight to Green Belt Policy and as mentioned aligns with the recommendations of how the countryside protection zone should be treated. It is understandable that as a temporary officer he may not have had opportunity to review the supplementary guidance that the CPZ should be treated like Green Belt.

Notably mistakes have been made by Uttlesford and we see no reason for the applicant to unnecessarily pay another planning fee, however do see every reason for this to be assessed in light of full knowledge of the supplementary guidance and the stringent weight given in the National Planning Policy Framework.

In general terms, the Countryside Protection Zone is a restrictive policy and it is defined within Uttlesford's adopted supplementary planning guidance (LUC Report) that the CPZ should be treated as Green Belt. The National Planning Policy Framework is clearly weighted in support of protecting Green Belt.

I have summarized in black the pertinent points of the national planning framework PROTECTING GREEN BELT below:- (paragraph 133 to 147) as it clearly interrelates to the CPZ. The positioning of the CPZ has also been endorsed by inspectors in recent planning appeals as detailed further down.

NPPF para 133. The government attaches great importance to Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

NPPF para 134 Green belt serves to

- check the unrestricted sprawl of large built-up areas
- assist in safeguarding the countryside from encroachment;

The hamlet of Molehill Green is not a large built up area and has already been assessed by Uttlesford, as an area that is part of the countryside protection zone and is currently made up of low density housing and is noted as being outside development limits.

Reassessment of its Green Wedge status would set a precedent for ongoing piecemeal erosion of the CPZ, as the boundary edges will keep on being built upon.

Whilst this development is small in scope to other developments, in this case the precedent would be extremely damaging and would not fall in line with previous Planning Inspectors recommendations to treat the CPZ as the Green-belt (ref: gladmans appeal). (Appeal Ref: APP/C1570/W/18/3213251) - 2019

Notably it will set a precedent for the application for UTT/19/2036/FUL – for a further 9 dwellings in Molehill Green, just in and further applications being put forward ongoing in what has previously been assessed as a protected zone.

The common concept following on what could possibly differentiate the CPZ other than completing emergence with the airport.

The substantive benefit is not evident as no Section 106 monies would be derived from the cumulative effect of both developments as both are just below the thresholds in both cases and are by different developers. The impact on the identified protected zone would be eroded and the precedent set for more building in a rural area and whilst not resulting in immediate coalescence would act as a catalyst, as there would be nothing to define the settlement from further encroachment. The mentioned area is in the countryside protection zone and has already been assessed so the area is “protected” Potentially the whole area could

eventually be subject to adverse effect which means that the cumulative effect would later result in coalescence with the airport. Clearly there would be direct and material changes to the character and appearance of the site itself, it is also necessary to consider the implications of the development of this land beyond the immediate context.

NPPF para 138. When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account.

Strategic policy-making authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport

Molehill Green is not well served by public transport and does not have good transport links. Transport links are limited with no suitable bus stop. The current lack of a bus stop is currently identified by both Takeley Parish council and Essex County Council as dangerous and land to provide a suitable bus stop has not currently been committed by the airport.

This scheme would not generate S106 monies for a suitable bus stop or further ECC services, including schooling and healthcare, but would set a precedent for further homes. In addition the proposal would not deliver any affordable housing. The policy of the CPZ as aligned to Green Belt policy should not be eroded in cases where no material benefit is identified and this also contravenes policy in the emerging local development plan.

Policy EN8 in the emerging local Plan States:-

Development proposals will not be permitted which will harm the character of or lead to the partial or cumulative or total loss of protected and non-traditional spaces.

Unless:-

1. The open space uses can be satisfactorily replaced in terms of quality, quantity and access with an equal or better standard than that which is proposed to be lost, and

2. The re-provision is located within a short walk (400m of the original site). Notably there is no school or shops in the hamlet of Molehill Green and so would not comply with policy Gen 1 in respect of limiting car journeys.

Whilst the council cannot demonstrate a 5 year land supply, the emerging local plan has not considered a strategy based on compromising the CPZ, which is continued through in policy. This view was reflected by the Inspector in the recent Gladmans Appeal 2019.

“It is clear that the emerging local plan does not require compromising the CPZ, which is continued through in policies. For this reason a deviation from policy to build in the CPZ should not be considered, as is contrary to the national planning policy framework.”

NPPF para140. If it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt.

Molehill Green is a hamlet that has already been identified as being part of the Countryside Protection Zone and as such has been assessed in the overall strategy.

NPPF para 139. When defining Green Belt boundaries, plans should:

- (d) make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the

development;

(e) be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period; and

(f) define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

In light of the key points outlined in yellow and the site was not included as an update in the local plan coupled with the fact the temporary case officers do not appear fully conversant to the unique status of Countryside Protection Zone.

Takeley Parish Council would like to recommend that the Molehill Application is removed from the forthcoming September UDC Planning Committee, list as the outline permission was subject to previous Administration error in that full weight of the NPPF regarding protected land that falls within existing local plans was not considered.

Takeley Parish Council would like confirmation that the Molehill Green application has been removed from the UDC Planning Committee Agenda.

9. CONSULTATIONS

Highway Authority (Essex County Council)

- 9.1 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to measures regarding a sight splay; ensuring provision of parking areas; no unbound material; and, unloading and storage of construction materials clear of highway.

Ecological Consultant, Essex County Council, Place Services

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

Environmental Health

- 9.3 The proposal site is located in an area which will be subject to noticeable aircraft noise. This has been addressed by a condition on UTT/18/0527/OP.
- 9.4 NPPF 2018 supports provision of measures to minimise the impact of development on air quality by encouraging non car travel and providing infrastructure to support use of low emission vehicles. A condition requiring charging points for electric vehicles is requested.
- 9.5 There are residential properties adjacent to this site. A construction method statement is required to ensure compliance with the Uttlesford Code of Development Practice to minimise loss of amenity to neighbours during construction.

9.6 RECOMMENDED CONDITIONS

Provide an electric vehicle charge point at any garage or allocated parking space associated with a dwelling.

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The statement shall specify the provisions to be made for the control of noise and dust emanating from the site and shall be consistent with the best practicable means as set out in the Uttlesford Code of Development Practice. The approved Statement shall be adhered to throughout the construction period.

REASON: In the interests of the amenity of surrounding locality residential/business

premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

Essex Police, Crime Prevention

- 9.7 Whilst there are no apparent concerns with the layout however to comment further we would require the finer detail such as the proposed lighting, boundary treatments and physical security measures.
- 9.8 We would welcome the opportunity to consult on this development to assist the developer with their obligation under this policy and to assist with compliance of Approved Document "Q" at the same time as achieving a Secured by Design award. From experience pre-planning consultation is always preferable in order that security, landscaping and lighting considerations for the benefit of the intended residents and those neighbouring the development are agreed prior to a planning application.

National Air Traffic Services

- 9.9 No safeguarding objection.

Safeguarding Authority for Stansted Airport

- 9.10 No objection. Informative suggested regarding any crane, minimise dust or smoke, deter birds feeding on exposed ground.

10. REPRESENTATIONS

- 10.1 A site notice was posted. 24 letters were sent to occupiers of neighbouring properties. No written response has been received.

11. APPRAISAL

The principal issue to consider is whether the design in this current application has been sufficiently amended to overcome the reason for refusal to the previous application. The principle of development has been established by the extant outline planning permission. Nevertheless, in order that all considerations are addressed, the issues to consider in the determination of this application are the same as with the previous application, being:

- A Principle of development (NPPF, ULP Policies S7 and S8);
- B Design, including whether the scale and form of the proposed development would be compatible with existing built form / garden amenity standards (ULP Policy GEN2);
- C Access considerations (ULP Policy GEN1);
- D Whether parking arrangements would be acceptable (ULP Policy GEN8);
- E Impact on residential amenity (ULP Policy GEN2);
- F Impact upon priority and protected species (ULP Policy GEN7);
- G Noise sensitive development (Stansted Airport) (ULP Policy ENV10).

A Principle of development (NPPF, ULP Policies S7 and S8);

- 11.1 The principle of residential development of this "greenfield" site situated outside development limits falling within the Countryside Protection Zone (CPZ) as defined on the Proposals Map for the Council's adopted Local Plan has already been accepted under approved and still extant outline application ref; UTT/18/0527/OP for

the erection of 4 no. pairs of 2 bedroomed two storey semi-detached dwellings with all matters reserved except for access, layout and scale.

- 11.2 The current revised housing proposal for the erection of 4 no. pairs of 3 bedroomed two storey semi-detached dwellings remains acceptable in principle, especially with regard to the sustainability of the site, in the light of this Council decision.

B Design, including whether the scale and form of the proposed development would be compatible with existing built form / garden amenity standards (ULP Policy GEN2);

- 11.3 An assessment of the design begins with the fact that the placing of built form on the site has been deemed acceptable by outline planning permission UTT/18/0527/OP. The indicative design for that proposal shows a proposal very similar to that of the current application. The significant difference is that the outline design was for two-bedroomed houses, rather than the currently proposed three-bedrooms, with the houses being less deep than that as now proposed. The layout, of a staggered line, and the streetscene, of houses with eyebrow dormers separated by double widths of driveways, was the same as now proposed. It is, however, the case that appearance was a reserved matter.
- 11.4 The essential effect of the proposal on the character and appearance of the area and whether the site is an appropriate location for new housing development, having regard to the principles for sustainable development (two issues predominating in Inspectors' recent decisions for proposals outside the defined development limits) have been established by the granting of the outline planning permission.
- 11.5 This current planning application is effectively a re-submission of one recently refused, UTT/19/0571/FUL. That was refused only on design grounds. The principle issue is therefore whether the current design has sufficiently overcome the previous reasons for refusal.
- 11.6 The previous design filled the width of the site with houses except where paths lead down the sides of the semi-detached pairs. Parking spaces were to be provided side by side hard on the highway; it would not have been too far from an exaggeration to have said that the front gardens consisted of car parking spaces. As a consequence of the filling up of the streetscene with the hard form of houses and the extent of hardsurfacing of parking spaces it was considered that the previous proposal represented overdevelopment of the site.
- 11.7 The current design has more spacing between houses by running driveways between the semi-detached pairs of houses. The frontages of the plots would be front gardens albeit with driveways. A landscaping plan forms part of the current application documentation. This shows a grassed highway verge adjoining the carriageway and an open hedge/spacing of shrubs at the fronts and the sides of the front gardens. This could be ensured to be implemented by condition.
- 11.8 A cottage style appearance has been retained in the current application with eaves dormers to six of the eight houses. Some visual variation and interest is provided to the sweep of view to the proposed houses by those at the ends, to the right hand side of the site and the left hand side of the site, having gables. The design of the houses is such that heights have been minimised. The maximum height of the houses would be 7.4m. The height to the eaves would be 5.1m. An alternation of open gable and sloping roofed canopies above entrance doors would provide interest and pattern to the appearance of the fronts of the houses.

11.9 It is therefore considered that the scale, form, layout and appearance of the houses as a result of the changes now shown are appropriate for this site and accordingly the proposal is now acceptable with regard to Policy GEN2.

11.10 All the properties would have rear amenity spaces exceeding 100 sq m, acceptable with regard to an Essex Design Guide standard. The rear gardens would face south and have good proportions in terms of depths and widths. Garden amenity standards are acceptable.

C Access considerations (ULP Policy GEN1);

11.11 The local highway authority, Essex County Council, has raised no objection to the proposed vehicular accesses. ECC Highways has recommended a condition regarding implementation of a sight splay to the vehicular accesses to its standards. Accordingly the proposal is considered acceptable with regard to Policy GEN1.

D Whether parking arrangements would be acceptable (ULP Policy GEN8);

11.12 The number of parking spaces afforded to each unit would be compliant with locally adopted parking standards for a 3 bedroomed dwelling. The parking arrangement would be capable of providing visitor parking due to the generous lengths of the driveways. The proposal would accord with adopted parking standards and is considered acceptable with regard to Policy GEN8.

E Impact on residential amenity (ULP Policy GEN2);

11.13 The proposed dwellings would be generally linear in nature to continue the linear theme along School Lane and no residential amenity issues would arise as a result of the proposed development (ULP Policy GEN2).

F Impact upon priority and protected species (ULP Policy GEN7);

11.14 The application documentation includes an ecological impact assessment report to which the ECC Ecologist has no objection subject to securing biodiversity mitigation and enhancement measures. It is considered that the proposal complies with Policy GEN7.

G Noise sensitive development (Stansted Airport) (ULP Policy ENV10).

11.15 Any grant of permission would need to carry an appropriate pre-commencement sound insulation condition to protect future residents of the proposed development from external noise from aircraft given the proximity of the site to Stansted Airport. Environmental Health has referred to such a condition.

12. CONCLUSION

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

A The principle of the development has been established by an outline planning permission and this has been reinforced by a full application similar to this current application being refused only on the ground of design.

B The design of the current proposal provides spacing between the semi-detached pairs of houses by the width of two driveways. Other design features are incorporated within the current design to mitigate creating a “built up” character to

the site.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies

3. 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 Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace

4. Prior to first occupation of a house hereby approved, an electric car charging facility shall be installed in the side elevation of that house and retained as such unless the written consent of the local planning authority is given to any alteration.

REASON: In the interest of sustainable development and in accordance with Policy GEN2 of the adopted Local Plan; Policies TA 2 and TA 3 of the Regulation 19 Local Plan; and, the provisions of the National Planning Policy Framework.

5. There shall be no obstruction above ground level within a 2.4m wide parallel band visibility splay as measured from and along the nearside edge of the carriageway across the entire site frontage. Such vehicular visibility splay shall be provided before the accesses are first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between pedestrians and users of the accesses and the existing public highway for the safety and convenience of the users of the highway and accesses having regard to safety in the interest of highway safety and in accordance with Policy GEN1 of the adopted Local Plan.

6. Prior to the first occupation of the development the access arrangements and vehicle parking areas as indicated on drawing no. 3032-19A1-103 Rev. C (July 2019), shall be provided. The access and parking areas shall be retained at all times for their intended purpose.

REASON: To ensure that appropriate access and parking is provided in accordance

with Policies GEN1 and GEN8 of the adopted Local Plan.

7. Notwithstanding any indication to the contrary on the plans hereby approved, no unbound material shall be used in the surface treatment of any vehicular access within 6 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interest of highway safety.

8. Prior to first occupation of the development the areas within the site identified for the purpose of loading/unloading/reception and storage of materials shall be provided clear of the highway and retained at all times for that sole purpose.

REASON: To ensure that appropriate loading / unloading facilities are available in the interest of highway safety.

9. Prior to first occupation of any dwelling hereby permitted, all ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the EclA (Hybrid Ecology Ltd., August 2019) as submitted with the planning application.

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

10. Prior to construction above ground level a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the EclA (Hybrid Ecology Ltd., August 2019), shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented prior to first occupation of any house hereby permitted in accordance with the approved details and all features shall be retained in that manner thereafter.

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

11. Prior to first occupation of any house hereby permitted a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. 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 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 conserve and enhance Protected and Priority species and allow the local planning authority to discharge its duties under the UK Habitats Regulations,

the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and s17 Crime & Disorder Act 1998 and to accord with Policies GEN5 and GEN7 of the adopted Local Plan.

12. No construction above ground level shall be undertaken until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The statement shall specify the provisions to be made for the control of noise and dust emanating from the site and shall be consistent with the best practicable means as set out in the Uttlesford Code of Development Practice. The approved Statement shall be adhered to throughout the construction period.

REASON: In the interests of the amenity of surrounding locality residential/business premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

13. No construction above ground level shall be undertaken until a scheme of noise mitigation has been submitted and approved in writing by the Local Planning Authority. Details shall be included in the scheme of the design, layout and acoustic noise insulation performance specification of the external building envelope, having regard to the building fabric, glazing and ventilation. The scheme shall be based on insulation calculations provided in British Standard 8233:2014 and shall be designed to achieve the following noise targets:

Bedrooms (23.00-07.00 hrs) 30 dB LAeq and 45 dB LAm_{ax}.

Living Rooms (07.00-23.00 hrs) 35 dB LAeq

The scheme as approved shall be fully implemented prior to occupation of the residential units and shall be retained thereafter and not altered without prior approval.

REASON: In the interest of the residential amenity of future occupiers in accordance with Policy ENV10 of the adopted Local Plan.

14. No preliminary groundworks shall be installed until a programme of archaeological trial trenching and excavation has been secured and undertaken in accordance with a written scheme of investigation which will have been submitted to and approved in writing by the local planning authority.

REASON: To ensure that the development will not cause harm to a site of archaeological importance in accordance with Policy ENV4 of the adopted Local Plan and the provisions of the National Planning Policy Framework.

15. An archaeological post-excavation assessment shall be submitted within three months of the completion of fieldwork, unless otherwise agreed in advance with the local planning authority. This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: To ensure that the development will not cause harm to a site of archaeological importance in accordance with Policy ENV4 of the adopted Local Plan and the provisions of the National Planning Policy Framework.

16. The soft landscaping scheme, as shown on approved plan 3032-19A1-103 revision C, shall be implemented within the first planting season following first occupation of any house hereby approved and retained as such thereafter unless the prior written consent of the local planning authority is granted for any alteration. The boundary fencing scheme, as shown on approved plan 3032-19A1-103 revision C, shall be

implemented and retained as such prior to first occupation of any house hereby approved.

REASON: In the interest of visual amenity and good quality to the design in accordance with Policy GEN2 of the adopted Local Plan.