

UTT/18/2508/OP

(MAJOR)

PROPOSAL: Outline application with all matters reserved, with the exception of access, for a mixed use development comprising a Doctors Surgery and a residential development of 38 new dwellings, new accesses, parking provision, landscaping and associated development.

LOCATION: Land West of Bury Farm, Station Road, Felsted.

APPLICANT: Young Family Trust.

AGENT: Mr Trevor Dodkins.

EXPIRY DATE: 20.12.2018 (extension of time agreed to 1 June 2020).

CASE OFFICER: Clive Theobald

1. NOTATION

- 1.1 Uttlesford Local Plan (ULP) - Outside Development Limits.
Felsted Neighbourhood Plan (FNP) - Outside Felsted NP Area / FEL/HN3 – Land at Station Road (Bury Farm).

2. DESCRIPTION OF SITE

- 2.1 The site comprises a large parcel of gently sloping agricultural land consisting of 4.2 ha. (stated) and currently set to grass which lies on the north and east sides of Station Road on the inside of a gradual bend between the end of Felsted village and Flitch Green. Further agricultural land lies to the immediate north of the site, whilst a continuous ribbon of dwellings line Station Road opposite the site extending down and round towards the Felsted treatment works. A continuous native hedgerow runs parallel with the site frontage for its entire length along Station Road. A public footpath (PROW No.15) runs along the northern boundary of the site at an angle from Station Road across to Bury Farm to the east and beyond.

3. PROPOSAL

- 3.1 This outline proposal with all matters reserved, with the exception of access, relates to a mixed use development comprising a new “smart hub” doctors surgery to serve Felsted village and Flitch Green as a local infrastructure delivery project and enabling market housing comprising 38 new market dwellings with the provision of two new vehicular accesses from Station Road.
- 3.2 An indicative site layout plan has been submitted showing the approximate preferred siting of the proposed doctor’s surgery in the south-east corner of the site and also how the enabling housing could be laid out comprising a mix of dwellings. An attenuation basin is shown for the western lowest side of the site, whilst a landscape buffer with pedestrian link to “Felsted Fen” is shown on land to the north of the proposed housing area.

- 3.3 No detailed drawings have been presented for the surgery given the outline nature of the application and as the final build specification would be shown at reserved matters stage, although an approximate footprint of the building has been indicated on proposed block plan 4973 03 B. Similarly, the precise siting area of the surgery within the site and proposed surgery parking arrangements are also indicatively shown as this could also subsequently change for any future reserved matters application. It is proposed for two vehicular accesses to serve the proposed development, one at the south-east end of the site and one at the western end of the site as shown.
- 3.4 Hard and soft landscaping measures are indicatively shown on drawings OS 1505-17.3 Rev. A and OS 1505-17.5 Rev A, including landscaping measures for the proposed attenuation basin and also a “green” buffer zone to the north of the development site. For both elements of the proposed scheme, details of Layout, Scale, Appearance and Landscaping are reserved for subsequent detailed consideration and do not therefore fall within the scope of the current outline application.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The proposal amounts to Schedule 2 development (Class 10. Infrastructure Projects – (b) Urban development projects...) for the purposes of the Town and Country Planning (Environmental Impact Regulations) 2017. Under this class, the development by reason of its nature, size and location (i) does not exceed 1 hectare of urban development which is not dwelling-house development; (ii) does not exceed 150 dwellings and (iii) the overall area of the development does not exceed 5 hectares (4.2 ha), whilst additionally the site does not lie within a “sensitive area” for the purpose of EIA definition. As such, the proposal is not EIA development.

5. APPLICANT’S CASE

- 5.1 The application is accompanied by the following core reports to inform the submitted proposal:
- Planning, Design and Access Statement
 - Flood Risk Assessment
 - Transport Statement
 - Arboricultural Impact Assessment
 - Ecology Impact Assessment
- 5.2 The submitted planning statement (Phase 2 Planning) sets out the planning justification case for this local infrastructure delivery project with enabling housing with reference to an identified local community need and the Felsted Neighbourhood Plan and concludes as follows:
- The Application site lies outside the village boundary of Felsted as defined by the Local Plan and is therefore within the countryside in policy terms. The starting point in this application is that the proposal is subject to Local Plan policy S7 The Countryside which seeks to impose a general restriction on development, including housing, outside the defined limits.
 - However, the district does not have a five-year housing land supply, meaning that, for the purposes of paragraph 11 of the NPPF, policies relating to housing supply are considered out-of-date. As a consequence,

the second part of paragraph 11 of the NPPF is engaged, establishing a tilted balance in favour of development. Accordingly, permission should be granted unless the adverse impacts of development would significantly and demonstrably outweigh the benefits.

- The benefits of the scheme are set out as follows:
 - i. The scheme is well-designed and would result in a high-quality development providing a good standard of amenity for its occupiers and no unacceptable impact on the amenity of existing residential occupiers.
 - ii. The land is currently unused close to the settlement limits of Felsted and is not read as part of the open countryside. To develop the land would therefore make more efficient use of it which is encouraged by the NPPF.
 - iii. The site is in close proximity to the edge of the village; the development would appear as a simple extension of the linear development in this part of Felsted. There would be no adverse impact or harm to the character or appearance of the village.
 - iv. The development would make a modest contribution to meeting the Council's housing needs, but more particularly it would help to provide choice and competition within the housing market area.
 - v. In overall terms, the development is sustainable given the existing services within Felsted, the employment benefits in a rural area and the provision of a community facilities available in the immediate locality.
- There are no adverse impacts of allowing this development when considered against the policies of the development framework as a whole, but importantly the scheme would provide Felsted with an improved location for the Doctors Surgery and enable the continued viability of this essential rural service thereby providing a number of benefits for the local community, which can be summarised as follows:
 - A modern purpose-built Doctors Surgery that will be able to cater for the needs of the local community and continue to provide an essential rural service;
 - Dedicated parking provision for the surgery and general village needs;
 - Reduction in parking congestion in the centre of the village; and
 - The securing of vital rural services and associated jobs.
- For the reasons set out above, a grant of planning permission would not establish a precedent due to the unique and particular circumstances highlighted above, and the significant benefits that would result to local community and provision of an important rural services and facilities within the District.
- In addition, the application proposals do not conflict with the statutory development plan, and where they do, the proposals are acceptable taking into account all other material considerations. As the tilted balance should be applied, and that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, the Council is respectfully requested to approve this application for the development proposed and grant planning permission.

6. RELEVANT SITE HISTORY

- 6.1 There is no relevant site history in relation to submitted planning applications, although a preliminary enquiry was submitted to the Council in 2016 which precedes the current application for a mixed use development on the site comprising up to 15 houses with a “village amenity” such as a new doctors surgery. A spatial zoning plan was submitted for that enquiry for illustrative purposes showing the housing zone and the village amenity zone.
- 6.2 A detailed LPA response setting out the Council’s informal views of the submitted scheme concluded as follows:
“In light of the above, the principle of the proposed development appears to be unacceptable on grounds of its unacceptable encroachment of built form within the immediate area which would thereby cause harm to the beauty and intrinsic value of the countryside. It is therefore unlikely that the proposal would be supported by officers unless very special reasons are demonstrated regarding the need for it to be development such as providing and securing village amenities that the Parish Council may think to be reasonable”.
- 6.3 Whilst remarking on the visual amenity harm that officers considered would result through the proposal, the letter did make reference to any potential special reasons as to why the development may need to take place at the site with reference to a possible village doctors surgery when the letter advised that;
“Within our meeting we discussed some potential special reasons that may be critical to demonstrate why the development may need to take there. It was highly suggested to undertake discussions with the Felsted Neighbourhood Steering Group who is responsible for the implementation of the Neighbourhood Local Plan and the Parish Council. From previous discussion with both, it appears that there could be a need to relocate some of the village amenities, such as the doctors surgery, post office and local shop to a new area to reduce traffic congestion in an around the town centre and to save the viability of these services. If part of the proposal includes providing and securing the relocation of some of the amenities, this may be looked upon favourably as a special reason in why the development needs to be there subject to other material factors”.

7. POLICIES

Uttlesford Local Plan (2005)

ULP Policy S7 – The Countryside
ULP Policy E4 – Farm diversification: alternative use of farmland
ULP Policy ENV3 – Open spaces and trees
ULP Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance
ULP Policy ENV5 – Protection of agricultural land
ULP Policy H1 – Housing development
ULP Policy H9 – Affordable housing
ULP Policy H10 – Housing Mix
ULP Policy LC3 – Community Facilities
ULP Policy GEN1 – Access
ULP Policy GEN2 – Design
ULP Policy GEN3 – Flood Protection
ULP Policy GEN4 – Good Neighbourliness
ULP Policy GEN6 – Infrastructure Provision to Support Development
ULP Policy GEN7 – Nature Conservation
ULP Policy GEN8 – Vehicle Parking Standards

Supplementary Planning Documents/Guidance

SPD “Accessible Homes and Playspace”

National Policies

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

Other Material Considerations

Felsted Conservation Area Character Appraisal
Essex Design Guide
ECC Parking Standards - “Design and Good Practice” (September 2009)

Felsted Neighbourhood Plan (FNP) – formerly made on 25th February 2020.

FEL/HN1 – Meeting Housing Needs
FEL/HN3 – Land At Station Road (Bury Farm)
FEL/HN7 – Housing Mix
FEL/ICH1 – High Quality Design
FEL/ICH4 – Avoiding Coalescence
FEL/CW1 – Landscape and Countryside Character
FEL/CW2 – Nature Area, including Felsted Fen
FEL/CW3 – Footpaths, Bridleways and Cycleways
FEL/CW4 – Green Infrastructure

8. PARISH COUNCIL COMMENTS

- 8.1 The PC objects to the current proposal as it does not align with the emerging Neighbourhood Plan. Consultation during the development of the NP has indicated firm local support for commuting a requirement for affordable housing in any commercial development on this site, instead seeking funding for the surgery’s construction. The current proposal envisages 15 affordable houses in addition to 23 commercial dwellings, all in open countryside (contrary to LPA Policy S7, Draft Policy SP10 and advice in the NPPF).

The PC has no objection to the proposed location of the development and surgery, but has serious concerns about the proposed accesses to the site, which are adjacent to blind bends and bus stops in Station Road, which is currently a narrow, winding, unnumbered road.

9. CONSULTATIONS

NHS West Essex Clinical Commissioning Group

9.1 Introduction

Thank you for consulting West Essex CCG on the above planning application.

I refer to the above planning application and advise that, further to a review of the applicants' submission the following comments are with regard to the primary healthcare provision on behalf of West: Essex Clinical Commissioning Group (CCG), incorporating NHS England Midlands and East (East) (NHS England).

Existing Healthcare Position Proximate to the Planning Application Site

The proposed development is likely to have an impact on the services of 1 GP practice operating within the vicinity of the application site. The GP practice does not have capacity for the additional growth resulting from this development and cumulative development growth in the area.

The proposed development will likely have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. West Essex CCG would therefore expect these impacts to be fully assessed and mitigated.

Review of Planning Application

The planning application does not appear to include a Health Impact Assessment (HIA) or propose any mitigation of the healthcare impacts arising from the proposed development.

A Healthcare Impact Assessment has been prepared by West Essex CCG to provide the basis for a developer contribution towards capital funding to increase capacity within the GP Catchment Area.

Assessment of Development Impact on Existing Healthcare Provision

The existing GP practice does not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 95 residents and subsequently increase demand upon existing constrained services.

The primary healthcare service directly impacted by the proposed development and the current capacity position are shown in Table 1.

Table 1: Summary position for primary healthcare services within a 2km radius (or closest to) the proposed development

| Premises | Weighted List Size ¹ | NIA (m2) ² | Capacity ³ | Spare Capacity (NIA m2) ⁴ |
|--|---------------------------------|-----------------------|-----------------------|--------------------------------------|
| John Tasker House Including Felsted Branch | 14,756 | 710.22 | 10,357 | -301.62 |
| Total | 14,756 | 710.22 | 10,357 | -301.62 |

Notes:

1. The weighted list size of the GP Practice based on the Carr-Hill formula. this figure more accurately reflects the need of a practice in terms of resource and space and may be slightly lower or higher than the actual patient list.
2. Current Net Internal Area occupied by the Practice.
3. Based on 12m2 per single GP practice (with an optimal list size of 1750patients) incorporating DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"
4. Based on existing weighted list size.

The development would have an impact on primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable. The proposed development must therefore, in order to be considered under the 'presumption in favour of sustainable development' advocated in the National Planning Policy Framework, provide appropriate levels of mitigation.

Healthcare Needs Arising From the Proposed Development

The intention of West Essex CCG is to promote Primary Healthcare Hubs with co-ordinated mixed professionals. This is encapsulated in the strategy document: "The NHS Five Year Forward View".

The development would give rise to a need for improvements to capacity, in line with the emerging CCG estates strategy, by way of a potential relocation for the benefit of the patients at John Tasker House, Felsted Branch Surgery, to be met by the developer as set out in table 2. Alternatively, provision of a primary care medical centre provided by the developer would be considered.

Table 2 provides the Capital Cost Calculation of additional primary healthcare services arising from the development proposal.

| | Additional Population Growth (38 dwellings) ⁵ | Additional floorspace required to meet growth (m ²) ⁶ | Spare Capacity (NIA) ⁷ | Capital required to create additional floorspace (£) ⁸ |
|--|--|--|-----------------------------------|---|
| John Tasker House including Felsted Branch | 95 | 6.51 | -301.62 | £14,973 |
| Total | 95 | 6.51 | -301.62 | £14,973 |

Notes:

- 5 Calculated using the Uttlesford District average household size of 2.5 taken from the 2011 Census.
- 6 Based on 120m² per single GP practice (with an optimal list size of 1750 patients) incorporating DH guidance within "Health Building Note 11-01: facilities for Primary and Community Care Services"
7. Existing capacity within premises as shown in Table 1
8. Based on standard m² cost multiplier for primary healthcare in the East Anglia Region from the BCIS Public Sector Q3 2015 price & cost Index. adjusted for professional fees. fit out and contingencies budget (£2.300/m²). rounded to nearest £100.

A developer contribution will be required to mitigate the impact of this proposal. West Essex CCG calculates the level of contribution required, in this instance to be £14,973. Payment should be made before the development commences.

West Essex CCG therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

Conclusions

In its capacity as the primary healthcare commissioner with full delegation from NHS England, West Essex CCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.

The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development.

Assuming the above is considered in conjunction with the current application process, West Essex CCG would not wish to raise an objection to the proposed development. Otherwise the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.

The terms set out above are those that West Essex CCG and NHS England deem appropriate having regard to the formulated needs arising from the development.

West Essex CCG and NHS England are satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

West Essex CCG and NHS England look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter.

NATS

- 9.2 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En-Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

MAG Stansted Airport

- 9.3 The Safeguarding Authority for Stansted Airport has assessed this proposal and potential to conflict aerodrome Safeguarding criteria. It has no aerodrome safeguarding objections to the proposal.

Anglian Water

- 9.4 ASSETS

Section 1 - Assets Affected

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Felsted Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

Section 3 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

ECC SuDS

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

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

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

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, acting on behalf of ECC we do not object to the granting of Outline planning permission subject to SuDS conditions.

ECC Highways

(Revised comments received 13/12/2019:

- 9.6 The Highway Authority has considered the above planning application and thoroughly assessed the submitted transport statement (TS) together with the relevant drawings. Site visits have been undertaken. The applicant has made alterations to the access arrangements and a Stage 1 safety audit has since been undertaken. Opportunities for sustainable transport and mitigation measures were explored and improvements in the form of bus stop infrastructure is required. The Highway Authority is satisfied that the proposed access conforms to current standards.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to the highway conditions.

ECC Education

- 9.7 I have assessed the application on the basis of 38 houses. Assuming that all of these units are homes with two or more bedrooms, a development of this size can be expected to generate the need for up to 3.42 Early Years and Childcare (EY&C) places; 11.40 primary school, and 7.60 secondary school places.

Early Years and Childcare:

The proposed development is located within the Felsted Ward. According to Essex County Council's childcare sufficiency data, published in 2018, there are zero unfilled places recorded. For Essex County Council to meet its statutory duties it must both facilitate sufficient places to meet free childcare entitlement demand and also ensure a diverse range of provision so that different needs can be met. The data shows insufficient places to meet the demand from this proposal. An additional 3.42 places would be provided at an estimated total cost of £59,583.00 at April 2018 prices. Based on the demand generated by this proposal as set out above, a developer contribution, index linked to April 2018, is sought to mitigate its impact on local EY&C provision.

Primary Education:

This development would sit within the priority admissions area of Felsted Primary School. The School has just 120 places in permanent accommodation and currently uses temporary class bases to provide for the 267 pupils on roll (May 2018). Having taken a couple of 'bulge' groups, the School now has a Planned Admission Number of 30 pupils per year. The School is, as in previous years, fully subscribed for this September's intake. Viability work is being commissioned to look at the School's permanent accommodation need. This development would add to that need and, thereby, the requirement of a developer contribution is directly related to this proposal. Based on the demand generated by this proposal as set out above, a developer contribution of £174,203.00, index linked to April 2018, is sought to mitigate its impact on local primary school provision.

The contribution sought is based on the formula outlined in the Essex County Council Developers' Guide to Infrastructure Contributions, which sets sums based on the number and type of homes built. The contribution would thus be fairly and reasonably related in scale and kind to the development and, thereby, Community Infrastructure Levy regulation 122 compliant. Five obligations naming the project alluded to above have not been entered into at this time and any section 106 agreement in favour of primary school places is, therefore, also regulation 123 compliant.

Secondary Education:

The local secondary school serving this area is Helena Romanes. Although there will be a need to expand provision to meet longer term growth, this site is unlikely to be one of the five most significant developments. Due to CIL regulation 123 a developer contribution towards secondary school places is not sought on this occasion.

Having reviewed the proximity of the site to the nearest primary and secondary schools, Essex County Council will not be seeking a school transport contribution; however, the developer should ensure that safe direct walking and cycling routes to local schools are available.

In view of the above, I request on behalf of Essex County Council that any permission for this development is granted subject to a section 106 agreement to mitigate its impact on childcare and primary education. Our standard formula s106 agreement clauses that ensure the contribution would be fairly and reasonably related in scale and kind to the development are available from Essex Legal Services.

ECC Place Services

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

Summary

I have reviewed the Preliminary Ecological Appraisal Report (Cedar Land Management, April 2018) supplied by the applicant, relating to the likely impacts of development on Protected & Priority habitats and species, particularly nesting birds and identification of proportionate mitigation.

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

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

The development could be improved to deliver enhancements for wildlife, with more native planting. The landscape plan shows Cotoneaster and Himalayan Cotoneaster, these plants are now on Schedule 9 of the Wildlife and Countryside Act 1981 and should not be planted.

The NPPF states that development should deliver biodiversity net gain, so I am asking that a Biodiversity Enhancement Strategy be put in place to improve this scheme for wildlife. Submission for approval and implementation of details should be a condition of any planning consent:

ECC Archaeology

- 9.9 The Historic Environment Advisor of Essex County Council has identified the above application from the weekly list as having archaeological implications.

The following recommendations are in line with the new National Planning Policy Framework.

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

Essex Police

- 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. 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 41 representations received. Neighbour notification period expires 18/10/2018. Advertisement expires 18 October 2018. Site notice expires 01/1/2018.

- 10.2 Summary of representations received as follows:

Support:

- Support this application as it is proposed by the neighbourhood plan which was developed in consultation with Felsted residents. It will remove traffic from the village centre and provide off road parking for the surgery. The planned new housing will fulfil the requirement for new housing in the village in accordance with national guidelines.
- The development is a carefully planned solution to the preservation of the village centre and the enhanced surgery will cater for the needs of the expanding number of residents.
- Transferring some provision from Dunmow to Felsted will release capacity in Dunmow to cope with shortfall and new developments there.

Object:

- The current site of the doctors surgery in Felsted (John Tasker House) is currently fit for purpose with the surgery currently operating in a part time capacity, with often only one GP on duty, despite having two consultation rooms for GP's to use. The first logical step within the current surgery would be for GP's to be on duty full time, which would provide an increase of 50% capacity, therefore eliminating the need for a new GP surgery.
- Felsted Surgery is currently ideally located in the centre of the village, providing easy access for the whole community, and running at well below its potential capacity. It could be argued that the proposed development of a new doctor's surgery is being driven by financial gain, and that this has had a significant and biased influence on this development, rather than taking into account the benefits to the community.
- A medical facility of this size should be located in or near a major centre of population.
- If the present surgery had two doctors full time there is no need for a new surgery, especially the size on the plan with all that parking. I rarely find the present surgery to be very busy. It has two consulting rooms, a nurses room, a pharmacy, a nice waiting area etc. and seems perfectly adequate to me and to others.
- The NHS document submitted on this planning application notes that present surgery requirements for the John Tasker Practice including Dunmow and Felsted are 1011 sq.m., including a 301 sq.m shortfall on existing provision. The new build will add a 6.5 sq.m. requirement.

- Lower cost and lower impact amendments to the area around the existing surgery should be explored. Proposed new development appears predominantly to be being pushed by GP's and landowners for their own financial benefit rather than the community they serve.
- A full report supporting the need for a new surgery site should be published by the GP surgery with supporting data on current usage levels, projected needs and their supporting projected business plan.
- Locating a new surgery away from the village centre (either Fritch Green or Felsted) means it will be ineffective at promoting a vibrant village centre in either location (it will feel remote for all users except a very small number of residents on Station Road).
- Proposal would lead to increased traffic movements along this section of Station Road which has sharp double bends, poor visibility, narrow pavements and which narrows in width towards the top bend with oncoming traffic coming round the bend often being close to or straying over the median line with buses often being in close conflict with cars and pedestrians at the bend.
- The footpath is inadequate. How will the elderly and infirm be able to cross Station Road to get to the new surgery? Traffic calming measures need to be put in place as part of the proposal.
- Station Road is a very busy through route from Felsted to the B1256, particularly during the school run. Traffic often queues at peak times (i.e. Felsted prep school drop off) along Station Road and through the village. This would only be impacted by additional residents and surgery traffic, causing further gridlock to the already struggling village roads.
- The development would cause a huge increase in traffic for both residents of the proposed estate along with the traffic increase generally to visit the new doctors surgery and will undoubtedly cause many patients that currently walk to the existing surgery to have to use their car with the proposed surgery being located on the edge of Felsted.
- The application states that between 42 and 46 cars on average will be added to the main highway as a result of both the housing and the doctor's surgery at peak hours. This is based on approx. 40 houses and, as the plan states an 8 doctor surgery. These numbers are totally unrealistic. If indeed an 8 doctor surgery is required, then with 10 minute appointments this will lead to up to 48 extra cars an hour coming and going during surgery hours alone irrespective of the private journeys.
- The indicated visibility splays calculated by the transport assessment are flawed and do not follow the recommended guidelines.
- The required visibility splays would require removal of a lot of the frontage hedgerow along Station Road.
- It is not clear where the repositioned village bus stop would be located, but if to be near the surgery it would be between 2 blind bends which is dangerous for motor and pedestrian traffic which seems unfeasible.
- Water pressure at this end of the village is often fluctuant and the 2012 fire in the village demonstrated the inadequacy of current supply.
- Existing sewer capacity problem.
- Felsted village lacks the infrastructure to support this development.
- Proposal will have huge impact in terms of new housing on an already overcrowded village and overcrowded local schools.
- The school facilities in Felsted are at bursting point, with no spare spaces free and local parents often dreading the time they are having to apply for spaces for their children.

- There is no local employment requirement for these houses; therefore the occupants will need to commute to work. The village has poor public transport links; therefore the occupants will have to rely on their own cars to travel to and from work.
- Proposal would lead to a disproportional loss of versatile agricultural land.
- No Landscape Visual Impact Assessment has been submitted with the application.
- The development introduces coalescence with Flich Green with increased built form within what is an aesthetically important approach to Felsted Village.
- The site is located on a hill leading to the village and the development will obstruct aesthetically significant views of the Church and Historic Village Centre from the Little Dunmow direction.
- Field opposite is on higher ground so light pollution would be a problem.
- Residents are being offered a sliver of green space recently branded as "Felsted Fen" in return for the concreting over of yet another greenfield site.
- Two other applications for developments around Watch House Green were declined as they did not meet key criteria detailed within the Uttlesford local plan. This plan is no different and should be declined too.
- The development does not include a mechanism to secure suitable affordable house provision (should be 40%). This is in conflict with Policy H9 of the Uttlesford Local Plan.
- With the current plan, the car park associated with the surgery will have to be used by other dwellings with no parking facilities. It will therefore be not exclusive to the surgery, nor secure and can be used by anyone out of hours. This raises security and lighting issues.
- Those that live opposite or surrounding the proposed development will clearly therefore have their Human Rights impacts should such a development be approved.
- The villagers of Felsted have been hoodwinked into believing that this new surgery would come at no cost to the parish council or to the environment. We now understand that the landowner is demanding the building of houses for the gifting of the land, a poor deal.

11. APPRAISAL

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

- A Principle of development having regard to demonstration of need for a new doctors surgery, sustainability, loss / re-use of agricultural land, countryside protection, heritage protection, flood risk, infrastructure provision (NPPF, ULP Policies S7, E4, ENV2, ENV3, ENV5, H1, LC3, GEN3, GEN6, and FNP Policies HN1, FEL/HN3, FEL/ICH4, FEL/CW1, FEL/CW2, FEL/CW3, FEL/CW4).
 - B Whether proposed access arrangements would be acceptable (ULP Policy GEN1).
 - C Housing Mix / Affordable housing requirements (ULP Policies H9 and H10 and FNP Policy FEL/HN7).
 - D Design (ULP Policies GEN2, GEN4 and GEN8 and FNP FEL/ICH1).
 - E Impact on nature conservation (ULP Policy GEN7).
- A Principle of development having regard to demonstration of need for a new doctors surgery, sustainability considerations, loss / re-use of agricultural land, countryside protection, heritage protection, flood risk, infrastructure provision (NPPF, ULP Policies S7, E4, ENV2, ENV3, ENV5, H1, LC3, GEN3,**

GEN6, and FNP Policies HN1, FEL/HN3, FEL/ICH4, FEL/CW1, FEL/CW2, FEL/CW3, FEL/CW4).

- 11.1 Section 38(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 then the determination must be made in accordance with the plan, unless material considerations indicate otherwise, such as government policy or emerging local policy. The statutory development plan for this area comprises the Uttlesford Local Plan (adopted 2005). The Council's emerging Local Plan carries little weight at this time given that the Secretary of State has recently found areas of the plan to be unsound, particularly in the way in which the Council's three new garden communities would be delivered.
- 11.2 The Felsted Neighbourhood Plan (FNP) was formerly "made" on 25 February 2020 following a detailed consultation process and a favourable referendum into the NP held at the end of January 2020 and therefore now forms part of the development plan for the district. As a "made" neighbourhood plan, the FNP carries significant weight against the provisions of the NPPF in local decision taking. The FNP identifies how local infrastructure projects, housing proposals and other land use schemes for the parish are intended to be delivered up to 2033 (the NP plan period) by offering policies which take a positive approach to sustainable development, but which also ensure maximum community benefits. As such, this made document is a "material consideration" for the purposes of determination of planning applications for Felsted Parish, including consideration of local infrastructure projects for allocated sites within the plan.
- 11.3 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. Since the adoption of the 2005 Local Plan, the National Planning Policy Framework (NPPF) has set out new guidelines for local planning policy whereby some of the policies in the 2005 Adopted Local Plan, including its policies on housing (i.e. ULP Policy H1), are considered "out of date" as they do not accord with the provisions of the NPPF. The NPPF has a presumption in favour of sustainable development and states at paragraph 11 c) that for decision taking this means approving development proposals that accord with an up to date development plan without delay or, where there are no relevant development plan policies, or the policies which are most important for determining the application are "out of date", granting planning permission unless:
- i. The application of policies in the framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies on the framework taken as a whole.

Loss / re-use of agricultural land, countryside protection, heritage protection and flood risk.

- 11.4 ULP Policy S7 is a restrictive local plan policy which seeks to protect the countryside for its own sake and states that planning permission will only be given for development that needs to take place there or is appropriate to a rural area, adding that there will be strict control on new building. The policy adds that "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". ULP Policy S7 as a countryside constraint policy has been found to be partially consistent with the provisions of the NPPF which takes a more proactive stance towards building in the countryside where a presumption in favour of sustainable development can be demonstrated.

- 11.5 ULP Policy E4 permits alternative uses of farmland, whilst ULP Policy ENV5 conversely seeks to protect agricultural land from new development. ULP Policy ENV1 relates to the design of development within conservation areas, although the application site does not fall within Felsted conservation area, lying as it does to the west, whilst ULP ENV3 seeks the protection of open spaces and trees. ULP Policy LC3 states that community facilities will be permitted on a site outside settlements subject to certain qualifying criteria, including demonstration of need. ULP Policy GEN3 seeks to direct development away from areas which are vulnerable to flooding, whilst ULP Policy GEN6 states that development will not be permitted unless it makes provision at the appropriate time for community facilities, school capacity, public services, transport provision, drainage and other infrastructure that are made necessary by the proposed development. The relevant Felsted NP policies which correspond to these adopted local plan policies are FNP Policies HN1, FEL/HN3, FEL/ICH1, FEL/ICH4, FEL/CW1, FEL/CW2, FEL/CW3 and FEL/CW4.
- 11.6 The site, which slopes, is shown as being at a low risk of flooding (Flood Zone 1) on the government's flood risk map. Stebbing Brook (Main River), which is known to be prone to flooding, runs some 150m through the valley to the north of the site. Therefore, the site would not be subject to fluvial (river based) or coastal flooding for a 1 in 1000 year or more frequent storm event on this basis. The technical guidance to NPPF, Flood Risk Section, classifies residential property as 'More Vulnerable' in terms of Flood Risk Vulnerability Classification. The NPPF also defines that developments classified as 'More Vulnerable' are appropriate in Flood Zone 1. The flood risk assessment for planning applications guidance section of the Gov.uk website advises that developments in excess of one hectare require a site-specific Flood Risk Assessment (FRA). As the total site area is approximately 4.2 hectares, an FRA is required.
- 11.7 The submitted FRA and integral drainage strategy report seeks to address the surface water and foul drainage management arising from the proposed development of this greenfield site and identifies that a sustainable drainage system (SuDS) would be the preferred drainage system method to minimise surface water run-off to existing public sewers or watercourses from the proposed development. The Environment Agency (EA) has not been approached given that the site is within a low flood risk area. The run-off from the existing greenfield under the area of the impermeable part of the proposed development (1.6ha) has been calculated using Micro Drainage computer modelling. The highest point of the site is close to the middle of the eastern boundary at 62.63m AOD, whilst the lowest point of the site is in the site's western corner at approximately 54.00m AOD (Above Ordinance Datum). The site has a typical gradient of between about 1 in 27 to 1 in 33 from east to west.
- 11.8 The submitted FRA considers that this SuDS strategy would provide betterment over the existing situation for all storms between a 1 in 1 year and 1 in 100 year + 40% climate change events. Surface water would be stored in an attenuation basin, which would be reasonably shallow with side slopes of a 1 in 4 gradient in keeping with Essex SuDS Design Guidance as opposed to discharging directly into the ditch. The FRA concludes by demonstrating that the site is suitable for

residential development in drainage terms, even under extreme conditions, based upon reasonable assumptions whereby it would be expected that further detailed modelling work would be required at the post-planning permission stage. ECC SuDS team have examined the submitted FRA with accompanying technical documents and have stated they are satisfied that the proposed scheme is acceptable in SuDS drainage terms and have not objected to the scheme subject to SuDS drainage conditions. No objections are therefore raised under ULP Policies GEN2 and GEN3.

- 11.9 The site is currently out of arable agricultural use and appears to have existed in this way for a considerable number of years. To this end, the applicant has stated that the land is now physically separated from any wider agricultural holding to the immediate north remaining as grassland. It is evident from officer site visits that the proposed mixed use scheme submitted for consideration would not have any impact on food production or national food security and no objections are therefore raised under ULP Policy ENV5 on this basis where its re-use for an alternative purpose through farm diversification such as with the scheme as currently presented can be argued to make more efficient use of the land under ULP Policy E4, although this alternative use must be weighed against the adverse effects which have been identified below for this scheme.
- 11.10 The site lies immediately outside the development limits for Felsted for the adopted Local Plan and also immediately outside the defined village development limits as shown for the Felsted NP. However, the site is an allocated site for “approximately 39 units and for the development of a doctors surgery” as shown in the Felsted NP (Felsted NP allocation site FEL/HN3 – Land at Station Road (Bury Farm)). The land slopes gently from the eastern boundary of the site down to the western road boundary and has a strong hedgerow along the site’s continuous frontage with Station Road. Glimpses of the site can be had along Station Road, whilst the site can be more readily appreciated as rising ground from the Flitch Way which runs to the north of the site.
- 11.11 The proposal shows that the majority of the application site would be taken up by built form either in the form of the doctors’ surgery, the associated car park, roads, dwellings and associated gardens. However, the indicated scheme proposes an extensive triangular buffer landscape strip as shown hatched in green on drawing OS 1505-17.3 to the north of the development area which would form part of “Felsted Fen” as proposed in the Felsted NP and which would help mitigate against the visual impact of the proposed scheme in the local landscape. Details of how the landscaping would be created would be subject to a detailed landscaping scheme to be submitted at reserved matters stage.
- 11.12 The proposal would, however, result in a significant change in the local landscape whereby the site represents a “gateway” to the western approach to Felsted village from Flitch Green situated further to the north-west along Station Road and would also have the effect of promoting coalescence between Felsted village and Flitch Green. As such, it is considered that the proposal would lead to significant and demonstrable rural amenity harm to this edge of village location which would be contrary to ULP Policy S7 as it would fail to protect or enhance the particular character of the part of the countryside within which it would be set and would also be contrary to corresponding made Felsted NP Policy FEL/CW1 which states that; *“To be supported, development proposals must protect and enhance the landscape of the character area in which they are situated and must not significantly harm the important long distance, short range and glimpsed views*

identified in the Felsted Heritage and Character Assessment Report 2017” and also Felsted NP Policy FEL/ICH4 which seeks to avoid coalescence.

- 11.13 Consideration must also be given to Felsted NP Policy FEL/CW3 which states that any new development on or adjacent to an existing Public Right of Way or which is clearly visible from a Public Right of Way must consider the appearance of the proposal from the right of way and incorporate green landscaping to reduce any visual impacts. It is difficult to say at this stage without further consideration of landscaping mitigation measures to be formally submitted at reserved matters stage as to how the development would impact on public footpath PROW 15_55 which runs along the northern side of the proposed green buffer area or on the wider public footpath network to the north, to include the Flitch Way, although the introduction of such landscaping mitigation measures would help to reduce any impacts of public appreciation of these footpaths by walkers etc.
- 11.14 The site is not located within Felsted Conservation Area. However, medium distance views can be had from Station Road of the outer fringe of the conservation area and of Felsted Parish Church and also the spire of the Felsted Schools church beyond in the long distance. In this respect, due regard has to be had in the balance to the Felsted Conservation Area Character Appraisal (FCA) produced by Uttlesford District Council which, amongst other requirements states that the general character and setting of Felsted shall be retained or enhanced.
- 11.15 The proposed development, and in particular the surgery and row of housing indicated along the eastern boundary of the site would have the effect of significantly obscuring this heritage setting to the extent that the public enjoyment of this setting at this edge of village vantage point would be diminished. As such, it is considered that the proposal would lead to less than substantial harm to the significance of this designated heritage asset in accordance with paragraph 196 of the NPPF and would be contrary to ULP Policy ENV2 of the adopted Local Plan and also FNP FEL/ICH 1 in terms of the level of heritage harm caused to the setting of the conservation area.
- 11.16 Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset that this harm should be weighed against the public benefit of the proposal including, where appropriate, securing its optimum viable use. This heritage harm identified is therefore required to be balanced against the public benefits of providing a doctors surgery at this NP allocated site where this balancing exercise is made at the end of this report.

Wider sustainability considerations of the proposal

- 11.17 Whilst the proposed replacement surgery site is located on the western edge of the Parish, the site is served by the same bus services as the current service provides for the existing surgery, namely the hourly 133 Stansted Airport to Colchester service, the 16 Finchingfield to Chelmsford service and also the 451 and 570 school bus services whereby a bus stop exists along Station Road at the western side of the site. Whilst it is acknowledged that there are patients who find it convenient to be able to walk to the existing surgery at John Tasker House - and the comments expressed in third party representation to the current application proposal are noted in this respect - it is also understood that there are many patients registered at the existing surgery who travel to it by car and it is proposed in view of this that the replacement surgery would have significant off-road patient parking. A footpath exists from the village centre to the site of the proposed

surgery at Bury Farm and beyond down the western side of the site. It is further acknowledged that some existing Felsted patients would find it a little more difficult to visit a new surgery at Bury Farm, including those residents who now reside at Watch House Green, for example in the new housing development at Clifford Smith Drive. Equally, others would find it easier, namely those residents at Flitch Green who visit the current surgery.

- 11.18 Given that any new surgery in Felsted is expected to serve a much larger patient population from the west, to include Flitch Green, it is considered that the proposed allocation site at Bury Farm would reduce the impact of existing traffic upon the village centre. As such, it is considered on balance that the proposed development can be said to meet the social dimension of the NPPF by being situated in a sustainable location and meeting the expressed needs of the community in Felsted. In this regard, the siting of the proposed surgery outside development limits for the purposes of the adopted Local Plan complies with ULP Policy LC3 whereby (a) the need for the medical facility has been demonstrated, (b) the need has been shown not to be able to be met on a site within development limit boundaries and (c) the site is well related to a settlement.
- 11.19 In terms of consideration of the economic dimension of the NPPF, benefits would arise in the short term from the construction of the development, whilst future occupiers of the enabling housing would it is expected support the local rural economy, more particularly for example the village stores and post office in Braintree Road.
- 11.20 In terms of the visual amenity impacts in consideration of the environmental dimension of the NPPF, the wider visual harms arising from this proposal have been demonstrated in this report above. To help mitigate against any such harms and to minimise the risk of coalescence with Flitch Green, the applicant proposes to give over the north-western triangular segment of the site which extends from the northern boundary of the proposed development area as a 'buffer' preventing further development. This 'buffer' amenity land would be transferred directly (as opposed to the Felsted Community Trust) to the Parish whereby this land would be essential in ensuring a clear break and which would also offer an area of open space directly opposite the recently designated Nature Area adjacent to Felsted Fen and also to enhance the enjoyment of the adjacent footpaths which could also be subject to ecology measures to provide net gain bio-diversity measures (FEL/CW2 – Nature Area, including Felsted Fen, FEL/CW3 – Footpaths, Bridleways and Cycle-ways and FEL/CW4 – Green Infrastructure).
- 11.21 Notwithstanding this, and given the above significant and demonstrable amenity harms which have been identified under ULP Policies S7 and ENV2 and Felsted NP Policies FEL/ICH/ 1, FEL/CW3 and FEL/ICH4, these adverse effects need to be considered in the tilted planning balance against the overall planning merits of the scheme in terms of the benefits of providing a doctors surgery on the site and whether the tilted balance is engaged in favour of the proposed development, which is assessed at the end of this report.

Proposed Infrastructure provision (new surgery), including enabling housing

- 11.22 As previously mentioned, the site is allocated in the now made Felsted Neighbourhood Plan (FNP) for a mixed use scheme involving "housing development of approximately 39 units and for the development of a doctor's surgery (FEL/HN3 – Land at Station Road (Bury Farm)). This allocation previously reflected the 2015 SHLAA Assessment undertaken by Uttlesford District Council

for its emerging Local Plan during its “Call for Sites” process which assessed that the site was suitable for residential development depending on how any brought forward scheme may be presented, although it should be noted that the Council assessment did also comment that any housing on the site would promote coalescence between Felsted village and Flitch Green as noted above. It should be noted that a housing needs survey (HNS) was conducted for Felsted in 2016 for the 3 year period through to 2019 to determine the affordable housing needs of the parish whereby this identified the need for 14 no. new affordable homes, which the FNP states had been met by 2018.

- 11.23 The Felsted NP explains in its pre-amble text for this proposed mixed use surgery/enabling housing allocation site that being on the extreme western edge of Felsted village that the NP Steering Group (SG) did not consider that the site could be recommended to the community as a ‘hub’ for all of the key village amenities. However, it is the case that no other suitable sites for a community hub have since been found following the eventual removal of consideration of the existing Memorial Hall site for this suggested use and the SG has subsequently worked with the landowner’s representative, the WECCG and the GPs to secure the provision of a purpose-built surgery at Bury Farm whereby the WECCG currently pays rent to the John Tasker House Practice for the Felsted surgery.
- 11.24 The preamble text continues to explain that the existing Felsted surgery is in need of replacement and that the WECCG does not currently have the capital funds for a new surgery, nor does it consider the provision of healthcare on a “parish” basis. As such, the WECCG has stated that it could not guarantee that a new surgery, however funded, to serve Felsted would be within Felsted parish. As such, an alternative arrangement has been agreed between the relevant stakeholders whereby a new surgery building to be provided within Felsted would be leased by the WECCG who would fund the provision of healthcare services within the parish. This has resulted in the current outline application coming forward by the Young Family Trust whereby it is proposed to gift by way of donation the surgery to the Felsted Community Trust (FCT) which would remain an asset of the Trust for the benefit of the community. It would be the case that over the Felsted NP plan period that the surgery would generate a return of rent from the doctors practice that in turn would be available to the FCT trustees to distribute to community projects, including funding for the village hall and the proposed Sunnybrook Farm car park site adjacent to Felsted Primary School in Braintree Road to alleviate current traffic congestion around the school.
- 11.25 The preamble goes on to say that in terms of justification for the replacement surgery at Bury Farm that the WECCG has told the Felsted Steering Group that a new surgery is required that will initially meet the needs of circa 4500 people, about 70% of whom would come from Felsted Parish, and with potential for growth and that over the Plan period that an increasing number of patients would come from outside the Parish to the west. It advises that consequently, unless a new surgery could be funded within Felsted when the existing surgery closes that it is overwhelmingly likely that the increasingly aging population of Felsted would have to travel outside the Parish to see a doctor. It should be noted in this regard that the WECCG for the current application have very recently informed officers of the District Council that the position has now reached a critical stage whereas unless planning permission is granted for the proposed surgery scheme at Bury Farm that the scheme would have to be shelved altogether with the possible consequence of patients in the future having to travel outside of the parish to see a GP.

- 11.26 In terms of siting preference, Felsted GP's have made it very clear that a new doctors surgery in the centre of the village would be unacceptable and that a replacement surgery site to the west of the village centre, namely at Bury Farm would be their preferred location. In this respect, the doctors have cited delays caused by school traffic and congestion at the junction of Chelmsford Road and Braintree Road and also with Station Road and excessive journey times to the surgery in the centre of the parish as being unacceptable. Furthermore, modern "smart" surgeries are now required to cater for today's healthcare needs and are much more costly than existing premises and require more capital funding than the existing John Tasker House practice currently provides and more than individual GPs could consider for the premises in the future.
- 11.27 The FNP states that proposed housing site allocations for the parish have been considered and objectively assessed for their suitability, deliverability, achievability and availability and also their contribution to the community. In this respect, Bury Farm as one such identified housing allocation site has been considered both an appropriate and sustainable site for new housing development in Felsted where the combined delivery of the proposed surgery on this site offers very significant community benefits.
- 11.28 The 38 new market dwellings proposed as enabling housing development for the proposed surgery at Bury Farm is within the quantum of dwellings assessed as being acceptable in the Council's "Call for Sites" process for the 2015 SHLAA and also within the Felsted NP's quantum of dwellings of approximately 39 units for Policy FEL/HN3. The inclusion of enabling housing for the application is predicated on the basis of being able to fund the surgery to make the infrastructure scheme financially viable where it is considered that a normal application for housing without any infrastructure provision would not be acceptable for this greenfield site. That said, the Council does not have a five year housing land supply where the current housing deficit against the five year statutory target is 2.68 years based upon the latest UDC housing trajectory as of April 2019. This is therefore also seen as a material planning consideration, although as previously said, the proposed housing has been included solely on the basis of delivering the proposed replacement surgery project.
- 11.29 In light of the above, it is considered that the community benefits, strategic or otherwise, arising from this proposal as a local community infrastructure project to provide a new "smart" doctors surgery for Felsted with enabling market housing in accordance with made Felsted NP Policy FEL/HN3 – Land at Station Road (Bury Farm) should be viewed favourably for this submitted proposal where it should be noted that Policy S7 includes within its policy text "*where there are special reasons why the development in the form proposed needs to be there*" and as landscaping mitigation measures have been put forward to show how the environmental impacts of the scheme could be lessened through a reserved matters scheme.

B Whether proposed access arrangements would be acceptable (ULP Policy GEN1).

- 11.30 The indicative proposed site plan shows that the mixed use development would be served by two new vehicular access points, namely one at the south-eastern end of the site from Station Road which would serve both the surgery and one section of the proposed housing "zone" and one at the western side of the site from Station Road which would serve the remainder of the housing zone. A transport statement (TS) has been submitted with the application to demonstrate how the two proposed access points would meet highway safety standards following speed surveys and

the since subsequent carrying out of a Stage 1 safety audit. The proposal would also require the removal of some of the existing frontage hedgerow along Station Road and also the relocation of the existing eastbound flagged bus stop on Station Road at the western end of the site.

- 11.31 Station Road is a “secondary distributor” classified road which carries a considerable amount of both local commuter traffic and school run traffic between Flitch Green and Felsted Primary School and Felsted Schools .The proposal has been the subject of extensive highways examination by ECC Highways which has involved negotiations with the applicant’s transport consultants regarding the submission of revised highway drawings following the findings of the safety audit which has shown that the visibility splays for the indicated western vehicular entrance point would need to be revised given the gradual curvature in the road to the immediate north of the site. It should be noted that all of the site lies within the restricted 30mph speed zone on the western approach to the village and the safety audit has reflected this existing situation.
- 11.32 ECC Highways in their formal highway consultation response following the safety audit process have confirmed that they are satisfied that the proposed access arrangements for the proposal conform to current highway standards as shown on revised drawings IT1839/TA/02 (REV B) and IT1839/TA/03 (REV A) and that they have no highway objections to the proposal subject to highway mitigation measures being put in place to make the scheme otherwise acceptable, these being passenger transport infrastructure improvements to relocate the existing bus stops and associated works at the western end of the site and also the provision of a pedestrian link between the proposed development site and footpath no. 55 (Felsted) to improve pedestrian connectivity between the site and Station Road.
- 11.33 It is therefore considered that the proposal conforms with ULP Policy GEN1 in terms of providing safe access to the development subject to the highway mitigation measures recommended. Consideration has been given by officers as to whether a pedestrian crossing should be provided at the south-eastern access point near to the sharp top bend in Station Road to provide improved access to the surgery by pedestrians using the existing pavement along Station Road, although this has not resulted in any such requirement from ECC Highways in the final highway assessment.

C Housing Mix / Affordable housing requirements (ULP Policies H9 and H10 and FNP Policy FEL/HN7).

- 11.34 Policy FEL/HN3 – Land at Station Road (Bury Farm) states that any housing enabling scheme to facilitate delivery of the surgery shall incorporate a mix of housing to meet the latest assessment of local housing need for the parish *“including a significant proportion of two or three bedroom accommodation suitable for young families and older people, having regard to the supply of such units at the time of application”*. The latest local housing needs survey for Felsted was conducted in 2016 and another housing needs survey is therefore now due given that the previous survey was valid for three years. This findings of the 2016 survey are reflected in in the preamble to FNP Policy FEL/HN7.
- 11.35 The proposed housing mix for the housing element of this proposal would be more specifically defined and addressed at reserved matters stage. However, it is stated in the application submission that any subsequent DFO submission would seek to be in accordance with the findings of the latest SHMMA, which has found that market housing is generally in need of dwellings with three or more bedrooms.

That said, the scheme shows 7 no. two bedroomed dwellings for the shown housing mix to provide lower entry market housing, although this number could also change. However, it should be emphasised that any housing mix proposed should reflect the more up to date housing needs of Felsted parish upon any submission of a subsequent DFO submission where such a housing needs assessment would be required to be submitted for this Major proposal under the requirements of FEL/HN7. On this basis, no policy objections can therefore be raised under ULP Policy H10 or FEL/HN7 at this outline stage which seeks the principle of development.

- 11.36 It is stated by the applicant that the proposed enabling housing for this mixed use scheme does not include any element of affordable housing as this has been met by recent housing developments now built elsewhere in Felsted village and that in any event the inclusion of affordable housing would be likely to take out the financial viability for the doctors surgery and that the proposed scheme should not therefore be subject to the normal policy requirement of 40% affordable housing provision as required under ULP Policy H9 of the adopted Local Plan. To support this contention, the applicant has submitted a financial viability assessment which has since been rigorously tested by the Council's external financial viability consultant (Kift Consulting).
- 11.37 A lengthy process has subsequently followed between the Council and the applicant's agent as to whether the doctors surgery as delivered would result in any residual sums of money being identified once the procurement and build costs for the surgery were taken out of the equation which could be made available for affordable housing at the site where this process has involved interpretations of methodology for calculating open market values, build costs and benchmark land values to take into account the estimated uplift in the value of the site through betterment as a result of market housing also being provided.
- 11.38 Following very recently agreed clarification between the Council, the applicant and the WECCG as to how the surgery would be delivered, namely through the gifting of the land and build by the applicant with no rental considerations into the scheme, the Council's financial viability consultant has assessed that residual monies would arise through the scheme, which would be the equivalent to an off-site commuted affordable housing sum of £461,126 or by way of conversion the equivalent to 5 no. on-plot affordable units, which represents a reduced affordable housing provision of 13%. The applicant's agent has confirmed that they do not contest this calculated figure and, as such, the Council considers this issue to be finally resolved.
- 11.39 Consideration therefore has to be had as to whether this calculated level of on-plot affordable housing provision would be desirable in all of the circumstances rather than the Council requesting a commuted sum in the alternative. As previously identified in this report, the site can be described as being within a sustainable location lying on a regular bus route whereby the occupiers of any on-site affordable housing would be able to use public transport to access local services at Flitch Green or Felsted village centre or be able to walk into the village to access the same and would also be able to conveniently access the proposed new doctors surgery at the Bury Farm site itself. For this reason, it is considered by your officers that planning justification exists for 5 no. affordable housing units to be provided at the site and that this should be provided by way of inclusion for any agreed Heads of Terms for any legal obligation entered into for this development proposal.

D Design (ULP Policies GEN2, GEN4 and GEN8 and FNP FEL/ICH1).

- 11.40 Layout, Scale, Appearance and Landscaping are all reserved matters which do not fall for consideration under the scope of the current outline application seeking permission in principle. That said, FEL/ICH 1 states that for development proposals to be supported that they must respect the character and heritage of the Neighbourhood Plan area and bring about enhancements to that character, including reference to the Felsted Heritage and Character Assessment, adding for countryside locations that this must show *“Sensitive treatment of the rural edge, particularly around Felsted village, with regard to impact on heritage assets and their setting, including the surrounding landscape”* and that *“All new build proposals outside the development limits must not harm their landscape setting”*.
- 11.41 The proposed indicative site layout drawing submitted shows a fixed number of 38 dwellings (as opposed to “up to”) which can be interpreted as being laid out within two distinctive housing areas with a more Arcadian feel of housing with an absence of a street frontage along Station Road shown for the front (southern) end of the site and a higher density type of housing shown for the rear (northern) end of the site. It is stated that this number of housing units can be successfully accommodated on the site taking into account the need to observe the site density, rear garden amenity standards and car parking requirements and that the dwellings would be of traditional design using traditional materials.
- 11.42 It is evident from the submitted indicative site layout that the overall density would be acceptable for this edge of village location whereby all of the dwelling plots as shown would conform to Essex Design Guide minimum rear garden standards. The actual size of the proposed surgery cannot be properly determined at this outline stage as this will be dependent upon final specification requirements confirmed for any subsequent DFO application. However, any parking provision shown for the surgery would have to comply with ECC parking standards for a D1 use (Medical Centre) with cycling provision and this could subsequently alter the layout for the housing area.
- 11.43 It is considered that the housing layout as shown does not represent an acceptable layout for this prominent edge of village location whereby the difference in the indicated housing mix between the front and rear sections of the site is stark, noticeable and profound with a much higher density of dwellings shown for the rear of the site with potential implications for social integration within the site as a whole, implications for pedestrian connectivity to the surgery for those using public transport and potential impacts on long views into the site from the north. As such and as indicated, it is considered that the proposal by reason of its layout would not meet the aims and objectives ULP Policy GEN2 and FNP Policy FEL/ICH 1.
- 11.44 However, it must be emphasised that the layout is shown strictly for indicative purposes only and that negotiations would need to be carried out between your officers and the applicant’s agents at a future stage prior to any subsequent reserved matters submission to agree on an acceptable site layout to conform with the aforementioned policies and also the specific design and layout requirements as set out in Felsted NP Policy FEL/HN3 for Bury Farm itself which state, amongst other requirements that any development shall *“Not extend beyond the end of the built form on the southern side of Station Road and providing landscaping and screening to the edge of the built-up area of the development to avoid coalescence with Flitch Green and to provide a positive visual transition into the village”* and *“Address the elevated topography of the site and the effect of the development on the landscape and views that contribute to the character of Felsted”*.

E Impact on nature conservation (ULP Policy GEN7)

- 11.45 The interior of the site comprises improved grassland which contains little by way of favourable natural habitats for nature conservation, protected or priority species which has been borne out by the submitted ecology report, although the perimeter of the site contains a continuous established native hedge along Station Road which provides a suitable habitat for nesting birds.
- 11.46 The removal of sections of the perimeter native hedgerow would be necessary to facilitate the proposed two vehicular access points into the site from Station Road, which would be regrettable. However, the proposal would provide the opportunity within the indicated green triangular POS buffer on the northern edge of the site to provide net gains for bio-diversity through the introduction of additional native planting attractive to birds and other species whereby a planting schedule has been produced with the application. ECC Place Services have not raised any ecology objections to the proposal on the basis of such bio-diversity measures being introduced through a bio-diversity enhancement strategy which would need to be conditioned. No objections are raised under ULP Policy GEN7 on this basis.

12. OVERALL BALANCE & CONCLUSION

- 12.1 The benefits of providing a new doctor's surgery for the residents of Felsted as a local infrastructure scheme with enabling housing to facilitate the development at this greenfield location on the western edge of this sustainable settlement where the medical need has been set out clearly in the made Felsted NP must be weighed against any adverse effects which may arise from the proposal.
- 12.2 The Felsted NP which is a material planning consideration and which carries significant weight in decision-making, supports the principle of a surgery with enabling housing at this mixed use allocation site and the proposal therefore represents a significant community benefit in favour of the grant of planning permission whereby the application has been submitted on this basis and where the applicant has agreed to the provision of affordable housing following a financial viability appraisal. Weighed against these benefits are the environmental harms which would arise from the proposal as identified in this report, namely the visual impacts of the development on the local landscape and coalescence creep with Fritch Green whereby these harms are considered to be of significance. Added to these harms is the less than substantial harm which would be caused to the significance of the setting of the adjacent Felsted Conservation Area.
- 12.3 It is considered after applying the relevant weight to the benefits of this proposal against the adverse effects that the tilted planning balance is engaged in favour of the development in accordance with the provisions of the NPPF taken as a whole and when considered against the relevant policies of the adopted Local Plan and the made Felsted Neighbourhood Plan. As such, the principle of a new surgery with enabling housing at this site is considered acceptable in principle subject to the applicant entering into a Section 106 agreement, whilst the proposed vehicular access arrangements are also considered acceptable.

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

- A The identified need for a new doctors surgery with enabling housing at this Felsted NP mixed use allocation site has been demonstrated whereby the significant healthcare and community benefits which would accrue would outweigh in this instance the significant adverse effects arising.

B The proposed access arrangements are considered acceptable subject to bus infrastructure improvements works being carried out along Station Road and the provision of a pedestrian link from the site to footpath no. 55 (Felsted) by way of highway mitigation.

C The housing mix for the enabling housing cannot be properly considered at this outline stage, although the applicant has stated that the mix would meet local housing requirements for any subsequent reserved matters application.

The submitted market housing scheme has been found through a financial viability assessment appraisal to give rise to an affordable housing element equivalent to 5 no. on-plot affordable units or equivalent commuted affordable housing sum of £461,126, which the applicant has agreed to meet for the proposal.

D Layout, Scale, Appearance and Landscaping are reserved matters which do not fall to be considered for this outline application, although design revisions would need to be made to the indicated housing layout at reserved matters stage to make the design and layout of this mixed use scheme acceptable.

E The proposal would not have any harmful effects on protected or priority species, whilst an opportunity would exist for bio-diversity measures to be introduced into the scheme to provide ecology net gains on a proposed green buffer POS area.

RECOMMENDATION – APPROVAL WITH CONDITIONS WITH s106

(1) The applicant be informed that the committee be minded to refuse planning permission for the reasons set out in paragraph (3) below unless by 18 May 2020 the freehold owner enters into a binding agreement to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 in a form to be prepared by the Head of Legal Services, in which case he shall be authorised to conclude an agreement to secure the following:

- (i) Delivery of the doctor's surgery whereby the surgery shall be constructed and available for occupation or an amount equal to the proposed construction costs of the surgery as agreed with the UDC/WECCG/Felsted Parish Council/Felsted Community Trust with all monies being used to meet the costs of construction of the surgery within 2 years of the monies being so conveyed over.
- (ii) Provision of on-site affordable housing equivalent to 5 no. on-plot affordable units or equivalent commuted sum towards affordable housing for the district.
- (iii) A requirement that prior to the first occupation of any open market dwelling on the land, the land edged in blue to be used as a green buffer zone / POS shall be transferred to Felsted Parish Council / Felsted Community Trust (where this may be required to be tied to a second tier stage of development (or whatever may be considered to be appropriate).
- (iv) Developer financial contribution towards NHS healthcare provision.
- (v) Developer financial contributions towards local Early Years and Childcare provision and local primary school provision (but not secondary education).
- (vi) Provision of a SuDS maintenance agreement.

- (vii) Bus stop infrastructure improvement works and provision of connecting footpath from the site to footpath no. 55 (Felsted).
- (viii) Pay the Council's reasonable legal costs.
- (ix) Pay the monitoring fee

(2) In the event of such an agreement being made, the Assistant Director Planning shall be authorised to grant permission subject to the conditions set out below.

(3) If the freehold owner shall fail to enter into such an agreement, the Assistant Director Planning shall be authorised to refuse permission at his discretion at any time thereafter for the following reasons:

- (i) Failure for legal mechanism to secure delivery of the doctors surgery.
- (ii) Failure for legal mechanism to secure on-site affordable housing equivalent to 5 no. on-plot affordable units or equivalent commuted sum towards affordable housing for the district.
- (iii) Failure to secure legal mechanism for transfer of green buffer zone/ POS.
- (iv) Failure to secure legal mechanism to secure developer financial contribution towards NHS healthcare provision.
- (v) Failure to secure legal mechanism to secure developer financial contributions towards local Early Years and Childcare provision and local primary school provision.
- (vi) Failure to secure legal mechanism for provision of a SuDS maintenance agreement.
- (vii) Failure to secure legal mechanism for provision of bus stop infrastructure improvement works and provision of connecting footpath from the site to footpath no. 55 (Felsted)
- (viii) Failure to pay the Council's reasonable legal costs.
- (ix) Failure to pay the monitoring fee.

Conditions

1. Approval of the details of layout, scale, appearance and landscaping (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

REASON: To comply with the provisions of Article 5 of the Town and Country Planning (General Development Management Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.

REASON: To comply with the provisions of Article 5 of the Town and Country Planning (General Development Management Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall be begun no later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

REASON: To comply with the provisions of Article 5 of the Town and Country Planning (General Development Management Procedure) (England) Order 2015 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. Prior to occupation of any dwelling, the northern access shall be formed at right angles to Station Road, to include but not limited to: minimum 5.5 metre carriageway width with appropriate radii (minimum of 6 metres), two 2 metre wide footways, pedestrian crossing points and clear to ground visibility splays as shown on DWG no. IT1839/TA/02 (REV. B). Such vehicular visibility splays shall be retained free of any obstruction at all times.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to provide adequate inter-visibility between vehicles using the road junction and those in the existing public highway in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

5. Prior to occupation of any dwelling, the southern access shall be formed at right angles to Station Road, to include but not limited to: minimum 5.5 metre carriageway width with appropriate radii (minimum of 6 metres), 2 metre wide footway, pedestrian crossing point and clear to ground visibility splays as shown on DWG no. IT1839/TA/03 (Rev. A). Such vehicular visibility splays shall be retained free of any obstruction at all times.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to provide adequate inter-visibility between vehicles using the road junction and those in the existing public highway the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

6. Prior to occupation of the development, a pedestrian link between the proposed development site and footpath no. 55 (Felsted) shall be provided.

REASON: In the interests of accessibility and sustainability in accordance with ULP Policies GEN1 and GEN6 of the Uttlesford Local Plan (adopted 2005).

7. Prior to occupation of the development, improvements to passenger transport infrastructure at the bus stops located adjacent to the proposal site on both sides of Station Road shall be provided, to include where appropriate but not limited to, relocation of the bus stops to a suitable location in the vicinity, raised kerbs, hardstanding, flags, pedestrian crossing points, and any other related infrastructure as deemed necessary by the Highway Authority. Details to be agreed with the Highway Authority and shall be implemented prior to occupation.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport and to ensure vehicles using the proposal site access can enter and leave to highway in a control manner in the interests of

highway safety in accordance with ULP Policies GEN1 and GEN6 of the Uttlesford Local Plan (adopted 2005).

8. No works shall take place until a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the local planning authority based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development. The scheme should demonstrate compliance with the NTS and ECC's Sustainable Drainage Systems design Guide, and should include, but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure. Please submit infiltration tests that satisfy BRE 365 requirements or similar approved.
- Limiting discharge rates from the site to as close as reasonably practicable to the greenfield runoff rate from the development for the same rainfall event for the 1 in 1 year and 1 in 100 year rainfall events.
- Provide sufficient surface water storage so that the runoff volume is discharged or infiltrating at a rate that does not adversely affect flood risk and that unless designated to flood that no part of the site floods for a 1 in 30 year event, and 1 in 100 year event in any part of a building, utility plant susceptible to water within the development.
- Provide sufficient storage to ensure no off-site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus climate change event. Provide details of pre- and post-100 year, 6 hour runoff volume.
- Provision of suitable 'urban creep' allowance
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to ensure the effective operation of SuDS features over the lifetime of the development and to provide mitigation of any environmental harm which may be caused to the local water environment in accordance with ULP Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005). Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

Pre-commencement condition justification: To ensure that the resulting development does not prejudice neighbouring land and property through flooding.

9. No works shall take place until a Maintenance Plan detailing the maintenance arrangements, including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any

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

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with ULP Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005). Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Pre-commencement condition justification. Agreement of an acceptable SuDS maintenance scheme is integral to the future drainage management of the approved development scheme and to ensure that the resulting development does not prejudice neighbouring land and property through flooding.

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

REASON: Paragraphs 163 and 170 of the National Planning Policy Framework state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to unacceptable levels of water pollution in accordance with ULP Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005).

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

Pre-commencement condition justification. Agreement of an acceptable scheme to minimise flooding and pollution during construction works is essential in the interests of highway safety and the protection of the environment, nature conservation and neighbouring land and residential properties.

11. A Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority to accompany any subsequent reserved matters application. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Proposed enhancement measures;
- b) Locations of proposed enhancement measures by appropriate maps and plans;
- c) Timetable for implementation demonstrating that works are aligned with the Proposed phasing of development;
- d) Persons responsible for implementing the enhancement measures;
- e) Details of initial aftercare and long-term maintenance (where relevant).

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

REASON: To conserve and enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) in accordance with ULP Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005).

12. No development or preliminary groundworks shall commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority prior to a reserved matters application being submitted. A mitigation strategy detailing the excavation/ preservation strategy shall be submitted to the local planning authority following the completion of this work.

REASON: The Historic Environment Record indicates that the proposed development lies within a potentially sensitive area of heritage assets. The site is in close proximity to the western side of Felsted Conservation Area and lies immediately adjacent a spread of aerial photographic cropmarks which shows a sequence of enclosures and linear features, indicative of a multi-period extensively farmed landscape (EHER14087). This is likely to extend into the development area. The required trial trenching and open area excavation is therefore required to be carried out in the interests of archaeological investigation and recording in accordance with ULP Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

Pre-commencement justification: In order not to prejudice the ability for archaeological investigation to be carried out and the findings known prior to the approved development commencing.

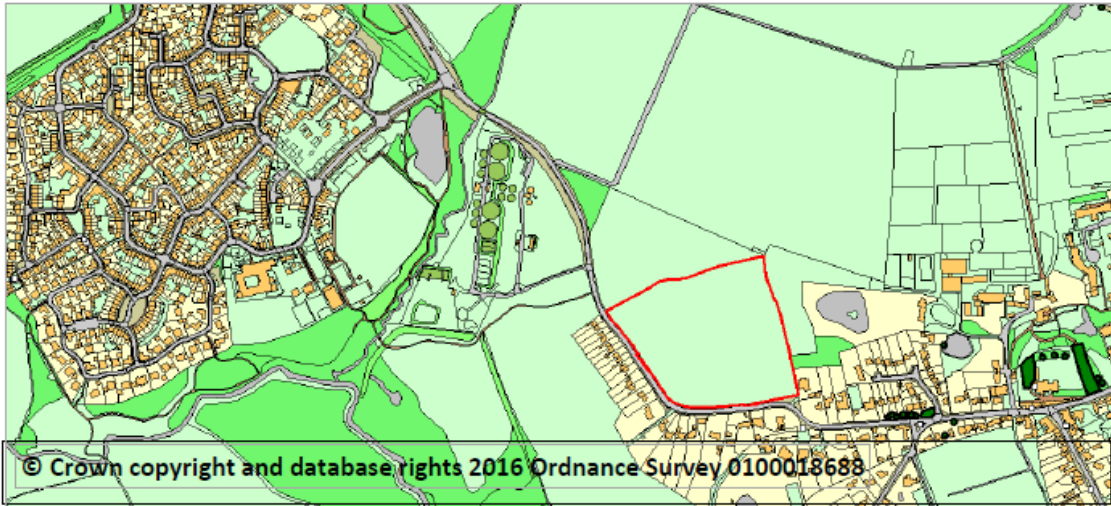
13. No development or preliminary groundworks shall commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork has been carried out as detailed in the mitigation strategy and which has been signed off by the local planning authority through its historic environment advisors. The applicant will submit to the local planning authority a post excavation assessment (to be submitted within three months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: The Historic Environment Record indicates that the proposed development lies within a potentially sensitive area of heritage assets. The site is in close proximity to the western side of Felsted Conservation Area and lies immediately adjacent a spread of aerial photographic cropmarks which shows a sequence of enclosures and linear features, indicative of a multi-period extensively farmed landscape (EHER14087). This is likely to extend into the development area. The required trial trenching and open area excavation is therefore required to be carried out in the interests of archaeological investigation and recording in accordance with ULP Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

Pre-commencement justification: In order not to prejudice the ability for archaeological investigation to be carried out and the findings known prior to the approved development commencing.

14. 5% of the dwellings approved by this permission shall be built to Category 3 (wheelchair user) housing M4 (3)(2)(a) wheelchair adaptable. The remaining dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4 (2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with ULP Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the adopted SPD "Accessible Homes and Playspace".



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| Organisation: | Uttlesford District Council |
| Department: | Planning |
| Date: | 09 APRIL 2020 |