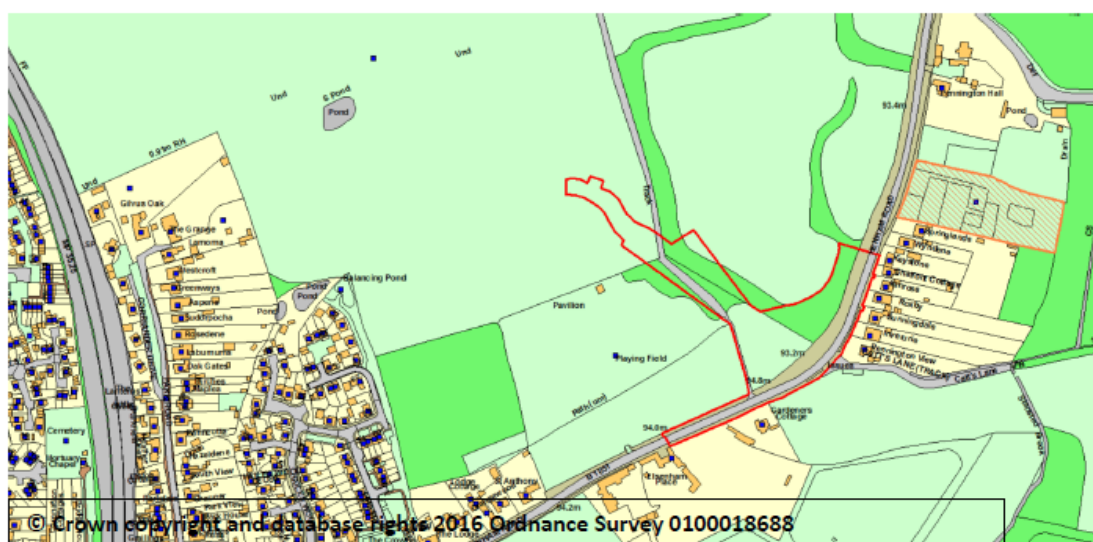


ITEM NUMBER:

REFERENCE NUMBER: UTT/21/2799/DFO

**LOCATION: Land To The North West Of
Henham Road, Elsenham**

SITE LOCATION PLAN:



Organisation: Uttlesford District Council

Department: Planning

Date: 29NOVEMBER 2021

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Organisation: Uttlesford District Council Date: 29 November 2021

PROPOSAL: Details following outline approval UTT/17/3573/OP (approved under appeal reference APP/C1570/W/19/3243744) for access road infrastructure to serve up to 350 new homes and associated uses - details of appearance, landscaping, layout and scale

APPLICANT: Bloor Homes

AGENT: C/o Pegasus Group

EXPIRY DATE: 08.12.2021 (Extension of time agreed until 20.12.2021)

CASE OFFICER: Clive Theobald

NOTATION: Outside Development Limits

1.0 RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS:

- 1.1 All hard and soft landscape works shall be carried out in accordance with the approved details submitted with the application, including drwg. ref. EA177-LS-001 dated September 2021 (Phase 1 Infrastructure Landscaping) and the Phase 1 'Infrastructure Landscape And Ecological Management Plan' dated September 2021. 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 GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

- 1.2 All ecological mitigation and enhancement measures and/or works where these measures are not previously controlled by Condition 4 (CEMP), Condition 5 (LEMP) or Condition 6 (IMMP) of outline planning permission UTT/17/3573/OP shall be carried out in accordance with the details contained in the Ecological Impact Assessment (SES, October 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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).

2.0 SITE DESCRIPTION

- 2.1. The site lies on the north-west side of the B1051 Henham Road to the immediate north-east of the existing built up area for Elsenham village and comprises for the purposes of the land edged in red part of undeveloped amenity land / parkland running parallel with the Henham Road frontage and part of open arable agricultural land lying to the rear. The site slopes up from the B1051 towards the rear (northern) site boundary as edged in red. A listed residential property lies opposite the site on the south side of Henham Road, whilst further residential properties line the south-eastern side of the road just past the site after a gradual bend. Public footpath PROW 13_21 traverses the site north-east/south-west and leads across an existing field track leading from Henham Road to the northern end of the site.

3.0 PROPOSAL

- 3.1 This Reserved Matters application relates to the submission of details in respect of Scale, Layout, Appearance and Landscaping (the reserved matters) to provide commencement of access road infrastructure to serve up to 350 new homes and associated uses following the grant of outline planning permission at appeal under ref; UTT/17/3573/OP.
- 3.2 The extent and remit of the Reserved Matters application as submitted relates to the inclusion of the proposed access point from Henham Road, and then part of the proposed access road leading from it, only relating to the above outline approved development, but additionally provides detailed information of the proposed access road beyond that approved by the outline permission to extend up to the boundary of the residential part of the site and provides full Reserved Matters information, notwithstanding that Access itself was granted full planning permission along with the principle of development under outline application UTT/17/3573/OP.
- 3.3 It is proposed by the current Reserved Matters application for the proposed access road identified as 'phase 1' road construction works to be implemented ahead of the wider site for approved housing at this location and as identified as 'phase 2' in order to provide a safe and secure access road into the site and to enable construction traffic to be provided at the site before work commences on the wider site scheme itself so as to reduce the disruption of the work on the wider site for the local community. It is stated that it is considered likely that construction of the section of the 'phase 1' roadway works from Henham Road into the site will commence in late 2021 subject to the grant of planning permission for the current Reserved Matters application and s278 highways technical approval, comprising first stage enabling works and then the road construction phase itself.
- 3.4 The submitted details also include minor amendments to the approved vehicular access as included under outline ref; UTT/17/3573/OP to reflect detailed design feedback from ECC Highways through the separate s278 highway process and information gained through initial public engagement. It is stated that this matter is intended to be regularised by the applicant through a

variation of condition request that will be submitted by way of a subsequent planning application. The separate Reserved Matters application for the larger remainder of the site for up to 350 dwellings and associated uses is proceeding separately to the current Reserved Matters application for the proposed road access works the subject of this Committee Report (this separate application has now been submitted to the Council for formal consideration under ref; UTT/21/3269/DFO).

4.0 ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The proposed access road infrastructure works the subject of the current application do not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, notwithstanding that the proposal for residential development at this site location under outline application UTT/17/3573/OP did constitute EIA development for the purposes of the EIA Regulations.

5.0 APPLICANTS CASE

- 5.1 The application is accompanied by the following statements and reports to inform the application proposal:

- Planning Statement
- Access Road Drainage Strategy
- Arboricultural Impact Assessment
- Revised Ecological Impact Assessment
- Landscape and Ecological Management Plan (LEMP)
- Construction and Environmental Management Plan (CEMP) (S278 & Enabling Works)
- Bird Hazard Management Plan

- 5.2 The application is also accompanied by various drawings of a technical nature to further inform the proposal, including a vehicular access arrangements plan, tracking and swept path analysis details, road construction details, road materials finishes, access road drainage strategy details, road lighting design and tree protection measures (some drawings have been taken from the outline approved application referenced above).

- 5.3 The submitted planning statement (Pegasus Group, September 2021) provides the following conclusion with regard to the planning merits of the proposed road infrastructure works the subject of the current Reserved Matters application:

- This Reserved Matters submission provides details relating to the access and road infrastructure which will comprise the first phase in the delivery of a wider development. As is evident through the explanation of the scheme provided within this Planning Statement, the scheme has been carefully designed to ensure impacts are limited during construction. The access road that is to be created will form an attractive and well-landscaped gateway to the rest of the residential development. Measures have been put in place to make travelling by foot and cycle as attractive as possible, which will benefit both existing residents in the vicinity of the site and future occupants of the new homes that are to be created. This early promotion of walking and cycling will ensure these modes of travel are promoted in the design of the wider scheme,

ensuring a permeable and well-connected housing development is created.

- This Planning Statement demonstrates that the proposed development is consistent with the relevant policies of the development plan and relevant material considerations (as required by the NPPF). As such, it is respectfully requested that the submitted details are approved without delay so this first stage in delivering a much-needed development can be commenced as soon as possible.

6.0 RELEVANT SITE HISTORY

6.1 Outline planning permission with all matters reserved except for access for the erection of up to 350 dwellings, 1 no. primary school (including early years and childcare setting for up to 56 places), open spaces and landscaping (including junior football pitch and changing rooms), access from B1051 Henham Road with associated street lighting and street furniture, pedestrian, cycle and vehicle routes. pedestrian and cycles link to Elsenham Station and potential link to Hailes Wood, vehicular and cycle parking, provision and/or upgrade/ diversion of services (including water, sewerage, telecommunications. electricity, gas and services, media and apparatus, on-plot renewable energy measures, including photo-voltaics, solar heating and ground source heat pumps), drainage works, sustainable drainage systems and ground and surface water attenuation features, associated ground works, boundary treatments and construction hoardings at 'Land To The North West Of Henham Road, Elsenham' was granted on appeal on 22 December 2020 under ref; UTT/17/3573/FUL following non-determination of the application by Uttlesford District Council.

6.2 Details relating to site access design, provision of dropped kerbs, tactile paving to assist pedestrian movement across the junction with Henham Road, together with street lighting and proposed locations of bus stops along Henham Road were all accommodated within the final junction design for consideration of Access at outline stage along with consideration of the principle of development for the proposed residential scheme. In considering the matter of Access, the Planning Inspector in issuing his appeal decision for outline application UTT/17/3573/FUL commented that the indicated junction layout arrangements were acceptable whereby he was satisfied that the arrangements as designed and proposed would be safe and fit for purpose and found no conflict with the relevant provisions of the Framework or under Policy GEN1 of the Uttlesford Local Plan 2005. Highway related planning conditions relating to the proposed development, including for the proposed access road from Henham Road, were imposed on the grant of planning permission by the Inspector.

Pre-application discussions

6.3 Various discussions have taken place between the applicant and both Officers of Uttlesford District Council and members of Elsenham Parish Council regarding this 'phase 1' Reserved Matters application as part of the wider approved housing scheme in principle for this undeveloped site. It is understood that Henham Parish Council has been approached by the applicant to discuss this 'phase 1' proposal, but that they have confirmed that they do not wish to discuss the proposal. Discussions have also previously taken place between the applicant and Officers from the Local Highways Authority.

6.4 The initial public consultation for this proposal has revealed the following of

relevance to this reserved matters application:

- General agreement to the logic of allowing the access road to be implemented ahead of the remainder of the site.
- The importance of ensuring adequate measures are in place to ensure the effective prevention of mud on the highway.
- A request for bulb planting at the entrance of the site.
- Concerns raised by surface water run-off flooding in the local area.
- The need for safety measures to be in place to ensure that the users of the Public Right of Way crossing the site are protected during and after construction is completed across the entire site.
- The importance of ensuring appropriate off-road provision is made for construction vehicles.
- The need to ensure that construction traffic does not cause harm to the fabric of nearby buildings.

7.0 CONSULTATION RESPONSES:

Natural England

- 7.1 Natural England has no comments to make on this application.

Highways England

- 7.2 The proposed development site is located north of Henham Road (B1051) on the eastern side of M11 (part of the SRN). This Reserved Matters application, (for appearance, landscaping, layout, and scale) is unlikely to have a severe impact upon the Strategic Road Network (SRN). Therefore, we offer no objection.

NATS

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

MAG Stansted Airport

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

Cadent Gas

- 7.5 No objections.

ECC Local Lead Flood Authority

- 7.6 Thank you for your email received on 14/09/2021 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS

schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council 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, we do not object to the granting of planning permission.

We have the following advisory comments:

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.

<https://www.essex.gov.uk/protecting-environment>

ECC Highways

- 7.7 This application is for the access road into the proposed development only and connects with the approved access onto Henham Road agreed as part of the outline application. The access and the access road are being developed together and reviewed by the Essex Highways Engineers that will be supervising the construction. The drawings for the approved access have been submitted for information, but do not form part of this application.

The impact of the proposal outlined in the submitted drawing numbers is acceptable to the Highway Authority from a highway and transportation perspective subject to mitigation conditions.

ECC Minerals and Waste Planning

- 7.8 The MWPA previously entered a representation in relation to Application Reference UTT/17/3573/OP on 7th August 2019. This stated that having reviewed the Mineral Resource Assessment (MRA) Addendum 2019, the MWPA accepts the overarching conclusion that the prior extraction of mineral underlying the application site is not practicable.

No waste safeguarding implications were identified in relation to this application.

On the basis of the above, the MWPA have no comments to make with regards to this application.

ECC Place Services (Heritage)

7.9 The application is for a new access road leading from Henham Road to serve a new housing development. There are several Grade II listed buildings along the south side of Henham Road directly by the proposed turn-off for the new road:

- Gardeners Cottage, (list entry no: 1171192)
- Thatched outbuildings and Barn to west of Gardeners Cottage, (list entry no: 1112339)
- Elsenham Place, (list entry no: 1112337)
- Barns to the west of Elsenham Place, (list entry no: 1171188)
- Dovecote to south west of Elsenham Place, (list entry no: 1112338)

The principal considerations are the indirect effects to heritage assets due to change within their setting.

The proposed bus stops are located directly outside the Barn to the west of Gardeners Cottage and opposite to Elsenham Place. I am unclear whether physical bus shelters are being proposed as part of the scheme. It is considered that any waiting buses and physical bus shelter would have a negative impact on the setting of the listed buildings and affect the ability to appreciate their architecture. It is therefore recommended that the locations of the bus stops are revised to move them away from the immediate settings of the listed buildings.

ECC Place Services (Ecology)

7.10 (revised comments dated 10 November 2021):

No objection subject to securing biodiversity mitigation and enhancement measures.

Summary:

We have reviewed the Tree Protection Plan, Drawing No. 1618-KC-IP-YTREE-TPP01Rev0 (Keen Consultants, August 2021), Phase 1 Infrastructure Landscaping Plan, Drawing No. EA177-LS-001 (Bloor Homes Ltd., September 2021), Road Lighting Design, Drawing No. MMA1653/001 (MMA Lighting Consultancy, February 2021), Landscape and Ecological Management Plan (Bloor Homes, Ltd., September 2021) and Ecological Impact Assessment (SES, October 2021) relating to the likely impacts of development on designated sites, protected species and Priority species & habitats.

Ecological conditions attached to application UTT/17/3573/OP (approved under appeal reference APP/C1570/W/19/3243744) included Mitigation for Hatfield Forest Special Site of Scientific Interest (SSSI)/National Nature Reserve (NNR), a Construction Environmental Management Plan (CEMP), Invertebrate Mitigation and Management Plan, Wildlife Sensitive Lighting Design Scheme, Landscape and Ecological Management Plan (LEMP), Biodiversity Enhancement Strategy and Skylark Mitigation Strategy.

We note that a CEMP is yet to be provided for this phase of the development and that the offsite Skylark mitigation will need to be in place prior to commencement of construction for the access road infrastructure.

We are now satisfied that there is sufficient ecological information available for determination.

Invertebrate mitigation for the access track, where no species of conservation concern were recorded during surveys, has been provided within the Ecological Impact Assessment (SES, October 2021).

We note that the Road Lighting Design, Drawing No. MMA1653/001 (MMA Lighting Consultancy, February 2021) does not cover the whole area of the access track, merely the junction at Henham Road. Further details of proposed lighting along the whole stretch of access road covered in this application should be provided.

The LEMP (Bloor Homes, Ltd., September 2021) considers all necessary points in the given condition; however, tree works, including pruning of hedgerows, has been recommended for March, which is inside the breeding bird season. These timings (shown within Section 5.1.3 Maintenance Schedule) should be timed for outside the nesting bird season, generally March to August, unless a nesting bird check is undertaken in the 48 hours prior to removal and confirms no active bird nests present.

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

The mitigation measures identified in the Ecological Impact Assessment (SES, October 2021) should be secured and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly bats, Badger, nesting birds, reptiles, invertebrates and Hedgehog.

Enhancements for biodiversity within this application have been provided in the Ecological Impact Assessment (SES, October 2021) and includes hedgerow enhancement and creation of an attenuation basin with south-facing slopes and flower-rich areas. These enhancements can be seen in the Phase 1 Infrastructure Landscaping Plan, Drawing No. EA177-LS-001 (Bloor Homes Ltd., September 2021).

We recommend that the mitigation and enhancement measures in the Ecological Impact Assessment (SES, October 2021) are secured for delivery in full by a condition of any consent. This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

UDC Landscape Officer

- 7.11 I have studied the submitted Phase 1 Infrastructure Landscaping Plan, drwg. ref. EA 177-LS-001 (Sept 2021) and consider the soft landscaping proposals shown for the front of the site and for the perimeters of the proposed access road to be acceptable. Whilst I would have preferred to have seen more hedge planting and less ornamental planting for the scheme, I consider that the absence/presence of these soft landscaping features are insufficient to warrant arriving at a different recommendation.

UDC Environmental Health Officer

- 7.12 (revised comments received 18 November 2021):

This response refers to additional information supplied by the applicant in response to earlier comments from this service regarding the Construction Management Plan prepared by RSK reference 422533 dated 1st September. This document has been updated to a revised version dated 5th November 2021. I consider that in view of the amendments that have been made I am now in a position to recommend that the condition relating to the CEMP can be discharged.

It should be noted that this comment relates solely to the CEMP titled "Land North of Henham Road, Elsenham – S278 & Enabling Works" which relates to the construction of the access road and infrastructure. There is another CEMP relating to the overall development construction phase with the same reference no. 422533 but dated 1st November 2020 and titled "Land North of Henham Road, Elsenham"; this will be considered separately in the response to the consultation under planning ref. UTT/21/3269/DFO.

Elsenham Parish Council

7.13 Elsenham Parish Council wishes to make the following objections.

1. Crossing of PROW 13/21

Public footpath 13/21 is well used and crosses the new access road at right angles. The route of the footpath which has become established is at some little distance from the true line, the difference being approximately 25 metres at the crossing of the new access road. At a meeting of members of Elsenham Parish Council and representatives of Bloor Homes on 1 October 2021, an undertaking was given by Bloor Homes that the access road would be constructed in two stages in order that the PROW would remain open to the public at all times. During one stage, the crossing point of the established footpath route would remain open while the crossing at the true line is constructed; during the other stage, the crossing point at the true line would be open while the access road including the established crossing point is constructed. The Parish Council considers it essential that this undertaking should be respected. *See the Appendix for the minutes of the meeting on 1 October 2021.*

2. Speed limit

The provisions whereby a new gateway feature on Henham Road shall be provided and the extension of the 30 mph limit are noted. The Parish Council requests that the 30 mph limit should be moved so that it is to the east of the junction of Henham Road and Mill Road, that is, the junction of the B1051 and the road to Henham. It is important that the speed limit is moved before construction works commence in view of the increased use of the B1051 by slow-moving construction vehicles turning into the site.

3. Hours of operation

The Parish Council agrees with the Environmental Health response to the effect that operations should start at 08:00 rather than 07:30, in view of the proximity of residential properties.

4. Access route for construction vehicles

The application must include a provision stipulating that the only permitted route for construction vehicles is via Takeley and Hall Road, Elsenham, which is the established permitted route for construction vehicles in both directions. The constrained and difficult route via Stansted Mountfitchet, which includes a weight restriction on Grove Hill, should be explicitly banned to all construction vehicles.

- 7.14 **NOTE: APPENDIX 1 - Minutes of the meeting between Elsenham Parish Council and Bloor Homes dated 1 October 2021 as referred to above is attached to the rear of this committee report for Members' information.**

8.0 REPRESENTATIONS

- 8.1 1 representation has been received from neighbouring residents and the following observations have been made:

- Concern about the construction of the new layout of the attenuation basin which will be in front of our property. If it ever overflows then our house could be flooded;
- Where is surface water run-off going to go? Henham Road does not drain quickly after heavy rain. At present there is a deep earth bank which will have to be removed to make the path; this bank and hedge at present absorbs large amounts of water from the cricket field and the fields beyond which will be covered by the new housing estate;
- What type of paving will be used? I hope it can absorb some of the water. The drainage on Henham Road needs to be sorted out during construction of the pathway;
- Loss of hedging and trees;
- The proposed bus stops are situated between Elsenham Place and Lilac Cottage. The construction of any bus shelters would spoil the historic appearance of the Grade II listed properties. Also, the one on the left-hand side of the road travelling towards Elsenham will be situated very close to a listed brick wall and if people are waiting there it could get damaged. This bus stop/shelter is very close to our drive entrance and will obscure sight lines when turning in and out, especially when the bus is picking up or dropping off. At present the bus stops are at 'The Crown', so there will be two bus stops very close together.
- Henham Road has a speed limit of 40 mph. The residents of Henham Road have all thought for a long time that this should be made 30 mph to be in keeping with the rest of Elsenham and Henham Villages. With the new access road there will be more traffic, and more people will be walking along the road, and school children will be walking to attend Elsenham Primary School in the High Street. We need to have a speed limit in place of at least 30 mph, but ideally 20mph with signage warning that cars will be turning and construction works are working along the road when construction starts on the access road and footpath.

9. POLICIES

9.1 National Policies

National Planning Policy Framework (NPPF) (rev. July 2021)

9.2 Uttlesford District Local Plan (adopted 2005)

Policy GEN1 – Access
Policy GEN2 – Design
Policy GEN3 – Flood Protection
Policy GEN7 – Nature Conservation
Policy ENV2 – Development Listed Buildings
Policy ENV3 – Open Space and Trees

9.5 **Other material planning considerations**

Outline planning permission UTT/17/3573/OP granted on appeal for up to 350 dwellings etc. at this large housing scheme site is a material consideration for the current Reserved Matters application for the proposed 'phase 1' access road works as this permission establishes the principle of residential development on the site.

10 **CONSIDERATION AND ASSESSMENT**

10.1 The issues to consider in the determination of this Reserved Matters application are:

- A Scale (NPPF, Policy GEN2);**
- B Layout (NPPF, Policies GEN1 and GEN2);**
- C Appearance (NPPF, Policy GEN2);**
- D Landscaping (NPPF, Policy GEN2);**
- E Trees (Policy ENV3);**
- F Drainage (NPPF, Policies GEN2 and GEN3);**
- G Other matters: CEMP details (Policies GEN1 and GEN2).**

A Scale (NPPF, Policy GEN2)

10.2 The application site boundary for this reserved matters application comprises a total area of 1.27 ha. This red line boundary aligns with that shown on the approved outline Site Location Plan (FFP012/151 Rev B) under ref; UTT/17/3573/OP and includes an area along the Henham Road frontage. As previously referenced in this report, the current reserved matters submission relates to infrastructure works that will be carried out to allow the implementation of vehicular and pedestrian access to the wider development site. The works include the provision of the access road itself taken from Henham Road, the provision of a pedestrian footpath heading west along the north side of Henham Road as required by Condition 10 of the outline permission, together with pedestrian crossing points, associated signage for PROW 13_21, two bus stops to ECC standard and the provision of landscaping and drainage features.

10.3 The submitted drawings show a proposed access road that is 6.5m wide at the site entrance with Henham Road, narrowing to 6m wide along the access road itself with 'build-outs' in key locations along the access road to reduce traffic speeds. The proposed works covered by this submission will all be at ground level. The submission does not relate to any dwellings or other built development approved in principle by outline permission UTT/17/3573/OP as these would be covered by the subsequent 'phase 2' Reserved Matters scheme (UTT/21/3269/DFO refers).

10.4 Essex County Council as Local Highway Authority (Highways) have reviewed

the proposed access road details insofar as they relate to the scale parameters of the site and in terms of highway safety having previously been involved in discussions with the applicant and have not raised any highway objections. No objections are therefore raised to Scale under Policy GEN1 of the adopted Local Plan.

B Layout (NPPF, Policies GEN1 and GEN2)

- 10.5 The proposed access road would lead from the point of proposed vehicular access into the site from Henham Road to subsequently connect to the wider development site beyond as previously shown on the indicative site layout and road layout drawings for approved outline application UTT/17/3573/OP. The submitted details for the current Reserved Matters application relate to the first section of a main street that would run through and serve the wider development. The vehicular access onto Henham Road and the access road leading from it have been designed to adoptable standards, as required by the Local Highways Authority in line with the guidance set out in the Essex Design Guide.
- 10.6 A Phase 1 Infrastructure Plan (P21-0259_13A) has been submitted with the application which illustrates the layout of the access road. This road layout demonstrates that safe access and egress would be able to be achieved by all vehicles, with the submitted plan denoting 4.5m x 120m visibility splays in both directions along Henham Road as required by Condition 9 of outline planning permission UTT/17/3573/OP. The submitted s278 General Arrangement Plan (2100700-100) further illustrates that all vehicles, to include refuse collection vehicles and emergency services vehicles, would be able to enter the site in a safe manner without impeding the movement of other vehicles.
- 10.7 The proposed layout would ensure that the safety and accessibility for pedestrians and cyclists would be prioritised as required by Policy GEN1 of the Uttlesford Local Plan 2005. In this respect, a shared footpath and cycleway are shown to be provided on one side of the access road, whilst a footpath solely for pedestrian use is shown to be provided on the other side in accordance with the requirements of Conditions 9 and 10 of outline planning permission UTT/17/3573/OP. The public footpath crossing point across the proposed access road would be provided with a dropped kerb and tactile paving to help make the road infrastructure accessible for all users. It is intended for signage to be incorporated at this point to highlight that pedestrians should be given the right of way to cross the road in accordance with the requirement of Condition 10 of UTT/17/3573/OP.
- 10.8 To enhance pedestrian safety further, vehicular speeds would be reduced by both the curvature of the road and through the use of 'build-outs' which would introduce pinch points within the road, as well as a raised table at the public right of way crossing point which would force speed reduction. The raised table has been provided at the point PROW 13_21 would cross the road with the 'build-outs' placed before and after the raised table which would also serve the purpose of allowing pedestrians to easily cross the road at this point. These safety measures would be carried through to the wider housing scheme as 'phase 2' highway works.
- 10.9 The footpath and cycleway which is to be provided would link into future pedestrian/cycle accessibility provision within the wider development scheme, leading through the site and connecting to Old Mead Road and Elsenham train

station and thereby maximising connectivity and permeability of the site in this regard in line with the requirements of paragraph 112 of the NPPF.

- 10.10 Highways have reviewed the proposed access road details insofar as they relate to the layout parameters of the site and in terms of highway safety and performance and have not raised any highway objections. No objections are therefore raised under Policy GEN1 relating to Layout. It should be noted that the bus stop locations shown on the submitted drawings are provided to maintain consistency with approved outline permission UTT/17/3573/OP where their locations are identified on the approved outline plans, although the details of these is for a separate application submission and does not form part of the current Reserved Matters application. The issue of the speed limit along Henham Road is also not relevant to the determination of the current Reserved Matters application as again this matter was addressed under the outline approved application for this site scheme.

C Appearance (NPPF, Policy GEN2)

- 10.11 It is proposed that a variety of appropriate materials would be utilised in the construction of the road as illustrated on the submitted Phase 1 Infrastructure Material Colour Plan (P21-0295_11A). The road itself would have a surface built to adoptable standards, with the 'build-outs' to be grassed and the raised table to be of a different material to visibly distinguish the structures from the rest of the road. The footpaths and cycleway will also be surfaced to adoptable standards with appropriate tactile surfacing utilised at crossing points.
- 10.12 It is considered that the proposed appearance of the road scheme would be of appropriate design that meets the needs of all people and would comply with the design requirements of Policy GEN2. No objections are therefore raised relating to Appearance.

D Landscaping (NPPF, Policy GEN2)

- 10.13 A 'phase 1' Infrastructure Landscaping Plan has been submitted for the current Reserved Matters application along with a landscape and ecological management plan. The landscaping scheme would comprise of new tree planting within the open space along the side of the proposed access road leading into the main site as well as along the verge of the road itself whereby this new planting would mitigate the loss of existing trees and provide a new landscaped entrance to the site whereby it is understood that verge planting has been provided at the request of Elsenham Parish Council. The attenuation basin located in the south-west corner of the site adjacent to the new road would also be landscaped to increase its contribution as a visual amenity feature within the front green space area
- 10.14 The submitted landscaping scheme has been reviewed by the Council's Landscape Officer who has confirmed that the soft planting treatment proposed for this frontage area of the site is acceptable in landscape terms and has not raised any landscaping objections to the landscaping scheme. Accordingly, no objections are raised under Policy GEN2 of the adopted Local Plan relating to Appearance.

E Trees (Policy ENV3)

- 10.15 The proposed formation point of the vehicular access along Henham Road and

the proposed access road leading from it into the proposed development site beyond has been fixed by outline planning application UTT/17/3573/OP which considered the removal of a limited number of trees and areas of hedgerow as being acceptable to facilitate the proposal. A further tree survey has since been undertaken by the applicant for the current reserved matters application to ensure that the most recent tree condition data is available (Tree Constraints Plan – drwg. no. 1618-KC-IP-YTREE-TCP01 Rev 0). The proposed access road would not require the removal of any trees that are the subject of a TPO or that make an important contribution to the character of the local area, whilst there are certain trees that are proposed to be removed due to their being in poor condition as identified in the submitted Tree Constraints Plan. Accordingly, no tree objections are raised to the proposal under Policy ENV3 of the adopted Local Plan.

F Drainage (NPPF, Policies GEN2 and GEN3)

- 10.16 The Reserved Matters proposal includes the provision of a surface water attenuation basin to be located in the south-west corner of the site adjacent to the proposed access road. It is noted that the outline approved scheme did not illustrate an attenuation basin in this site location, with the basins being indicatively located within the wider development site as illustrated on approved Parameters Plan ref; FFP012/132 Rev J. The intention of the applicant is to still provide attenuation basins within the rest of the site as shown on the Parameters Plan whereby details of these are shown within the Reserved Matters application for the wider site scheme under ref; UTT/21/3269/DFO. The attenuation basin that is proposed within the current Reserved Matters application is proposed as part of the surface water drainage strategy for this section of the road only, which is intended to help manage surface water run-off in an appropriate manner. This basin would be self-contained and would not affect the surface water drainage proposals for the wider development site.
- 10.17 The Local Lead Flood Authority (LLFA) has been consulted on the Access Road Surface Water Drainage Strategy and associated drawings, including drwg. no. 2101-522 ST002A submitted for the current Reserved Matters application and have not raised any drainage objections to the surface water drainage strategy in their consultation response dated 6 October 2021. Accordingly, no drainage objections are raised to the proposal under the National Planning Policy Framework 2021 or Policies GEN2 and GEN3 of the adopted Uttlesford Local Plan 2005, where no specific drainage conditions have been imposed by the LLFA.

G Other matters: Construction Environmental Management Plan (CEMP) (Policies GEN1 and GEN2)

- 10.18 A detailed Construction Environmental Management Plan (CEMP) (RSK, ref; 422533 dated 5 November 2021) has been prepared to accompany the current Reserved Matters application which sets out the highway safety measures and best practices that would be put into place during the construction phase of the new vehicular access onto Henham Road and the access road itself as required by Condition 4 of outline permission UTT/17/3573/OP.
- 10.19 The submitted CEMP states as follows:

“All construction vehicles will park within the development site itself. In the early stages while the enabling works for the access are being carried out, a

temporary compound will be set up in the south-west of the site (where the attenuation basin will later be located). An area will be designated for the storage of materials and waste, and there will also be a designated parking area for all construction personnel. The construction compound and parking area will be moved further within the site once the initial enabling works are complete. To ensure there is a limited impact on neighbours in the form of dust and mud tracking onto Henham Road from the site, wheel washing facilities will be put in place. This will be in the form of a 'Rumble Bath', which will thoroughly clean and jet wash the chassis and wheels of all vehicles before they leave the site. The construction work itself will take place during working hours only to minimise noise disturbances, and hoarding will be placed around the site to reduce noise and dust dispersal. If work is taking place close to existing properties, additional measures will be put in place as specified in the CEMP. All reasonable efforts will therefore be taken to limit disturbance caused to nearby occupiers, who will have the opportunity to raise complaints if any issues arise".

- 10.20 The submitted CEMP (as subsequently updated from the original document submission) has been reviewed by a Council Environmental Health Officer who has stated in his revised consultation response dated 18 November 2021 that he is now in a position to recommend that Condition 4 of outline permission UTT/17/3573/OP relating to the submission of a CEMP for LPA approval can be discharged in view of the wording amendments that have since been made to it at his request and also that of Elsenham Parish Council insofar as it relates to environmental health/ residential amenity matters whereby the CEMP has now been adjusted notably requiring that construction work on site shall not commence before 0800 hours Mondays to Fridays rather than the previously stated start time of 0730 hours in the interests of residential amenity protection.
- 10.21 Additionally, the updated CEMP now contains a section in response to comments received from Elsenham Parish Council that the existing PROW across the site which would cross the new access road would be kept open during construction with Health & Safety Management on site and also a Construction Traffic Route Plan (Annexe E) which confirms that the route that construction vehicles would take to and from the site would be via Takeley (Hall Road) to avoid the weight restriction and pinch-point on Grove Hill.
- 10.22 It should be noted and emphasised that Condition 4 imposed under outline permission UTT/17/3573/OP requires CEMP details to be submitted to and approved in writing by the LPA prior to implementation, which should provide further comfort to the Parish Council in this regard. Therefore, there is no additional requirement for a new CEMP condition to be placed on any grant of planning permission for the currently submitted Reserved Matters application.

11. CONCLUSION

- 11.1 The proposed access road for this Reserved Matters application identified as 'phase 1' works for this 'up to' 350 dwellings scheme with associated uses intended by the applicant to be implemented ahead of the wider site approved for housing ('phase 2') to provide a safe and secure access road into the site and to enable construction traffic to be provided at the site before work commences on the wider site scheme itself so as to reduce the disruption of the wider construction work on the wider site for the local community is acceptable in terms of consideration of Scale, Layout, Appearance and Landscaping (the 'reserved matters') and also in terms of drainage details and would be

consistent with the relevant policies of the development plan and relevant material considerations as required by the NPPF.

11.2 It is therefore recommended that the application be approved.

11.3 It should be noted that Condition 1 as recommended by ECC Highways in their consultation response relating to construction traffic routing (CMP) is covered by the updated CEMP condition as referenced above as required by Condition 4 of outline planning permission UTT/17/3573/OP and does not therefore need to be conditioned again for this Reserved Matters application. Similarly, Condition 2 relating to recommended construction measures to protect users of the PROW across the site when the proposed access road is constructed would again be secured through the updated CEMP and does not therefore need to be conditioned again. The measures in respect of providing signage for the PROW are secured by Condition 10 of UTT/17/3573/OP and do not therefore need to be conditioned for the current Reserved Matters application. Again, similarly, the conditions recommended by MAG Stansted Airport are either covered by the submitted CEMP or by Condition 7 of UTT/17/3573/OP requiring lighting details to be submitted to the LPA for prior approval, or otherwise relate to the wider housing scheme for this site for the separate Reserved Matters application now submitted to the Council under UTT/21/3269/DFO and not for the construction of an access road only the subject of the current Reserved Matters application.

12. EQUALITIES

12.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation.

It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers, including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.