

UTT/20/1866/FUL

Call-in request if officer approval recommendation (Councillor Bagnell)

Reason: The site is located within the Countryside Protection Zone

PROPOSAL:	Erection of 4 new detached dwelling houses with associated parking and landscaping
LOCATION:	Happy Days, Chapel End, Broxted, CM6 2BW
APPLICANT:	Castle Lane Securities Limited
AGENT:	BB Partnership Limited
EXPIRY DATE:	23.09.2020 (extension of time agreed until 30.07.2021)
CASE OFFICER:	Mr C Theobald

1. NOTATION

- 1.1 Outside Development Limits / Within Countryside Protection Zone (CPZ).

2. DESCRIPTION OF SITE

- 2.1 The site lies on the inside of a gradual bend at Chapel End and comprises a contained area of garden amenity land and land behind the former Ebenezer Chapel. The site is level. A two storey cottage stands on the east side of the chapel at the front of the site, whilst the chapel itself has been subject to recently refurbishment. A single storey thatched cottage stands to the immediate south-west of the site (Poppy's Cottage), which is listed as a non-designated heritage asset within the latest Uttlesford Local Heritage List, whilst a row of post-war local authority built dwellings line the road to the immediate south of this cottage leading into Mole Hill Green. A single storey dwelling with various smallholding buildings is located opposite the site (Toad Hall).

3. PROPOSAL

- 3.1 This proposal involves the erection of 4 no. detached dwellings with associated parking and landscaping. Since receipt of the application, the proposal has recently been amended and reduced to a three dwelling scheme, following density, heritage and highway concerns initially expressed by the case officer and the proposal now under consideration for this committee report reflects this reduction in numbers.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

5. APPLICANT'S CASE

- 5.1 The application is accompanied by the following reports/surveys to inform the proposal:

- Planning Statement
- Design and Access Statement
- Transport Statement
- Noise Exposure Assessment
- Arboricultural Impact Assessment
- Extended Phase 1 Habitat Assessment
- Bat Survey
- Great Crested Newt Survey

5.2 The submitted planning supporting statement concludes as follows (extracted for summation purposes):

- The applicant is now seeking to include three units at the Site, utilising the linear pattern of development along Chapel End Road that does not intrude further into the CPZ. The proposed development will allow for additional housing to assist in the delivery of housing in UDC and to provide dwellings that assimilate well with neighbouring buildings, in particular Ebenezer Chapel.
- The proposal represents sustainable development for the purposes of the National Planning Policy Framework 2019 (NPPF). On this basis, the proposed development can be demonstrated as being in accordance with the Development Plan. Furthermore, given the lack of a demonstrable 5YHLS, the development should be approved with a “tilted-balance” decision-making approach without delay consistent with paragraph 11 of the NPPF.
- The proposed development has taken elements of design from properties in the surrounding locality. The dwellings will be well screened, with the exception from the street frontage. However, given the high quality design, and location along a linear pattern of development, the proposal will not have any adverse design and visual impacts.
- It has been demonstrated that the proposed development is acceptable in all other respects. On this basis, the development should benefit from the presumption in favour of sustainable development and be approved without delay.

5.3 The submitted Design and Access Statement concludes as follows:

“The design of the development has been approached with care, consideration and sensitivity. The proposal is of a high standard of design and the external materials that have been proposed will be of high quality and the scheme will provide residential accommodation to a standard in accordance with local and national planning policy”.

6. RELEVANT SITE HISTORY

6.1 None. However, the following two recently approved planning applications within the vicinity of the application site are considered relevant to the planning merits of this application with regard to consideration of the question of the presumption in favour of sustainable development and impacts on the Countryside Protection Zone;

UTT/19/2892/FUL - Erection of 1 no. detached dwelling at Land Adjacent To Leswins, Chapel End, Broxted - APPROVED

UTT19/2898/FUL - Erection of 1 no. detached dwelling at Land Adjacent To Wrens Nest, Chapel End, Broxted - APPROVED

In both cases, the delegated officer reports concluded that the frontage dwelling proposals accorded with the development plan and the NPPF and that no material considerations indicated that planning permission should be refused.

7. POLICIES

National Policies

National Planning Policy Framework (NPPF) (revised February 2019)

Uttlesford Local Plan (2005)

ULP Policy S8 – Countryside Protection Zone (CPZ)

ULP Policy H1 – Housing development

ULP Policy ENV2 – Development affecting Listed Buildings

ULP Policy ENV10 – Noise sensitive development and disturbance from aircraft

ULP Policy GEN1 – Access

ULP Policy GEN2 – Design

ULP Policy GEN3 – Flood Protection

ULP Policy GEN6 – Infrastructure Provision

ULP Policy GEN7 – Nature Conservation

ULP Policy GEN8 – Vehicle Parking Standards

Supplementary Planning Documents/Guidance

SPD “Affordable Homes and Playspace”.

Other Material Considerations:

Essex Design Guide

ECC Parking Standards – “Design and Good Practice” (September 2009)

UDC Parking Standards (adopted February 2013)

Interim Climate Change Planning Policy

8. PARISH COUNCIL COMMENTS

8.1 Broxted Parish Council – Object

- The site is within the Countryside Protection Zone in Uttlesford DC’s development plan meaning the development would contravene Policy S8.
- Building four dwellings, mainly on the garden of “Happy Days”, would constitute over-development. The elevations show that the properties are close together along the minor local road, which has no pavements.
- Poppy’s Cottage is also adversely affected. It is not clear why the property is not listed, as it is a rare survivor in this locality and is clearly very old. The proposed properties will overshadow the cottage which is of single-storey height and visible in its ancient setting from the road.
- The development is not in a sustainable location. The applicant refers to two bus services running every hour, but these do not run into the evening or at

weekends/Bank Holidays. As subsidised services they are under constant threat of withdrawal.

- The nearest local services are not adequately served by public transport and a car would be needed for almost all journeys. The applicant allocates two parking spaces per property and two visitor spaces, presumably recognising that living in Chapel End would not be practical without motor transport. There are no shops, schools, health services, libraries or cash machines within reasonable distance.
- The Parish Council does not believe that the small gain to the local housing market from these plans justifies the damage to the environment in Chapel End, especially as there is already a considerable amount of housebuilding under way currently.
- It is noted that this application refers to building on two properties in the ownership of the applicant – Happy Days and Poppy Cottage – and the council asks why two applications have not been submitted.

8.2 Takeley Parish Council - Object

- The application is on the border of Molehill Green within an area that falls within the Countryside Protection Zone so Policy S8 applies. The cumulative effect of more buildings on the overall area of Molehill Green is a concern.

9. **CONSULTATIONS**

Essex County Council Highways

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

Place Services (ecology)

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

MAG Stansted Airport

- 9.3 No aerodrome safeguarding objections subject to conditions.

UDC Environmental Health

- 9.4 No adverse comments subject to a noise condition and Construction Management Plan (CMP) being imposed.

10. **REPRESENTATIONS**

- 10.1 No representations received. Neighbour notification period expires 24.08.2020. Advertisement expires 03.09.2020. Site notice expires 03.09.2020.

11. **APPRAISAL**

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

- A Principle of development having regard to sustainable development objectives, countryside protection (CPZ), flood risk and 5YHLS (NPPF, ULP Policies S8, H1, GEN3 and GEN6);

- B Whether access arrangements would be acceptable (ULP Policy GEN1);
- C Heritage protection (NPPF);
- D Design (ULP Policy GEN2);
- E Impact upon residential amenity (ULP Policy GEN2);
- F Vehicle parking standards (ULP Policy GEN8);
- G Impact upon protected and priority species (ULP Policy GEN7).

A Principle of development having regard to countryside protection (CPZ), sustainability objectives, flood risk and 5YHLS (NPPF, ULP Policies S8, H1, GEN3 and GEN6)

- 11.1 The National Planning Policy Framework 2019 (NPPF) has a presumption in favour of sustainable development whereby paragraph 8 of the NPPF states that sustainable development is achieved through meeting economic, social and environmental objectives (the overarching objectives) which are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.
- 11.2 The site lies approximately 3.5 km from the centre of Takeley village which has a reasonably good level of local service provision. Chapel End is served by the No.6 bus service (Saffron Walden to Stansted Airport) which runs through the hamlet Mondays to Saturdays between the hours of 0730 and 2100 hours. Therefore, some local journeys could be made by future occupants of the proposed development by this public mode of travel whereby there is a bus stop in Chapel End approximately 100 metres east of the site (Chapel Cottages).
- 11.3 Whilst it is likely that most daily trips from/to the site would be by motor car, whereby this is not promoting the use of sustainable transport, the NPPF does acknowledge that 'opportunities to maximise sustainable transport solutions will vary between urban and rural areas'. Furthermore, the hourly bus service provided through Chapel End is considered to represent a good local rural bus service in comparison with some others locally. In addition, the existing bus stop would be upgraded as shown on the submitted plans to form an improved physical bus stop arrangement as well as new timetabling information which forms part of pedestrian access improvements for the Leswins new infill dwelling proposal approved under UTT/19/2892/FUL (see planning history above),
- 11.4 The site lies outside development limits for Takeley within the Countryside Protection Zone (CPZ) as defined on the Uttlesford Council's Adopted Local Plan Proposals Map 2005. Policy S8 of the Uttlesford Local Plan states that planning permission will only be granted for development that is required to be there, or is appropriate to a rural area, adding that there will be strict control on new development. Policy S8 adds that development will not be permitted in particular if either; a) new buildings or uses would promote coalescence between the airport and existing development in the surrounding countryside, or b) it would adversely affect the open characteristics of the Zone.
- 11.5 The site lies at the end of a short line of dwellings fronting onto Broxted Road to the south as it curves round into Chapel End. The site is relatively well screened from the surrounding countryside with established vegetation existing onto the rear and flank boundaries whereby the proposed development would sit within the existing residential site of the dwelling, Happy Days, and the adjacent former chapel building. As a result, the development would not cause any encroachment onto undeveloped countryside land therefore ensuring there would be no adverse impact on the openness of the CPZ at this location. Furthermore, the development of the site

would not cause any coalescence with the airport. In this context, the proposal is not considered to be contrary to the implementation of countryside protection aims of Policy S8.

- 11.6 Further, Policy GEN3 of the Uttlesford Local Plan seeks to steer development away from areas at medium to high risk of flooding whereby this sequential test is echoed by the requirements of the NPPF. The site comprises level ground and lies within Flood Zone 1 as shown on the government's flood risk map meaning that the site is at a low risk of fluvial flooding. No flood risk objections are therefore raised to the proposal under ULP Policy GEN3.
- 11.7 Policy H1 of the Uttlesford Local Plan sets out the number of new dwellings which are proposed to be provided for the district for the plan period 2000 to 2011, although this policy as a local housing policy is out of date when set against the housing requirements of the NPPF in terms of the statutory requirement for LPA's to have a five year housing land supply. The Council currently has 3.11 years of housing supply as calculated by the latest housing trajectory for the district (April 2020), which is therefore still below this 5 year threshold requirement. This is a material consideration for the current application whereby paragraph 11 d) of the NPPF advises that where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, to grant permission unless there are clear policy reasons not to do so or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies contained in the Framework taken as a whole.
- 11.8 It is considered from the above that the economic and housing benefits of the proposed development by the introduction of new housing at the site on previously developed land within a screened location would on balance outweigh the limited amenity harms which would arise to the CPZ whereby the countryside would still be protected. It is therefore concluded that the principle of development is acceptable for this site proposal being in accordance with the above policies and national guidance.

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

- 11.9 Vehicular access into the site is currently via a gated entrance to the side of the former chapel building. This access would be upgraded to a 5.5m width service road with gates set back to serve a small private parking court for the two proposed new frontage dwellings to be erected on the south-west side of the site (Plots 1 and 2). A new vehicular access would be formed from the road to serve the proposed new frontage dwelling to be erected on the north-east side of the site (Plot 3), whilst the existing driveway into Happy Days as the retained dwelling would be extended and widened.
- 11.10 As previously referenced for this Report, the proposed housing scheme as originally submitted for this site has since been reduced from four to three dwellings, and ECC Highways have considered the highway impacts of the proposal based upon this reduced dwelling number for their consultation response. ECC Highways have assessed the visibility requirements of the submitted scheme based upon the speed of the road (30mph) and have concluded that the revised Proposed Access Arrangement drawing showing the achievable x-y site lines in each direction along the road from the centres lines of both the new access points to the new dwellings would be in accordance with highway design standards.

- 11.11 ECC Highways have not raised any highway objections to the proposal based upon the new drawing information submitted subject to highway conditions, including that prior to first occupation of the development that improvements to the passenger transport infrastructure at the 'informal' bus stops located on Molehill Green Road (Chapel Cottages) in the vicinity of the site as shown in principle on DWG no. 2019/4922/002 'Proposed bus stop improvements' (dated 06/04/2021) shall be provided by way of appropriate formalisation in the interests of reducing the need to travel by car and promoting sustainable development and transport. No objections are therefore raised to the proposal from a highways and transportation perspective under Policy GEN1 of the Uttlesford Local Plan, subject to the imposition of these conditions.

C Heritage protection (NPPF)

- 11.12 S66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that "In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
- 11.13 Paragraph 197 of the NPPF advises that '*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*'.
- 11.14 Poppy's Cottage stands to the immediate south-west of the proposal site and appears in the latest Uttlesford District Council Heritage List (April 2021) as a non-designated heritage asset of individual interest. The listing for the cottage within the list is as follows;

Poppy's Cottage, Chapel End Ref: 411

Description: Single storey, 18th/19th thatched and rendered cottage with offset brick chimney stack, discrete boarded door and later casement windows. The primary construction material is clay bats; an uncommon building material in this part of Essex. Although diminutive, Poppy's Cottage plays an important role in the architectural diversity of the local streetscene.

Criteria: A (Rarity), B (Aesthetic Value), H (Social and Communal Value)
Value: Individual

- 11.15 Poppy's Cottage stands within its own grounds as a diminutive one bedroomed thatched cottage, within the shadow of the two-storey post-war local authority housing which exists to the immediate south, whereby the historic setting of this non-designated asset has been eroded by this housing development. The proposal would see two dwellings built onto its north side before the chapel, whereby the nearest dwelling would be built close onto its northern flank boundary. However, the nearest dwelling (Plot 1), as with the other dwelling, would be only 1½ stories in height, with a small single storey side offshoot.
- 11.16 The original drawings submitted for this proposal as a four dwelling scheme showed the dwellings at full two storey height level when officers considered that the form, scale and massing of the dwellings as then shown would cause demonstrable

heritage harm. It is considered that the dwellings now in their reduced numbers and revised design form (see below), along with the retention of as much of the existing flank boundary vegetation as possible, which can be conditioned, would lead to less than substantial harm to the significance of this non-designated heritage asset when weighed against the public benefit of providing new housing.

D Design (ULP Policy GEN2)

- 11.17 Revised drawings have been submitted to reduce the height of the proposed dwellings whereby the dwellings for Plots 1 and 2 would be in the form of simple 1½ storey ridged roofed dwelling units with their ridges running from front to rear to intentionally reflect the frontage ridge form of the adjacent Ebenezer Chapel whereby their ridges would be only slightly higher than that of the chapel. The dwellings would be externally clad in artificial slate, facing brickwork to match the adjacent chapel and white rendering, with dark grey composite cladding for the single storey side offshoots, whilst the roofs would incorporate conservation rooflights and the single front windows would incorporate stone lintels to match the Ebenezer Chapel. The dwelling for Plot 3 would have its ridge line running consistent with that of Happy Days and would incorporate similar external finishes.
- 11.18 The design of the three dwellings is considered appropriate in terms of form, scale and external appearance, in terms of the careful level of fenestration treatment shown and also in terms of the spacing between the dwellings for this road frontage location at Chapel End whereby the proposal now represents a sympathetic development taking into account the presence of the chapel and Poppy's Cottage. All three dwellings would have private rear garden areas comfortably exceeding 100sqm as 3 bedroomed units and would comply with the Essex Design Guide in this respect. The donor dwelling, Happy Days, would have a garden retained at over 100sqm also. No design or layout objections are therefore raised to the proposal under ULP Policy GEN2 of the Uttlesford Local Plan.

E Impact upon residential amenity (ULP Policy GEN2)

- 11.19 As proposed linear infill housing, any likely residential amenity impacts arising from the development are likely to be insignificant. In this respect, the dwellings for Plots 1 and 2 have been turned 90 degrees on their axis within their respective plots, with side windows facing onto opposing blank walls or with rooflights provided thereby eliminating any likelihood of opposing loss of privacy between them, whilst the new dwelling for Plot 3 would not have any amenity impact upon Happy Days. No residential amenity objections are therefore raised under Policy GEN2 of the Uttlesford Local Plan.

F Vehicle parking standards (ULP Policy GEN8)

- 11.20 Domestic parking arrangements for Plots 1 and 2 would be in the form of a small, parking courtyard shown at the rear of the plots within an area of enclosed garden amenity land. The courtyard would provide two spaces for Plot 1 and two spaces for Plot 2 respectively with a single visitor parking space. This level of parking provision would accord with adopted parking standards for three bedroomed dwelling units (2 no. spaces required). Two parking spaces would be provided to the side of the dwelling for Plot 3 whereby the dwelling for this plot is also shown as three bedroomed, whilst the existing garage to the rear of the chapel would be retained for parking for this building and two new parking spaces would be provided for Happy Days. As such, the parking arrangements shown for the submitted scheme as revised would comply with Policy GEN8 of the Uttlesford Local Plan.

G Impact upon protected and priority species (ULP Policy GEN7)

- 11.21 The submitted ecological reports with the application have highlighted the potential for protected and Priority species to be present within the proposed development site, including two bat roosts within a barn. A survey of a pond on the site has shown that this does not hold a Great Crested Newt population, but its retention or replacement is recommended. Suitable terrestrial habitat was found to be present on site. One tree was identified to hold potential bat roosting features (T1) which will require a second inspection prior to any felling, although it did not hold a current roost at the time of inspection.
- 11.22 The mitigation and enhancement measures identified in the ecological reports, including the Aerial Tree Bat Inspection and the Great Crested Newt eDNA Survey Report have been viewed by Place Services who have not raised any ecology objections to the proposal subject to the recommendations contained within the submitted reports being secured and implemented in full. Place Services have also advised that as there are a number of ecological factors to consider, that it is also recommended that a Biodiversity Method Statement be submitted prior to construction or clearance of the site to ensure protection of protected and priority species. No objections are raised under Policy GEN7 of the Adopted Local Plan on this basis.

12. CONCLUSION

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

- A The site is considered to be within a reasonably sustainable location on a bus route close to a bus stop, which would be upgraded. The housing and economic benefits of the proposal by the introduction of three frontage dwellings (as reduced from four dwellings following the submission of revised drawings) at a naturally screened site comprising previously developed land would on balance outweigh the limited rural and visual amenity harms which would arise at this location whereby the Countryside Protection Zone would still be protected.
- B Proposed access arrangements would be acceptable.
- C The introduction of housing at the site would lead to less than substantial harm to the significance of the adjacent non-designated heritage asset (Poppy's Cottage) when weighed against the public benefits of providing new housing.
- D The design of the dwellings in their revised form would be acceptable.
- E The proposal would not have any adverse impacts upon residential amenity.
- F Parking provision for the development would be in accordance with adopted parking standards.
- G There would not be any impact upon protected and priority species subject to mitigation measures being secured and implemented.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

REASON: In order to comply with Section 91 (1) and (2) of the Town and Country Planning Act 1990 (as amended).

2. Prior to commencement of development, full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) proposed finished levels
- b) means of enclosure
- c) car parking layout
- d) vehicle and pedestrian access and circulation areas
- e) hard surfacing, other hard landscape features and materials
- f) existing trees, hedges or other soft features to be retained (including for the south-west boundary with Poppy's Cottage given its non-designated heritage status)
- g) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
- h) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- i) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- j) location of service runs
- k) management and maintenance details

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area, to reduce the visual and environmental impacts of the development hereby permitted and to protect wildlife in accordance with Policies ENV3, GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

Justification for pre-commencement condition: To ensure that the resulting development is able to be properly assimilated into the local landscape.

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

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies ENV3, GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

4. Prior to commencement of development, samples of materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The

development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

Justification for pre-commencement condition: To provide the LPA with the ability to agree appropriate external finishes for the development.

5. Prior to first occupation of the development, the proposed vehicular accesses at their centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 55 metres to the south-west and 2.4 metres by 53.3 metres to the north-east, as shown on DWG no. 2019/4922/001 Rev. H (dated 07/04/2021). Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

6. Prior to first occupation of the development the access arrangements, vehicle parking and turning areas as indicated on DWG no. FXR-102c-01 Rev. B (dated 07/04/2021) shall be provided, hard surfaced, sealed and marked out. The accesses, parking and turning areas shall be retained in perpetuity for their intended purpose.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure appropriate parking and turning is provided in the interest of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. Any gates provided at a vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

REASON: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

8. The cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the development and retained at all times.

REASON: To ensure appropriate bicycle parking is provided in the interests of the promotion of sustainable transport in accordance with Policies GEN1 and GEN6 of the Uttlesford Local Plan (adopted 2005).

9. Prior to first occupation of the development, improvements to the passenger transport infrastructure at the 'informal' bus stops located on Molehill Green Road in the vicinity of the site, as shown in principle on DWG no. 2019/4922/002 'Proposed bus stop improvements' (dated 06/04/2021) shall be provided. The formalisation of the bus stops / improvements shall include (where appropriate) but shall not be limited to; raised kerbs, hardstanding, flags, pedestrian crossing points, footway, and any other related infrastructure as deemed necessary by the Highway Authority. The scheme shall be implemented prior to occupation.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with Policies GEN1 and GEN6 of the Uttlesford Local Plan (adopted 2005).

10. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with Policies GEN1 and GEN6 of the Uttlesford Local Plan (adopted 2005).

11. All of the dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4 (2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

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

12. Prior to dwelling occupation the dwellings shall be provided with electric vehicle charging points. The charging points shall be fully wired and connected, ready for first use and retained for occupant use thereafter.

REASON: To encourage/support cleaner vehicle usage in accordance with the NPPF and Policies ENV13 and GEN2 of the Uttlesford Local Plan (adopted 2005).

13. Prior to commencement of development, specification details for the building façade, glazing and ventilation elements of the development shall be submitted to the LPA and to demonstrate that they achieve the sound attenuation requirements detailed in the acoustic report prepared by HA Acoustics reference HA/AB404/V2. The scheme shall thereafter be retained as approved.

A commissioning acoustic test and report shall be undertaken in order to demonstrate that internal noise levels achieve those detailed within the above report. The results of the test shall be submitted to and approved in writing by the LPA.

REASON: In order to protect future occupants of the development from external aircraft noise in accordance Policy ENV10 of the Uttlesford Local Plan (adopted 2005).

14. All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Tim Moya Associates, November 2019), Aerial Tree Bat Inspection (Tim Moya Associates, April 2020), Great Crested Newt eDNA Survey Report (Tim Moya Associates, June 2020), Bat Survey Report (Tim Moya Associates, July 2020), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

These include, but are not limited to, the restoration or replacement of the pond, walkover survey for badgers and aerial inspection of tree T1 for bats prior to construction or felling, protection and retention of boundary habitats and woodland area, retention of hedgerows where possible and replacement with native species, integrated bat boxes and tree mounted bat and bird boxes to compensate for loss of

habitat, due diligence for birds, wildlife sensitive lighting, and care when removing brush to prevent injury to hedgehogs.

REASON: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

15. Prior to commencement of development, a precautionary working Biodiversity Method Statement, particularly for mobile species including Great Crested Newts, bats, reptiles and hedgehogs, shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures, include the presence of an Ecological Clerk of Works (ECoW) during any works likely to impact bats, nesting birds, and/or works to reduce potential impacts to amphibians, including Great Crested Newts, reptiles and other mobile species during the construction phase, to include a walkover survey for badgers.

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

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

Justification for pre-commencement condition: To ensure that the resulting development is not harmful to nature conservation.

16. Prior to slab level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (Tim Moya Associates, November 2019), Aerial Tree Bat Inspection (Tim Moya Associates, April 2020), Great Crested Newt eDNA Survey Report (Tim Moya Associates, June 2020), Bat Survey Report (Tim Moya Associates, July 2020) including location of bird and bat boxes, details of native/wildlife friendly planting and landscaping, and detailing retained habitats, shall be submitted to and approved in writing by the local planning authority.

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

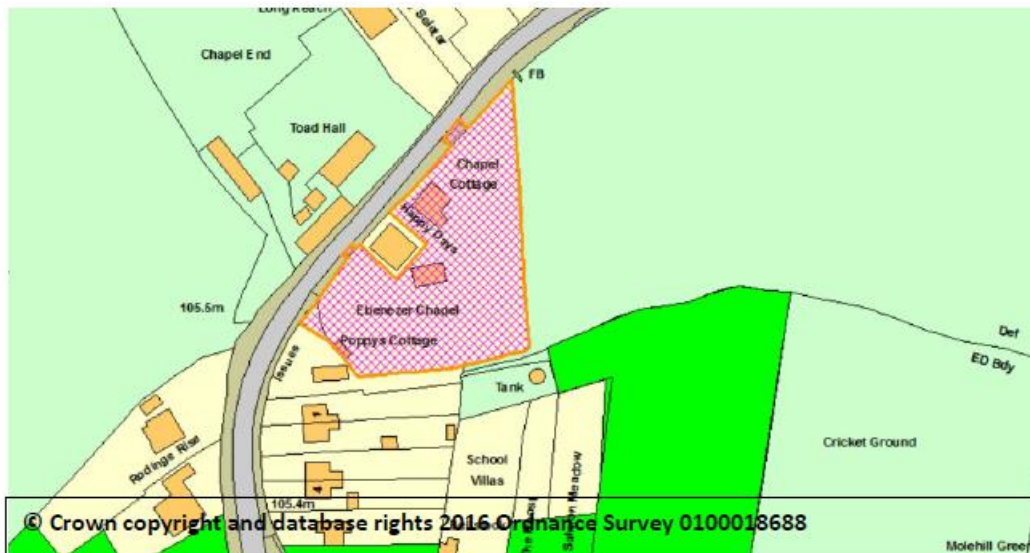
REASON: To enhance protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

17. Prior to occupation, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the

scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).



Organisation: Uttlesford District Council

Department: Planning

Date: 21 APRIL 2021