

**UTT/19/1301/FUL
(Quendon)**

PROPOSAL: Construction of 9 new dwellings, vehicular access and associated parking and landscaping

LOCATION: Land East Of Foxley House, Cambridge Road, Quendon

APPLICANT: Stonebond Properties Ltd

AGENT: Phase 2 Planning

EXPIRY DATE: 8th November 2019

CASE OFFICER: Chris Tyler

1. NOTATION

1.1 Outside Development Limits,

2. DESCRIPTION OF SITE

2.1 The application site relates to a plot of land to the east of Foxley House in the village of Quendon. To the east of the site is Cambridge Road, the site is mainly bound by mature vegetation. To the north of the site is a public right of way connecting Cambridge Road to the centre of Rickling Green.

3. PROPOSAL

3.1 This application is for the erection of nine dwelling, vehicular access, associated parking and landscaping.

4. ENVIRONMENTAL IMPACT ASSESSMENT

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

And

Human Rights Act considerations:

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

5. APPLICANT'S CASE

5.1 The applicant has provided a planning statement in support of the planning application to illustrate the process that has led to the development proposal and to explain and justify the proposal in a structured way.

Also submitted is a completed biodiversity checklist,
Design and access statement

Arboriculture impact assessment

Ecological report

Flood risk assessment

6. RELEVANT SITE HISTORY

6.1 There are no planning application linked to this proposal

7. POLICIES

7.1 National Policies

National Planning Policy Framework (2019)

7.2 Uttlesford Local Plan (2005)

Policy S7 – The countryside

Policy GEN1- Access

Policy GEN2 – Design

Policy GEN3 -Flood Protection

Policy GEN4- Good Neighbourliness

Policy GEN6- Infrastructure and provision to support development

Policy GEN7 - Nature Conservation

Policy GEN8- Vehicle Parking Standards

Policy H1- Housing Development

Policy H9- Affordable Housing

Policy H10- Housing Mix

ENV13- Exposure to poor air quality

ENV14- Contaminated Land

ENV3- Open Space and Trees

7.3 Supplementary Planning Documents/Guidance

Uttlesford Local Residential Parking Standards (2013)

Essex County Council parking Standards (2006)

Supplementary Planning Document- Accessible homes and play space homes

Essex Design Guide

7.4 Emerging Plans

Uttlesford Emerging Local Plan

Newport, Quendon and Rickling Emerging Neighbourhood Plan

8. PARISH COUNCIL COMMENTS

8.1 Here is the response from Quendon and Rickling Parish Council to this planning application.

After the recent construction of the houses in the Ventnor Lodge and Foxley House developments Quendon and Rickling Parish Council (Q&RPC) would prefer to see no further new developments within the village.

However, Q&RPC understands that UDC is minded to approve development on this site. If such approval were to be given then Q&RPC is of the opinion that the new

housing must meet the needs of the village, be high quality and well designed, add to biodiversity and encourage walking. These aims are supported by the Essex Design Guide (EDG), the National Planning Policy Framework (NPPF) and the Quendon and Rickling Village Plan.

Q&RPC is of the opinion that the proposals as they stand are deficient in the following ways :

1. Little thought for biodiversity
2. Lack of permeability
3. Uninspired design that does not reflect local environment
4. Information Infrastructure
5. No two bedroom houses
6. No electric vehicle charging points

1 Biodiversity

The EDG (p23) states that new developments should be 'laid out in such a way as to safeguard the existing ecology and improve the natural habitat'. And (p25) 'Existing ecology and natural habitats found on the site must be safeguarded and enhanced and new opportunities for increasing the biodiversity should be explored'. The NPPF states the following: Para 170 'Planning policies and decisions should contribute to and enhance the natural and local environment by: minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures'. Para 174 'plans should: promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity'.

Para 175 'development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity' These statements make it clear that biodiversity should be part of a new development such as this. I think that this can be achieved by :

- (i) The incorporation of nesting boxes for swifts into each building
- (ii) The incorporation of bat boxes into each of the buildings
- (iii) Wildlife corridors (ie hedges and tree screening) through and around the perimeter of the development, (to include the Northern boundary with Hallfields)
- (iv) Ensuring that any fencing has gaps at ground level to allow hedgehogs, frogs and toads to pass through.

Points (i) and (ii) are supported by the RSPB and the Bat Conservation Trust and the way that they can be achieved is explained in the Royal Institute of British Architects biodiversity guide :

<http://www.ribabookshops.com/item/designing-for-biodiversity-a-technical-guide-for-new-and-existing-buildings-2ndedition/79859/>

2. Permeability, walking and public transport use This relates to ensuring that the development is not isolated from the rest of the village and that it can be accessed easily on foot via natural and desirable routes.

The EDG states: Page 27 'A street layout that encourages walking and cycling is permeable, in that it is well connected and offers a choice of direct routes to all destinations' It should be possible for pedestrians to move freely between all parts of the layout' Page 23 'The development [should be] laid out in such a way as to ... encourage walking and cycling'

The NPPF states: Para 182 - Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs)

Para 110 – ‘applications for development should: a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use... c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles’

Q&RPC are of the opinion that as proposed the development is cut off from the rest of the village and that a footpath at the northern end of the development that links to the existing footpath running past Hallfields is required.

Such a footpath would provide new residents with access to the village hall and the northern part of the village whilst also providing existing residents with safe access to the children’s public play area; avoiding the need to walk along the B1383. It is important that this access should be a public right of way and, along with the rest of the development’s routes built to the required standard so that it can be adopted. Q&RPC are of the opinion that a zebra (or similar) crossing across the B1383 as well as a footpath to the crossing is required so that bus stops can be safely accessed. Without easy and safe access to public transport the residents of the new houses will be forced to rely on private motor vehicles.

3.Design

The NPPF states: Para 124 The creation of high quality 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. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process

Para 125 Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area’s defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.

Para 127 Planning policies and decisions should ensure that developments: are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
128 Design quality should be considered throughout the evolution and assessment

of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community.

Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot

130. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme

(for example through changes to approved details such as the materials used).

131. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings. The EDG has detailed examples of what well designed buildings in Essex should look like.

Q&RPC is of the opinion that the proposed design of these buildings does not match the standards set out in the NPPF and the EDG. The proposed designs are standard and mundane and do not reflect the traditional designs of Northwest Essex.

For example the EDG states 'typically, in order to conform to the traditional Essex roofscape, roofs should be pitched at approximately 50° over spans not exceeding 5m. Such roofs are more attractive gabled than hipped. The use of hips on both ends of a house gives it a suburban look and makes it difficult to integrate into the street scene. Hips should therefore be used sparingly'.

The proposed houses do not meet the standards in the EDG and the plans should be revised so that they do reflect the style of the long established village.

In addition it is important to note that houses must contain adequate provision for resident and visitor parking, since there is no room in Hallfields, in the Village Hall car park, or anywhere else in the village for additional parked vehicles.

4 Information Infrastructure

The proposals do not, as far as Q&RPC can tell, detail the communications infrastructure that will be provided. However NPPF states :

Para 112. Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Planning policies and decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Policies should set out how high quality digital infrastructure, providing access to services from a range of providers, is expected to be delivered and upgraded over time; and should prioritise full fibre connections to existing and new developments (as these connections will, in almost all cases, provide the optimum solution).

Q&RPC is of the opinion that any approval for the development must be subject to

the provision of information infrastructure by the developers.

5. No Two Bedroom Houses

The proposals only contain 3 and 4 bedroom houses; they do not contain any 2 bedroom houses. The Village Plan explains that smaller houses are required in order to maintain a mixed community and a vibrant village, where younger people can establish themselves and older people are able to downsize. Q&RPC would like to see the plans revised so that they do include 2 bedroom properties.

6.No Electric Vehicle Charging Points

The EDG states that 'for housing developments with garages and/or dedicated off-street parking, each new dwelling should be fitted with a standard (3-7kW) chargepoint.'

Q&RPC can find no reference to charge points in the proposals. Q&RPC would like to see the proposals revised so that they do include charge points.

Other Points of Note

- (i)Q&RPC is of the opinion that access to the development should not be via a new opening onto the B1383 and supports the proposed entrance via Snowdrop Road.
- (ii)Quendon and Rickling already suffer from a poor drainage and sewerage service. It is essential that the capacity of the existing network is upgraded to accommodate the additional housing.

Please find the following summary of the Parish Council comments and case officers comments

Parish Comments	Case Officer Comments
Little thought for biodiversity	An ecology survey has been carried out and submitted to the council. The Essex County Council ecologist has responded to this.
Lack of permeability	A additional footpath has been provided to the front of the site
Uninspired design that does not reflect local character	The dwellings are in compatible with neighbouring sites
Information Infrastructure	Negotiations for broadband will be made by the developer.
No two bedroom houses	The scale of houses are in accordance with the Strategic Housing Market Assessment.
No electric vehicle charging points	Electric charging points will be provided.

9.0 CONSULTATIONS

The Highways Authority

- 9.1 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.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, as shown in principle on DWG no. 18/04/03 (proposed site plan), subject to conditions;

Environmental Health

- 9.2 No objection subject to imposition of recommended conditions below to address construction, lighting & land contamination aspects of the proposed development.
Comments

Thank you for consulting Environmental Health on the above application. This is a full application for the development of a greenfield site for 9 dwellings. The site currently forms part of the garden to Foxley House which is located to the west of the site, and is bordered by recently constructed residential developments to the north and south.

Overall, I have not identified any significant environmental factors that in my view would warrant a formal objection to the development of the site for residential purposes. However, there are a number of localised issues that will need to be addressed and which should be conditioned to ensure they are suitably resolved for the final development scheme. I would therefore make the following observations and recommendations in terms of general environmental aspects of the outline application proposal:

Land Contamination

The applicants state that they have submitted a Phase 1 Land Contamination assessment for the site undertaken by Brown2Green Environmental consultants. Unfortunately, I was unable to find a copy of this assessment report with the submitted documents on the planning portal. The accompanying Planning Statement reports that the results of the Phase 1 Desk Top Study did not identify any significant potential contamination risks that warranted further investigation. Our current constraints mapping indicates that there was a former quarry and possible infilled pit some 100m+ to the south of the subject site. The location of the former quarry/pit has now been developed as Ventnor Close and has been subject to its own investigations and remediation strategy, and is therefore not considered to present a significant risk to the application site. Nevertheless, I would recommend that the following condition is attached to any consent granted to address any unexpected contamination risks discovered during the course of development of the site:

Land Contamination – Discovery Condition

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority and work halted on the part of the site affected by the unexpected contamination. An assessment of the nature and extent of contamination and the potential risks to human health shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR11".

Where remediation is found to be necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 5.

Reason: To protect human health and the environment and to minimise and prevent pollution of the land and the water environment in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework.
Construction Management

The applicants have submitted a very basic Construction Management Plan. Amongst other things, this does not cover the control of environmental factors such as noise & vibration, air quality (including dust), light and odour. In view of the size and scale of the development proposed, a more detailed and comprehensive construction management plan is required covering these environmental aspects together with other key areas for the effective management of the construction project and protection of existing residential occupiers living in close proximity to the development site.

Construction Environmental Management Plan

Prior to the commencement of the development, a detailed Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- a) The construction programme and phasing
- b) Hours of operation, delivery and storage of materials
- c) Details of any highway works necessary to enable construction to take place
- d) Parking and loading arrangements
- e) Details of hoarding
- f) Management of traffic to reduce congestion
- g) Control of dust and dirt on the public highway
- h) Details of consultation and complaint management with local businesses and neighbours
- i) Waste management proposals
- j) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.
- k) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

All works shall be carried out in accordance with the approved CMP thereafter.

Reason: In the interests of highway safety and the control of environmental impacts
Lighting:

No details of external lighting have been provided with the development. It is important to ensure that any external lighting scheme is suitably designed to prevent adverse impact on neighbouring occupiers from obtrusive or spillover light and/or glare. I would therefore recommend that the following condition is attached to any consent granted.

Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to

any occupation of the development. Only the details thereby approved shall be implemented.

Reason : To protect the amenity of existing neighbouring occupiers of the development from adverse impact as a result of obtrusive or spillover light or glare.

Ecology

- 9.3 No objection subject to securing biodiversity mitigation and enhancement measures. We have reviewed the Preliminary Ecological Appraisal (Greengage, April 2019), provided by the applicant, relating to the likely impacts of development on designated sites, protected & priority species/habitats. We are satisfied that sufficient ecological information is currently available for determination.

This provides certainty for the LPA of the likely impacts on Protected and Priority species/habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

This includes due diligence regarding nesting birds, hand search for hedgehogs, the creation of a Construction Environment Management Plan (CEMP) and bat sensitive lighting. Therefore, it is recommended that a lighting scheme and CEMP should be submitted as a separate condition of any consent.

We also recommend that precautionary measures should be undertaken for radiating mammals (such as hedgehogs) for this application, which has been outlined via the informative below.

We support the reasonable biodiversity enhancements, which have been outlined within the Preliminary Ecological Appraisal (Greengage, April 2019). This includes wildlife-friendly landscaping, invertebrate features (habitat wall, solitary bee house or log piles) and the installation of bird and bat boxes. This will ensure measurable net gains for biodiversity, which will meet the requirements of Paragraph 170d of the National Planning Policy Framework 2019. This should be secured by a condition of any consent via a Biodiversity Enhancement Plan, prior to commencement. This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

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

Recommended Conditions:

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Greengage, April 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This includes, due diligence regarding nesting birds and hand search for hedgehogs.

Reason: To conserve Protected and Priority species and allow the LPA to discharge its duties under the Wildlife & Countryside Act 1981 and s40 of the NERC Act 2006 (Priority habitats & species).

2. PRIOR TO COMMENCEMENT: BIODIVERSITY ENHANCEMENT LAYOUT

A Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (Greengage, April 2019), shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

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

3. PRIOR TO COMMENCEMENT: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

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 specification) 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 UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

4. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

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.

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 UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

Aerodrome Safeguarding

9.4 No Objections

Crime Prevention Officer

9.5 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.

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.

10 REPRESENTATIONS

10.1 19 letters of objections have been received, the following table summarises these comments.

10.2

Increase in car fumes and pollution
Traffic safety impact
Parking issues
No provision of construction management
Cost of upkeep of the road
Noise pollution
The access road is too narrow
Increase in vehicle movements
The private road have no pavements
In close proximity to the park
Poor visibility splays
The dwellings do not provide anything for then community
Construction noise
Loss of privacy
The sizes of the dwellings will not benefit local community
Landscaping should be enhanced
The footpath to the north of the site should be maintained
Drainage issues

10.3 All material planning merits will be considered in the following report.

11 APPRAISAL

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

- A The principle of the development of this site for residential (ULP Policy H1, S7, ENV13, ENV3) NPPF, Uttlesford Emerging Local Plan, Emerging Newport, Quendon and Rickling Neighbourhood Plan;
- B Design and impact to amenity (Layout and Parking) ULP Policies GEN2, GEN4 and GEN8, Essex Design Guide, UDC Local Residential Parking Standards and the NPPF, Emerging Newport, Quendon and Rickling Neighbourhood Plan;
- C Access to the site (ULP Policy GEN1);
- D Affordable Housing, Education Contributions, Housing Mix (ULP Policies H9, H10, GEN6);
- E Nature Conservation (ULP Policy GEN7);
- F Flood Risk (ULP Policy GEN3);
- G Contaminated Lane (ULP Policy ENV14);
- H Any other material considerations

A The principle of the development of this site for residential (ULP Policy S7,ENV13,ENV11, ENV2, ENV3,ENV4 and the NPPF)

- 11.1 The application is for the construction of 9 new dwellings, vehicular access and associated parking and landscaping.
- 11.2 S70 (2) of the Town and Country Planning Act 1990 states that "in dealing with a planning application the local planning authority shall have regard to the provisions of the Development Plan so far as is material to the application and to any other material considerations". S38 (6) of the Planning and Compulsory Purchase Act 2004 states that "if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. As such the following are considered material considerations:

The NPPF.
The lack of a 5 year housing supply.
- 11.3 Paragraph 11 of the NPPF considers the presumption of sustainable development, this includes where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (this includes where five year housing supply cannot be delivered). As identified in the most recent housing trajectory document (Oct 2019) demonstrate 2.68 years housing supply. In terms of housing delivery, nationally available figures indicate that delivery was 147% over the past 3 years. The Council is therefore unable to demonstrate a deliverable 5 year supply of housing land and due weight must be given to the proposal. This means that due consideration and weight should be applied in regards to the positive role of sustainable development.
- 11.4 ULP Policy GEN2 requires development proposals, inter alia, to be compatible with the scale, form, layout, appearance and materials of surrounding buildings. It also requires development to safeguard important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate. Paragraph 127 of the NPPF states planning decisions should ensure that developments establish or maintain a strong sense of place, using the arrangement of streets spaces, building types and materials to create attractive, welcoming and distinctive places to live.
- 11.5 The scheme is for nine open market dwellings consisting of 5 detached dwellings and 4 semi- detached dwellings. In policy terms the dwellings are outside of the

development limits of Quendon as defined by Uttlesford. Consequently for the purposes of planning, the site is considered to be within the Countryside and subject to all national and local policies

- 11.6 The site is therefore subject to the provisions of Policy S7. Policy S7 is a policy of general restraint which seeks to restrict development to that which needs to take place there, or is appropriate to a rural area in order to protect the character of the countryside. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there. This policy seeks to protect the rural area from inappropriate development and permission will only be given for development which is appropriate to the rural area or needs to take place there. Permission will only be given for development which protects or enhances the character of the countryside in which it is set or there are special reasons why the development needs to be there. The proposal relates to a form of development which is inappropriate in a rural area and which does not need to take place there.
- 11.7 The application site forms part of the emerging local plan (QUE1) and also the emerging Newport, Quendon and Rickling neighbourhood plan. The emerging local plan put forward the land east of Foxley House for the use as residential and for approximately 19 dwellings and detailed proposals should that comply with other relevant policies and meet the following site specific development requirement will be permitted:
1. The development provides for a mixed and balanced community;
 2. Development respects the amenity of existing dwellings adjoining the site;
 3. A Transport Assessment may be required to support a planning application and appropriate access arrangements to be agreed and to the satisfaction of the highway authority;
 4. A Landscape and Visual Impact Assessment will be required and should inform the design and layout of the site proposals;
 5. Development will need to be implemented in accordance with design guidance approved by the Council and other Development Management policies.
 6. Implementation of the proposals will be regulated by legal obligation in association with the grant of planning permissions.
- 11.8 Although the emerging local plan has not been adopted it hold some weight in the assessment of this planning application and consideration will be made in this report.
- 11.9 Due to paragraph 11 of the NPPF and the lack of housing supply this means that applications for sustainable development outside development limits may need to continue to be granted where appropriate to ensure the level of housing supply is robust and provides a continuous delivery of housing. Moreover the proposal should be considered against the three strands of sustainable development including economic, social and environmental.
- 11.10 Economic: The NPPF identifies this as contributing to building a strong, responsive and competitive economy, supporting growth and innovation and by identifying and coordinating development requirements, including the provision of infrastructure. In economic terms the proposal would have short term benefits to the local economy as a result of construction activity and additionally it would also

support existing local services, as such there would be some positive economic benefit.

- 11.11 Social: The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The NPPF identifies this as supplying required housing and creating high quality-built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being.
- 11.12 The proposal would provide significant housing benefits, in terms of market provision, as would increasing the population close by to services and community facilities and such benefits would be consistent with the social dimension of sustainable development. The proposed development also provides a mix that is in accordance with the recognised needs of the District. The properties proposed by the development would be attractive to first time buyers and young families, providing housing to support family connections and support a balanced community. It will also result in the delivery of high quality development and landscape preservation.
- 11.13 Although the application site is outside of the development limits it is within close proximity to Rickling Green and Quendon. Some community provisions are provided within Rickling Green such as School and village hall. A bus service is provided along Cambridge Road connecting Saffron Walden and Bishop's Stortford. To the north of the site is a footpath. The proposed scheme will not impact the use of the footpath. Furthermore a new footpath is proposed to the front of the site which will provide the residents of the development with an improved pedestrian access to Cambridge Road and the existing footpath to the north of the site. This will provide improved connectivity with the surrounding area. As such taking into consideration the location of the application site and local provision the development on would comply with the social objective of sustainable development.
- 11.14 Environmental: The environmental role seeks to protect and enhance the natural, built and historic environment. The NPPF recognises the intrinsic character and beauty of the countryside. The site is tacked onto the existing settlement and is a plot of land between existing residential development. The proposal would introduce an element of built form within the open countryside, which would have some impact on the character of the area. This impact would need to be weighed against the benefits of the scheme.
- 11.15 The site plan submitted with the application demonstrates a layout which will be landscape led, however it is considered further landscaping mitigation will be required to create a significant enhancement to the immediate and surrounding area. In particular, the scheme proposes the enhancement of the existing landscape buffer to the boundary of the site, however a condition should be included for the landscaping details to be agreed prior to the commencement of the development should planning permission be granted.
- 11.16 The landscaping throughout the site would help to screen and contain the development and limit any views of it from outside of the site. The significant areas of landscaping throughout the site would also improve the biodiversity of the site, as confirmed within the submitted Ecological Assessment.
- 11.17 The Council's Landscape Officer has been consulted; although no objection has been received it is considered the development will result in some degree of visual

intrusion. However, the site has been included in the emerging draft local plan for residential development, also the positioning of the development will be in close proximity to other new residential developments to the north and south of the site. As such it is considered the proposed landscape and character of the site would be compatible with its surroundings.

- 11.18 In conclusion and with the imposition of conditions, it is considered that the residential development could be successfully accommodated within the site and surrounding landscape without unacceptable effects on the landscape character or visual amenity.
- 11.19 Representations have been received in respect of potential harm in respect of air pollution. Impact on air quality is closely related to highway capacity in terms of creating congestion, and geography of the local road network in terms of dispersion of emissions. The site is not in an area currently monitored for air quality (AQMA) and Environmental Health Officers have been consulted, who confirm that they are not concerned in respect of air quality issues and that they have no objections.
- 11.20 Additional traffic at the times of school opening and closing will make up a relatively small proportion of the total emission load when assessed over a 12 month period, which the annual mean based air quality objectives require. Users of the facilities can minimise the impact by adopting non car travel. Additional traffic at the times of school opening and closing will make up a relatively small proportion of the total emission load when assessed over a 12 month period, which the annual mean based air quality objectives require. Users of the facilities can minimise the impact by adopting non car travel or introduction of electric powered vehicles.
- 11.21 This site very much nestles into the small settlement and development here would not bring about any notable landscape or visual impact implications in the wider setting. It is considered that proposed development would comply with the environmental objective of sustainable development.
- 11.22 It is considered that the weight to be given to the requirement to provide a 5 year land supply and the housing provision which could be delivered by the proposal would outweigh the harm identified in relation to rural restraint set out in ULP Policy S7. The site is relatively sustainable in terms of economic, social and environmental features and therefore taking into account the benefits of the proposal it is considered that the principle of the development is acceptable and in accordance with policies.

B Design and impact to amenity (Layout and Parking) (ULP Policies GEN2, GEN4 and GEN8, Essex Design Guide, UDC Local Residential Parking Standards and the NPPF, Emerging Newport, Quendon and Rickling Neighbourhood Plan)

- 11.23 All of the units would have private amenity spaces. The Essex Design Guide recommends that dwellings or 3 bedrooms or more should have private amenity spaces of 100sqm+. The gardens shown in the submitted plans indicate that they could accord with the requirements of the Essex Design Guide.
- 11.24 The adopted Uttlesford Local Residential Parking Standards require three bedroom dwellings should include two off street parking spaces and four bedroom and above should include three off street parking spaces. It is considered sufficient parking spaces have been proposed and in accordance with these adopted standards. Also

the proposal would need to comply with accessible and adaptable dwellings M4(2) of the Building Regulations 2010. Approved Document M, Volume 1 2015 edition and 2016 amendments. Also in respect to Part M4 (2) paragraph 2.12 relating to car parking, in order to comply with the building regulations, as such this should be conditioned if approved.

- 11.25 A number of the parking spaces are in a tandem design this would be compatible with other large approved residential schemes and although not an ideal parking layout it does not give rise to any concerns in regards to on-street parking. Furthermore, three visitor parking spaces will be provided within the development.
- 11.26 Refuse collection is proposed from within the site, with refuse vehicles travel in forward gear, with room within the site for refuse vehicles to turn and exit the site in forward gear. Each dwelling is within the maximum collection and drag distances prescribed.
- 11.27 In regards to the design and appearance of the development, the dwellings will be of a traditional form and appearance that would be comparable to other local residential developments. The layout of the scheme ensures the properties will have sufficient private amenity space; this is contributed by the distance between properties and landscaping features. The Parish Council have raised concerns in regards to the design of the scheme and makes reference to the Essex Design Guide and the emerging neighbourhood plan. From the plans submitted it is considered the design of the dwellings are appropriate and include a traditional form, appropriate scale and use of materials compatible with the character of the site and its surroundings.
- 11.28 As shown on the submitted plans the proposed dwellings are two storeys, it is considered the dwelling will not be adversely intrusive or dominant in the street scene. As such taking due consideration of the above it is considered the proposed development includes an acceptable design scheme and is in accordance with ULP Policies GEN2 and GEN8, Essex Design Guide, UDC Local Residential Parking Standards and the NPPF.
- 11.29 ULP Policy GEN2 also considers the impact to neighbouring properties in regards to loss of light, over shadowing, overlooking and loss of privacy. The site plan submitted shows that the proposed dwellings as sited is unlikely to give rise to a significant loss of residential amenity to adjacent dwellings. The shortest separation distance is between Plot 4 and no.14 Hallfield, is approximately 20m. However this is not considered a direct back to back distance. The Essex Design Guide provides guidance that if the angle of the dwelling facing each other are set more than 30 degrees from each other, therefore the distance can be reduced to 15m.
- 11.30 Between the north of the application site and the neighbouring residential development there is significant vegetation and trees which provide further mitigation and privacy between the two sites a landscaping condition should be included to ensure further enhancement is made. As such taking into consideration the details above it is considered the development will not create any loss of privacy that will have a harmful impact to the amenity of existing neighbouring occupiers.
- 11.31 The separation distances between the proposed dwellings and the existing neighbouring dwellings ensure the development will not result in any loss of light, overshadowing that will have a harmful impact to neighbouring occupiers.
- 11.32 The introduction of the dwelling will result in an increase of noise and disturbance,

mainly due to the increase of vehicular movement within the site, that being said this would be consistent to the existing use of the neighbouring site. As such I do not consider the disturbance would be of a significant level that will result in a material harmful impact to the amenity of the existing neighbouring occupiers.

- 11.33 The comments submitted in regards to construction noise and disturbance is noted. The use of a planning conditions in regards to a construction management scheme should be imposed should planning permission be granted. Any noise from construction will not result in permanent issue and will be resolve on completion of the development. As such the proposal is in accordance with ULP Policy GEN4

C Access (ULP Policy GEN1)

- 11.34 Policy GEN1 states that development would only be approved when satisfactory safe access can be provided. The proposal includes access arrangements into the site are from the existing access off Snowdrop Road to the south of the site with additional pedestrian access to the eastern boundary providing a link to the existing network of footpaths along the B1383.
- 11.35 A number of objection have been received by local residents in regards to highway safety and the intensification of the site. The Highways Authority have been consulted and have made no objections subject to the imposition of conditions to mitigate the development. There will be a minimal change in traffic flows on the local highway network in the peak hours as a result of the proposed development, with up to 3 two-way movements during the AM and PM peak periods, therefore, the development would not result in any material highway or safety implications.
- 11.36 No further financial contributions have been requested from the Highway Authority. As long as the condition for provision of footway is included, then there is sufficient provision for pedestrians from the site and therefore a financial contribution is not sufficiently justified in planning terms.
- 11.37 The Highways Authority have carefully considered the information received from the applicant and are satisfied that the existing access arrangement is suitable for the proposed development without causing a highway danger, as such the proposal is considered acceptable under ULP Policy GEN1.

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

- 11.38 Policy H9 states that the Council will seek to negotiate on a site for site basis an element of affordable housing of 40% of the total provision of housing. Given the advice in Planning Practice Guidance (paragraph reference ID: 23b-031-20160519), which states that contributions for affordable housing and tariff style planning obligations should not be sought from small scale and self-build development, it is not considered that a financial contribution would be required. This is because the application site is below 0.5 hectare and below 10 dwellings, this is confirmed with in planning practice guidance that contributions should not be sought for small scale development of 10-units or less. As such there is no other material circumstances that indicate that it would be justifiable to seek a contribution or provision of affordable housing.
- 11.39 No requests have been made from the Essex County Council's Infrastructure Planning Officer in regards to the requirement of infrastructure contributions and therefore complies with ULP Policy GEN6.

- 11.40 The proposal includes a mix of smaller properties, no objections have been made by the Council's Housing Officer, as such it is considered the proposal accords with ULP Policy H10.
- 11.41 Objections have been received from the Parish Council in regards to the lack of smaller houses, as put forward in the emerging neighbouring plan. The Council's Housing Enabling Officer has not made any objection to the proposed scheme. The proposed mix of 3 and 4 bed homes is pursuant to identified needs within the Strategic Housing Market Assessment which contribute to the new emerging local plan, therefore, the mix is in accordance with the ULP Policy H10 and is meeting local and district wide needs. It should also be noted that the Neighbourhood Plan has little to no weight considering how far in the process this has progressed.

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

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

Bat sensitive lighting should be used within the site to mitigate for any adverse effects upon boundary and sensitive habitats potentially of use to local bat populations;

Site clearance should be undertaken outside the bird nesting season (March to August inclusive) or immediately after an ecologist has confirmed the absence of nesting birds;

Clearance of scrub and boundary vegetation during autumn to avoid impacts on hedgehogs, and;

Retention and protection of boundary hedgerows and trees to industry standard.

- 11.43 It is predicted that any potential adverse impacts from the proposed development upon specific protected species/habitats can be mitigated in line with relevant wildlife legislation and planning policy.

- 11.44 Essex County Council Ecologists have been consulted and have no objection subject to a conditions regarding ecological measures. As such it is considered the proposed development will not have a harmful impact on protected species or biodiversity and is in accordance with Policy GEN7 and the National Planning Policy Framework.

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

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

should be ensured that flood risk is not increased elsewhere.

- 11.46 The main residential development is located in Flood Zone 1 where development is considered appropriate. The application is supported by the submission of a Drainage Statement by Stomor which confirms that the proposed SuDS solutions would be adequate to provide effective flood protection and water treatment for the long term.
- 11.47 Taking into consideration the details submitted with the application it is considered the development accords with ULP Policy GEN3 and the development will not result in any flood risk.

G Contaminated Lane (ULP Policy ENV14)

- 11.48 ULP Policy ENV14 considers the impact of contamination of the site and its impact to the proposed development. Contamination may be present on the site however this is considered low. Nonetheless, there is always a potential risk associated with such commercial sites where made ground may be present. The application is accompanied by a Geo Environmental Site Investigation Report which confirms that the site is free of significant contamination with respect to the proposed development. As such, the report does not identify any significant environmental issues that would prevent the development from being delivered. UDC Environmental Health Officers have been consulted, no objections have been made subject the imposition of a conditions. As such it is considered the development will not result in any harmful impact due to contamination risks and the proposal accords with ULP Policy ENV14.

H Any other material considerations:

- 11.49 The following policies are included in emerging Local Plan submission and therefore have been considered in the assessment of the application; these policies hold some limited weight.

SP3- The scale and distribution of housing development
SP10- Protection of countryside
D1- High quality design
TA1- Accessible development
EN8- Protecting the natural environment
EN17- Air Quality
EN19- Noise sensitive development
H6- Affordable Housing
H2- Housing Mix
INF1 Infrastructure Delivery
EN18- Contaminated land
EN10- Open spaces

12 CONCLUSION

- A It is considered that the weight to be given to the requirement to provide a 5 year land supply and the housing provision which could be delivered by the proposal would outweigh the harm identified in relation to rural restraint set out in ULP Policy S7. Therefore it is considered that planning permission should be granted for the development. The development of the site as residential is included in the emerging Local Plan and emerging Neighbourhood Plan, which is a material consideration.

- B The layout and design of the development is acceptable. No significant loss of residential amenity will arise from the proposals. The amenity areas and parking provision are appropriate and complies with Policies GEN2 and GEN8. The housing mix for the development is also considered acceptable (ULP Policy H10)
- C The means of access to the proposal site is considered acceptable, whilst the access arrangements would not give rise to a danger to highway safety (ULP Policy GEN1).
- D The proposal would not be harmful to protect/priority species subject to recommended mitigation and compensation measures being conditioned and implemented (ULP Policy GEN7).
- E The submitted layout plan shows that impacts on residential amenity are likely to be insignificant (ULP Policies GEN2 and GEN4).

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 Prior to commencement of works above slab level, details of the following external finishes (including samples and/or photographs as appropriate) must be submitted to and approved in writing by the local planning authority:
 - Walls
 - Roof
 - Windows
 - Doors

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

REASON: To ensure compatibility with the character of the area, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition is to ensure that the development is only carried out in accordance with the above details
- 3 The development shall be carried out in complete accordance with the recommendations contained within the following documents submitted in support of the application as hereby approved:
 - i. Access Statement by Stomor April 2019
 - ii. Drainage Statement by Stomor April 2019
 - iii. Arboricultural Impact Assessment Report by Sharon Hosegood Associates – 26th April 2019

REASON: In order to achieve satisfactory development of the site in accordance with ULP Policy GEN1, GEN3, ENV3, GEN2 of the Local Plan.
- 4 All ecological mitigation and enhancement measures and/or works shall be carried

out in accordance with the details contained in the Ecological Appraisal by Greengage – April 2019, as submitted with the planning application and agreed with the local planning authority.

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 and s17 Crime & Disorder Act 1998 and in accordance with ULP Policies GEN7.

- 5 Within 3 months of commencement of development full details of hard and soft landscaping in accordance with the submitted Arboricultural Impact Assessment Report and Proposed Site Plan 18/04/03 shall have been submitted to and approved in writing by the local planning authority.
All planting, seeding or turfing contained in the approved details of the landscaping scheme shall be carried out in the first planting and seeding seasons.

If within a period of two years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub or plant of the same species and size as originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complimentary, and to ensure a satisfactory appearance to the development, in accordance with the guidance contained within the National Planning Policy Framework and Policies S7 and GEN2 of the adopted Local Plan.

- 6 Within 3 months of commencement of development a Landscape Management Plan, including long term design objective, management responsibilities and maintenance schedules for all landscape areas, other than, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority. The landscape management plan shall be carried out as approved.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act of 1990, so as to ensure that the amenity to be provided by the new landscaping is achieved and safeguarded, and to ensure a satisfactory appearance to the development, in accordance with the guidance contained within the National Planning Policy Framework an policies S7 and GEN2 of the adopted Local Plan.

- 7 Prior to occupation of any dwelling, a 2-metre footway shall be provided from the development northwards along the B1383 Cambridge Road to allow for pedestrian access to the existing footway network and public footpath, as shown in principle on drawing number ST-2875-04. For the avoidance of doubt the footway will extend to the junction with Hatfield Road and include provision of a 2m width footway from the for its full extent. The approved scheme shall be carried out in its entirety, prior to occupation.

REASON: In the interest of pedestrian safety and accessibility and in accordance with ULP Policy GEN1.

- 8 Prior to occupation of the development, improvements to the bus stop infrastructure

on B1383 Cambridge Road within the immediate vicinity of the site, including the provision of raised kerbs at both stops and a flag and pole at the southbound stop. The improvements scheme, to be approved by the Local Planning Authority in consultation with the Highway Authority, shall be implemented prior to first occupation.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport and in accordance with ULP Policy GEN1.

- 9 No dwelling shall be occupied until the associated parking and/or turning head indicated on the approved plans has been provided. The vehicle parking and turning heads shall be retained in this form at all times.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and that appropriate parking is provided and in accordance with ULP Policy GEN1.

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

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity and in accordance with ULP Policy GEN1.

- 11 Prior to occupation of the development, improvements to the bus stop infrastructure on B1383 Cambridge Road within the immediate vicinity of the site, including the provision of raised kerbs at both stops and a flag and pole at the southbound stop. The improvements scheme, to be approved by the Local Planning Authority in consultation with the Highway Authority, shall be implemented prior to first occupation.

REASON In the interests of reducing the need to travel by car and promoting sustainable development and transport and in accordance with ULP Policy GEN1.

- 12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority and work halted on the part of the site affected by the unexpected contamination. An assessment of the nature and extent of contamination and the potential risks to human health shall be submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR11".

Where remediation is found to be necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority

REASON: To protect human health and the environment and to minimise and prevent pollution of the land and the water environment in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework and ULP Policy ENV14.

- 13 Prior to the commencement of the development hereby approved a detailed Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:
- a) The construction programme and phasing
 - b) Hours of operation, delivery and storage of materials
 - c) Details of any highway works necessary to enable construction to take place
 - d) Parking and loading arrangements
 - e) Details of hoarding
 - f) Management of traffic to reduce congestion
 - g) Control of dust and dirt on the public highway
 - h) Details of consultation and complaint management with local businesses and neighbours
 - i) Waste management proposals
 - j) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.
 - k) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

All works shall be carried out in accordance with the approved CMP thereafter.

REASON: In the interests of highway safety and the control of environmental impacts in accordance with ULP Policies GEN2, GEN1.

- 14 Prior to the occupation of the development hereby approved details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to any occupation of the development. Only the details thereby approved shall be implemented.

REASON: To protect the amenity of existing neighbouring occupiers of the development from adverse impact as a result of obtrusive or spill-over light or glare and in accordance with ULP policy GEN2.

- 15 All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Greengage, April 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes, due diligence regarding nesting birds and hand search for hedgehogs.

REASON: To conserve Protected and Priority species and allow the LPA to discharge its duties under the Wildlife & Countryside Act 1981 and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with ULP Policy GEN7.

- 16 Prior to commencement a biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (Greengage, April 2019), shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

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

species) and in accordance with ULP Policy GEN7.

- 17 Prior to the occupation of the development hereby approved alighting 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 specification) 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 UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with ULP Policy GEN7.

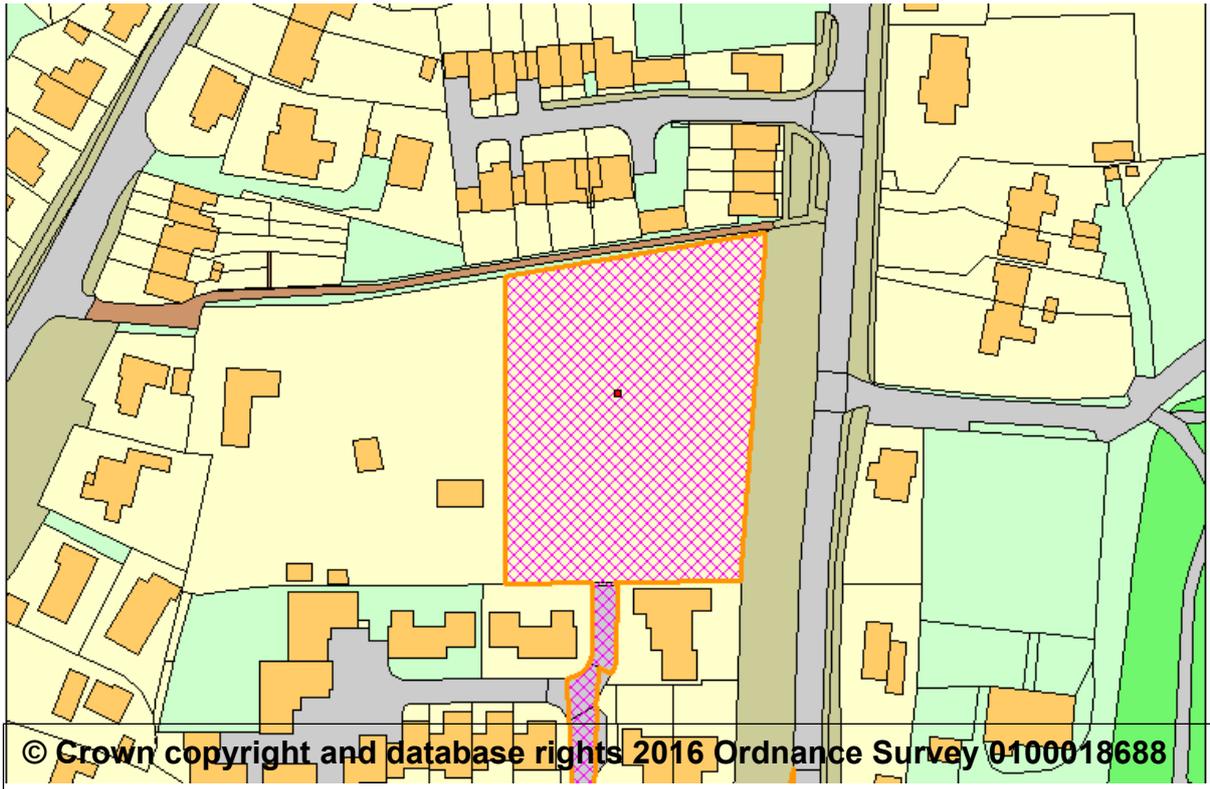
- 18 Prior to the commencement of the development hereby approved A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority.

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.

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 UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).



Organisation: Uttlesford District Council

Department: Planning

Date: 18th October 2019