

Previously deferred for a site visit. Application now subject to an appeal for non-determination.

UTT/18/3524/FUL - TAKELEY

(Referred to Committee as more than 5 dwellings)

PROPOSAL:	Demolition of extensions to the listed building and its retention as a single dwelling, demolition of existing outbuildings and the erection of 6 detached dwellings.
LOCATION:	Frogs Hall, Bambers Green Road, Takeley
APPLICANT:	Winston Group
AGENT:	DLA Town Planning Ltd
EXPIRY DATE:	27th February 2019 (extension of time until 17th January 2020)
CASE OFFICER:	Jonathan Doe

1. NOTATION

- 1.1 Countryside Protection Zone
Outside defined development limits
Frogs Hall is a Listed Building
A number of trees at the front of the site are the subject of TPO's and there is a blanket TPO to the rear of the site and to the southern side.
Bambers Green Road is a Protected Lane south from the site to Stortford Road.
Within 2km of SSSI

2. DESCRIPTION OF SITE

- 2.1 The site is in a rural location to the northeast of Takeley. The A120 is to the north of the site.
- 2.2 The site is at the southern end of a cluster of development which includes significant built form of the former Frogs Hall Riding School (also known as Bambers Green Riding School) and two residential properties; The Lodge and Frogs Hall Farmhouse. The riding school also had a livery though the premises as a whole are now vacant. The broader setting of the site is one of agricultural fields; the A120 not far to the north is in a cutting with Bambers Green Road passing over on a bridge.
- 2.3 The site is a residential site, Frogs Hall is a house. Attached to the house, to the rear, is an annex with the postal address of The Staff House, Frogs Hall. The occupier of the house has a business involving firearms and the rear of the house has been used as a workshop. However, the scale of the business in proportion to the size of the site and the intensity of use are such that this could not reasonably be considered to be an employment site. The rear of the site is considered to effectively be vacant and is becoming overgrown, as is the immediate grounds to the house to the front of the site.
- 2.4 The site of the former Frogs Hall Farm Riding School is immediately beyond the northern boundary of the site. The site shares a vehicular access to the highway with this site to the north. Further to the north is Frogs Hall Farm.
- 2.5 The development site has an area of 0.96ha.

3. PROPOSAL

- 3.1 The proposal could be summarised as consisting of demolishing a non-original rear wing to the Listed Building, demolishing modern commercial style buildings to the rear of the house and erecting detached houses in a backland position relative to the Listed house.
- 3.2 Six new houses would be built and Frog's Hall itself would be renovated. Three of the houses would have 3 bedrooms and three of the houses would have 4 bedrooms. An existing dwelling or annex to Frogs Hall, The Staff House, would be removed with the demolition of the western wing. However, an outbuilding near the house, at one time the coach house, would be converted to annex type accommodation.
- 3.3 The new houses would be to a contemporary design, the application documentation states that the design of the dwellings has been influenced by the appearance of traditional barns. As such they are based on a narrow rectangular plan would be of two-storey with a pitched roof design.
- 3.4 Three car ports would be to a design to resemble cart lodges.
- 3.5 The proposed houses would have a combined footprint of 741 sq m. Although the houses would be two-storey, it would not follow that the floorspace would be double the figure for footprint because the internal design of three of the houses; on plots 2, 5 and 6; includes a double height ceiling to the entrance halls, with a balustrade to the landing. Nevertheless, it seems clear that the residential floorspace involved in this proposal exceeds a figure of 1,000 sq m for combined gross internal area referred to at Policy H6 of the Regulation 19 Local Plan.
- 3.6 Frogs Hall would retain its existing vehicular access. The proposed houses would use an existing vehicular access onto Bambers Green Road which is a common access to The Lodge, the former riding school and a secondary access to Frogs Hall.
- 3.7 An internal access road would be provided as a shared surface. Each dwelling would be provided with two parking spaces. Visitor parking would also be provided.

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 Would contribute to housing supply at a time when the local planning authority cannot demonstrate a five year supply of housing land. Six appeal decisions are cited in support of the proposal.
- 5.2 This is a brownfield site; previously developed land from a firearms business from 1992 to 2011. Development of this brownfield site would reduce pressure on greenfield sites. It is considered that this use would fall within Class B2 / B8. The historic use of the site has no restriction on such matters as hours of operation or open storage.
- 5.3 Existing commercial buildings would be demolished. At paragraph 6.2.2 of the Planning Statement it is stated that buildings with a footprint of 994 sq m and a volume of 4,196 cubic metres would be demolished.

- 5.4 Services are nearby, at Takeley, Little Canfield and the Priors Green extension to the settlement.
- 5.5 The setting of a Listed Building would be enhanced; the demolition would better reveal the qualities of the original building.
- 5.6 The site forms part of a well screened parcel of land. A landscape impact assessment report forms part of the submitted documentation.
- 5.7 An Arboricultural Report forming part of the submitted documentation concludes that trees at the site are generally low quality or unremarkable. Extensive and detailed documentation regarding landscaping has been submitted as part of the application.
- 5.8 The housing would provide a high standard of amenity to future occupiers.
- 5.9 The application acknowledges that further survey work would be required to determine whether bat roosts are present in buildings. A badger sett has been identified and would need to be monitored to confirm that it is disused. Nevertheless, measures for biodiversity enhancement are included in the scheme. A preliminary ecological appraisal has been submitted as part of the application documentation.

6. RELEVANT SITE HISTORY

- 6.1 No relevant history.

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
ENV2 - Development affecting LB
ENV3 - Open spaces and trees
H4 - Backland development

Supplementary Planning Documents/Guidance

SPD2 - Accessible homes and play space
ECC Parking Standards DGP09/200
Uttlesford Local Parking Standards

National Policies

National Planning Policy Framework

Other Material Considerations

Letter from Natural England dated 5th April, 2019 (reference HatFor Strategic Interim LPA)

8. PARISH COUNCIL COMMENTS

8.1 Takeley Parish Council object to this application for the following reasons:

1. In the curtilage of a listed building in a Countryside Protection Zone. Not in keeping with the current area.
2. Overdevelopment of site with six houses crammed on a minor road.
3. Access issues onto a minor road providing poor access either end.
4. Single track road that accesses on to the B1256 which will have difficulty sustaining the level of traffic that will result from this number of housing, and associated visitors.

9. CONSULTATIONS

Historic Environment Team, ECC Place Services

9.1 Whilst I have no objection in principle to the proposed demolition of the modern outbuildings and the modern extension to Frogs Hall, the proposed development of the site is considered detrimental to the understanding of Frogs Hall as a historic hall house: a high status building enclosed by ample amenity space. Development to the rear of Frogs Hall has traditionally comprised of buildings associated with the host dwelling, clustered around the north extent of the application site and it is recommended that this be retained, facilitating the appreciation of Frogs Hall's historic rank. Further to this, the proposed scheme would lead to the overdevelopment of the plot and the saturation of a listed building's setting with built form, curtailing its curtilage and at odds with the traditionally open character of the building's surrounds.

9.2 For the above, the scheme is considered to cause "less than substantial harm" to a designated heritage asset and paragraph 196 of the NPPF is relevant.

Essex County Council Ecology

9.3 Initially a holding objection was received due to insufficient ecological information. A bat survey report was subsequently received and ECC Ecology was consulted on this.

9.4 Specialist advice in response to the bat survey commented that two trees had potential to be suitable for bats but had not received the requisite survey (one of the trees concerned was said to be not safe to climb due to its fragile nature). Information was not clear with regard to a third tree. The ecological advisor recommended that the proposed plans be updated to demonstrate the retention of the trees referred to above or an additional bat survey report be submitted.

9.5 Such amended plans were subsequently received and a written response has been received from the ecological advisor (letter dated 9th December 2019) which has no objection subject to securing biodiversity mitigation and enhancement measures.

9.6 As this application is for less than 50 dwellings, it is currently considered that there is not a requirement for a developer contribution towards a package of funded Strategic Access Management Measures at Hatfield Forest.

Stansted Airport Limited

9.7 The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. We have no aerodrome safeguarding objections to the proposed development.

Essex County Council Sustainable Drainage

- 9.8 Having reviewed the planning application and the associated documents which accompanied the planning application, we have identified that this is not a major application and therefore we shall have no further comments accordingly in relation to this application. However please consider conditions/informative to address sustainable drainage.

Essex County Council Archaeology

- 9.9 Conditions recommended regarding a programme of building recording and a programme of archaeological trial trenching and excavation.

Crime Prevention Tactical Advise

- 9.10 Whilst there are no apparent concerns with the layout, 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.
- 9.11 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 This application has been advertised by a site notice posted on 29 January 2018 and letters were sent to neighbouring properties on 23 January 2018. The notification period expired on 19 February 2019. No representation has been received.

11. APPRAISAL

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

- A Principle of development (NPPF; Local Plan Policies S7, S8 and H4)
- B Development affecting listed building (NPPF; Local Plan Policy ENV2)
- C Impact to protected trees (NPPF; Local Plan Policy ENV3)
- D Contaminated land (Local Plan Policy ENV14)
- E Archaeological matters (Local Plan Policy ENV4)
- F Design and amenity (NPPF; Local Plan Policy GEN2)
- G Site bio-diversity (NPPF; Local Plan Policy GEN7)
- H Access and parking (Local Plan Policies GEN1 and GEN8; Essex Parking Standards; and, Uttlesford Parking Standards)
- I Other material planning considerations (Emerging Local Plan)

A Principal of development (NPPF, Local Plan Policies S7, S8 and H4)

- 11.1 The Local Plan places the site as being outside any settlement limit (i.e. within the open countryside) and so Policy S7 applies to the proposal. Both the Local Plan and the NPPF recognise that the countryside needs to be protected for its own sake; however, this view does not amount to a bar to development in such areas.
- 11.2 Policy S7 states that development in the countryside will be permitted if it needs to be there, or it is appropriate to a rural area. A residential development for commercial gain would not meet either of the policy's two criteria.

- 11.3 Policy S8 relates to an area around Stansted airport where planning permission will only be granted if it needs to be there, or it is appropriate to a rural area. There will be strict control on new development. In particular development will not be permitted if new buildings would promote coalescence between the airport and existing development or if development would adversely affect the open characteristics of the zone. The site is a self-contained site with strong natural boundaries set amongst agricultural fields; the proposal would not promote coalescence. Essentially because of the treed nature of the site, the proposal would not adversely affect the open nature of the broader setting of the site. A landscape and visual impact assessment by Chris Davenport dated December 2018 forms part of the application documentation. Furthermore, Policy S8 relates to an area with a locally determined boundary and therefore has no implication in relation to the NPPF. Accordingly Policy S8 is considered to have only moderate weight.
- 11.4 Since the Council adopted the Local Plan, the government has published the National Planning Policy Framework (NPPF) in 2012 and updated in 2018. The Council's own compatibility assessment of the Local Plan in relation to the NPPF's new requirements showed that Policy S7 is partly consistent with the NPPF. Accordingly, Policy S7 only carries moderate weight.
- 11.5 The NPPF takes a less prescriptive approach to development in the countryside, especially, as is the case for Uttlesford District Council, local planning authorities cannot demonstrate a five year supply of deliverable housing land. The Council's most recent housing trajectory in October 2019 calculated that the Council had around 2.68 years' worth of land for housing. In such circumstances, the NPPF's so called tilted balance to sustainable development applies which is set out in paragraph 11 of the NPPF.
- 11.6 The Council is unable to demonstrate a five year supply of housing. Accordingly, this proposal involving the provision of six additional dwellings is considered to have some merit with regard to the aspect of housing supply.
- 11.7 The impacts of the scheme on a heritage asset are discussed below. The scheme would ensure the long-term viability of the listed building Frog's Hall. The scheme has been carefully considered in terms of its impacts and it is considered that the proposals would not result in a significant environmental harm. Overall, it is considered that the proposals would represent sustainable development.
- 11.8 Whilst the arrangement of the proposal could be described as backland development, Policy H4 states that development of a parcel of land that does not have a road frontage will be permitted subject to a number of criteria. These are all met in this case: the proposal would make more effective use of land; there would be no material overlooking or overshadowing of neighbours; no overbearing effect on neighbours; and, access would not cause disturbance to nearby properties. With regard to the last criterion, there would be greater use of a shared vehicular access but this could only have any affect to one neighbour, The Lodge. There is a distance of some 24m between the side elevation of The Lodge and the shared vehicular access.

B Development affecting a listed building (Local Plan Policy ENV2; NPPF)

- 11.9 Frog's Hall is a Grade II listed building. The property is thought to have 16th century origins, but was known as 'Mortivals' at the later part of the 19th century.
- 11.10 Essex County Council, Place Services has commented in writing on the proposal.

- 11.11 The letter concludes that the scheme is considered to cause “less than substantial harm” to a designated heritage asset and paragraph 196 of the NPPF is relevant. This paragraph of the NPPF states “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”
- 11.12 The listed building itself would be retained as a single dwelling. The removal of later additions and the enhancement of the immediate setting will result in the creation of an attractive dwelling which will be more manageable on its reduced footprint, and closer to its original size and character.
- 11.13 The proposals involve the removal of a large amount of added extension at the rear of the existing listed building. These additions have been added piecemeal over previous decades and they do not possess historic or architectural interest. Removing them will better reveal the special interest of the principal building and enable its immediate setting to be opened up to create a more attractive context.
- 11.14 Specialist advice is that the scheme is considered to cause “less than substantial harm” to the significance of a heritage asset and paragraph 196 of the NPPF is relevant.
- 11.15 The NPPF requires a balance to be applied in the context of heritage assets, including the recognition of potential benefits accruing from a development. In the case of proposals which would result in “less than substantial harm”, paragraph 196 provides the following: “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use.”
- 11.16 Whilst the misgivings of the specialist advisor are noted, the specialist advice concludes that the proposals are considered to cause less than substantial harm to a designated heritage asset and as such paragraph 196 of the NPPF is relevant. This paragraph refers to any harm being weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. A residential use as a property of a manageable size would ensure that the building would be maintained in a good condition and that it would ensure the long term retention and preservation of the form of the original house.
- 11.17 At the time of the site visit the house was vacant. The house appeared to have been closely associated with the business use involving the former agricultural buildings which latterly had a commercial use. It is considered that the proposals, involving the house reverting to a family type property of a manageable scale would avoid the house remaining vacant and declining further in terms of its maintenance.
- 11.18 The proposal is considered to be acceptable with regard to Policy ENV2.

C Impact to protected trees

- 11.19 Specialist landscaping advice was sought on the proposal. No objection has been received to date. A tree plan and a tree protection plan have been submitted as part of the application documentation. The proposed houses would have generous gardens and the houses would be laid out around a courtyard. Specimen trees would be retained as part of the proposals.

D Contaminated land (Local Plan Policy ENV14)

- 11.20 Paragraphs 178-180 of the NPPF require that planning decisions should ensure that a site is suitable for its proposed use based on any potential risks from contamination (amongst other

factors), and this factor is particularly true for residential development. Where land is suspected to be contaminated then the applicant is obliged to carry out an assessment to determine the risk and proportionate measures to mitigate against such risk.

- 11.21 The site was partly used for a firearms shooting range which had the potential to contaminate the site with heavy metals and hydrocarbons. Previous uses of the site suggest that land may be contaminated, which is often a common feature of a brownfield site. Further examination by means of intrusive works is recommended by a specialist report forming part of the application documentation and accordingly a condition to any planning permission to require a Phase 2 investigation is considered to be reasonable and necessary.

E Archaeological matters (Local Plan Policy ENV4)

- 11.22 Specialist archaeological advice recommends conditions regarding a programme of building recording and a programme of archaeological trial trenching and excavation.

F Design and amenity (NPPF; Local Plan Policy GEN2)

- 11.23 Policy GEN2 seeks to ensure that development proposals are of a good standard of design and would not result in harm to residential amenity of existing properties. Securing good design is also a thrust of the NPPF, being a key aspect of sustainable development.

- 11.24 The houses and carports would be to a contemporary style with simple forms (all the houses would have a simple gable roof above a rectangular plan with no bays) and large blocks of fenestration to asymmetric but organically balanced arrangements. External materials would be timber cladding, some facing brickwork and zinc standing seam roofing. Simple canopies would define entrance doors. Some of the houses would have roof lights but these would all be set such that the lower edge of the roof light would be above head height. The houses would have relatively low eaves heights, 4.5m. Roof lights would be used to illuminate non-habitable rooms on the first floors.

- 11.25 The Architects have produced a good standard of design as required by policy.

- 11.26 Each house would have sufficient amenity space. Parking is discussed in its own section with vehicular access matters.

Plot	Bedrooms	Garden size sq m	Parking spaces
1	3	375	2
2	4	275	2
3	3	120	2
4	3	120	2
5	4	650	2
6	4	750	2

- 11.27 In addition to private provision for each house there would be an area of communal space where trees would be retained and around which the houses would be set in a manner echoing farm buildings around a farm yard. The existing house of Frog's Hall would retain a private garden to the rear of some 1,750 sq m. Four visitor parking spaces would also be provided.

- 11.28 There would be no adverse impact on residential amenity due to overlooking or overbearing impact. However, this is due in part to the careful arrangement of houses and arrangement of first floor windows. In the light of this, and to assist in ensuring that trees on the site are retained, removal of Permitted Development rights by means of a condition is considered, on balance, to be reasonable.

G Site biodiversity (NPPF, Local Plan Policy GEN7)

- 11.29 Local Plan Policy GEN7 requires applicants to show that the development would not have a harmful effect on wildlife unless the need for the development outweighs the importance of the feature to nature conservation. Applicants also have a legal duty towards legally protected species or habitats. The site is in the countryside with the potential for there to be impacts, particularly in respect of bats given that demolitions of barn type buildings are proposed.
- 11.30 Essex County Council's Place Services is the ecology consultant for the local planning authority. A holding objection due to insufficient ecological information has been made in an advisory letter giving the opinion formed by specialist staff in relation to the particular matter of ecology.
- 11.31 One of the key findings of the Preliminary Ecological Appraisal submitted as part of the application documentation is that a bat roost has been identified in the main Frogs Hall buildings; other buildings have the potential to support bats. The installation of bat boxes would however offer an opportunity for biodiversity enhancement.
- 11.32 Officers consider that a planning permission subject to a condition to require bat emergence surveys, as recommended in the Preliminary Ecological Appraisal Report (BSG Ecology, Dec 2018), is appropriate in this case. There is also a requirement for trees proposed to be removed to be inspected for potential bat roost features and any subsequent surveys undertaken. The agent has confirmed in writing that ecologists have been instructed but there is no firm date for the surveys yet. The agent has also confirmed by email that a pre-commencement type condition would be acceptable.

H Access and parking (Local Plan Policies GEN1 and GEN8; Essex Parking Standards; and, Uttlesford Parking Standards)

- 11.33 Applicants are required to show that their development would not compromise the safety of the highway by ensuring that any additional traffic generated by the development can easily be accommodated within the existing highway network (Policy GEN1) and by providing a commensurate level of parking that is appropriate for the development (Policy GEN8).
- 11.34 The development would lead to an uplift of traffic, but due to the relatively small number of proposed dwellings, such an increase would be acceptable.
- 11.35 Parking requirements for residential developments depend in part on the number of bedrooms for each house:
Two and three bedrooms: two parking spaces
Four or more bedrooms: three parking spaces
- 11.36 Based on the above standards the proposal would generate a total requirement for 17 spaces, comprising 15 allocated spaces and 2 visitor spaces, (rounded up from 1.5). A total of 16 spaces are proposed, comprising 2 spaces per unit and 4 visitor spaces. The agent makes the argument that this represents a very modest shortfall, whilst the over provision of visitor spaces, to be included in a cartlodge type structure, would reduce the level of parking in each house curtilage in the interest of providing greater flexibility for parking provision.

I Other material planning considerations (Emerging Local Plan)

- 11.37 The Draft Uttlesford Local Plan has been submitted for examination. However, since there is no certainty that the policies within it will be adopted, the emerging Local Plan is given limited weight.

12. CONCLUSION

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

- A** The site lies outside development limits and within the Countryside Protection Zone. However, development of the site constitutes efficient use of land on a brownfield site, a form of development that is supported in the NPPF. The site and its immediate neighbours to the north is a self-contained parcel of land surrounded by extensive tracts of open fields; development would have no meaningful impact to coalescence of development around Stansted Airport.
- B** Considering the site as a whole, the Listed Building of Frog's Hall and its grounds to the rear, the proposal would secure the optimum viable use.
- C** Part of a group Tree Preservation Order is on part of the site. However, a tree survey has informed the landscaping and ensured that trees of the highest value would be retained.
- D and E** Contamination and archaeology can be dealt with by way of appropriate conditions if planning permission is granted.
- F** There is no specific design or access issue.
- G** Following receipt of ecological information in the form of a bat report and confirmation that certain trees would be retained, the proposal is acceptable with regard to biodiversity
- H** The parking provision is considered appropriate for this site.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions to planning application UTT/18/3524/FUL

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 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 of Accessible Homes and Play space.

4. Prior to first occupation of any dwelling hereby approved, all mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (BSG Ecology, December 2018) and the Bat Survey Report (BSG Ecology, October 2019) as submitted with the planning application and thereafter retained as such.

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 in the interest of the protection of biodiversity and in accordance with Policy GEN7 of the adopted Uttlesford Local Plan.

5. Prior to commencement of any operation or work to Building E, including demolition, the local planning authority shall have been provided with either:
 - a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to proceed; or
 - b) A statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development would require a licence.

REASON: To conserve Protected and Priority species and allow the local planning authority to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s17 of the Crime and Disorder Act 1998 and in the interest of the protection of biodiversity and in accordance with Policy GEN7 of the adopted Uttlesford Local Plan.

6. Prior to commencement, a Bat Method Statement shall have been submitted to and approved in writing by the local planning authority. The Bat Method Statement shall contain precautionary mitigation measures and/or works to reduce potential impacts to bats during the demolition of buildings B and C. The measures and/works shall be carried out strictly in accordance with the approved details and 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 in the interest of the protection of biodiversity and in accordance with Policy GEN7 of the adopted Uttlesford Local Plan.

7. Prior to commencement a construction environmental management plan (CEMP: Biodiversity) shall have been 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 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 in the interest of the protection of biodiversity and in accordance with Policy GEN7 of the adopted Uttlesford Local Plan.

8. No development shall take place (including any demolition, ground works or site clearance) until a further badger survey and updated mitigation statement has been submitted to and approved in writing by the local planning authority. This further survey shall be undertaken to identify whether any Badger activity has changed since the previous surveys were undertaken and whether further mitigation and/or works are required for badgers during the construction phase. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

REASON: To conserve Protected species and allow the local planning authority to discharge its duties under the Wildlife & Countryside Act 1981, the Badger Protection Act 1992 and s17 Crime and Disorder Act 1998 and in the interest of the protection of biodiversity and in accordance with Policy GEN7 of the adopted Uttlesford Local Plan.

9. Prior to construction above slab level a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) Detailed designs to achieve stated objectives;
 - c) Locations of proposed enhancement measures by appropriate maps and plans;
 - d) Persons responsible for implementing the enhancement measures;
 - e) Details of initial aftercare and long-term maintenance (where relevant)

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

REASON: To enhance Protected and Priority Species/habitats and allow the local planning authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Policy GEN7 of the adopted Uttlesford Local Plan.

10. Prior to first occupation of any dwelling hereby permitted a lighting scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on the 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 provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. Any 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 circumstance shall any other external lighting be installed without prior consent from the local planning authority.

REASON: To allow the local planning authority 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).

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any other Order revoking, further amending or re-enacting that Order) no development generally permitted by virtue of Class A, B, C or E of Part 1 of Schedule 2 to the Order shall be undertaken without the prior written permission of the local planning authority.

REASON: In the interest of the residential amenity of occupiers of neighbouring properties in accordance with Policies GEN2 i) and H8 of the adopted Uttlesford Local Plan and Policy D 3 of the Regulation 19 Local Plan (October 2018).

12. Prior to occupation of any dwelling, details of the following hard and soft landscaping works, which shall accord with the Landscape Strategy Document by Urban Design Studio (November 2018), must be submitted to and approved in writing by the local planning authority:

- Retained features
- New planting
- Hard surfaces
- Boundary treatment

All hard and soft landscape works must be carried out in accordance with the approved details.

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

REASON: To ensure compatibility with the character of the area, in accordance with Policy S7 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

13. 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.

Prior to re-commencement of the development, an assessment of the nature and extent of contamination must be submitted to and approved in writing by the local planning authority. If the assessment identifies that remediation is necessary, a detailed remediation scheme must be submitted to and approved in writing by the local planning authority prior to re-commencement of the development.

Remediation must be carried out in accordance with the approved remediation scheme prior to re-commencement of the development.

REASON: To minimise contamination risks, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

14. Prior to first occupation of any dwelling hereby permitted the vehicular parking and turning area as shown on approved plan P010 shall be implemented and available for use and retained as such thereafter.

REASON: In the interest of highway safety in accordance with Policy GEN8 of the adopted Local Plan and Policy D 2 of the Regulation 19 Local Plan.

15. Prior to first occupation of any dwelling hereby permitted a scheme for sustainable urban drainage and its maintenance, designed with reference to the Flood Risk Assessment and Drainage Strategy by EAS (January 2019) at pages 13 to 21, shall be submitted to and approved in writing by the local planning authority and implemented in accordance with the approved details and retained and maintained as such thereafter unless the prior written consent in writing is given by the local planning authority.

REASON: In the interest of sustainability and in accordance with Policy GEN3 of the adopted Uttlesford Local Plan; Policies SP 12 and EN 11 of the Regulation 19 Local Plan; and, the provisions of the National Planning Policy Framework.

16. Prior to first occupation of any dwelling to which this planning permission relates, an electric car charging facility shall be installed at the property 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 emerging Local Plan; and, the provisions of the National Planning Policy Framework.

17. No conversion or preliminary groundwork of any kind shall take place until the implementation of a programme of archaeological recording in accordance with a written scheme of investigation which shall have been submitted and approved in writing by the local planning authority has been secured.

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.

18. 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.

