



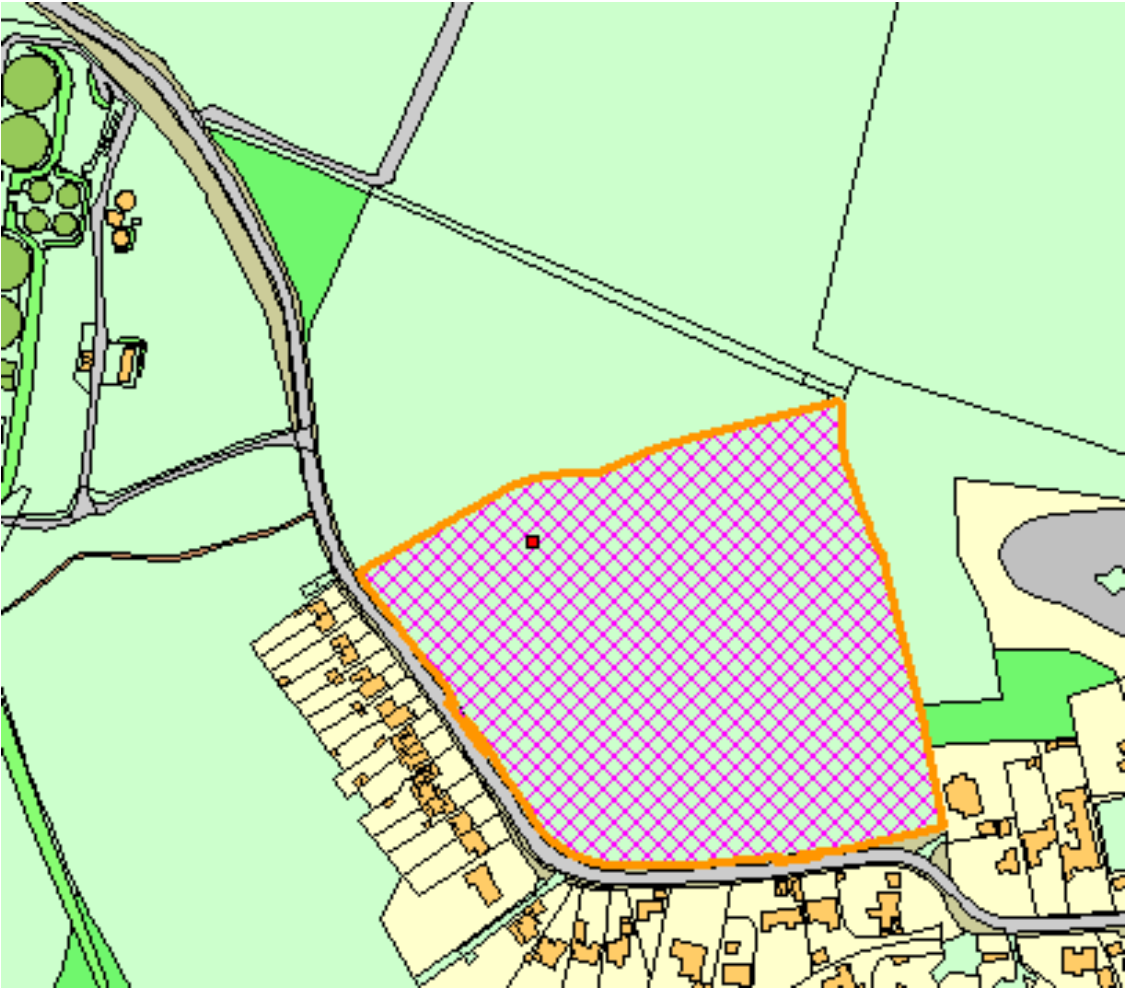
ITEM NUMBER: 10

PLANNING COMMITTEE DATE: 31 August 2022

REFERENCE NUMBER: UTT/22/1078/DFO

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

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 03/08/2022

PROPOSAL: Reserved matters application, following approval of UTT/18/2508/OP, for appearance, landscaping layout and scale, for the proposed development of a doctor's surgery and 38 dwellings. To be considered in conjunction with UTT/22/1080/FUL.

APPLICANT: Mulberry Homes (C/O Bidwells)

AGENT: Mr Sam Metson,

EXPIRY DATE: 27 July 2022

EOT Expiry Date: 01 September 2022

CASE OFFICER: Nathan Makwana

NOTATION: Outside Development Limits

REASON THIS APPLICATION IS ON THE AGENDA: Major Scheme

1. EXECUTIVE SUMMARY

1.1 This reserved matters application follows the submission of the outline application, UTT/18/2508/OP. The outline consent was for all matters reserved, with the exception of access, for a mixed-use development comprising a Doctors Surgery and a residential development of up to 38 new dwellings, new accesses, parking provision, landscaping, and associated development.

1.2 This reserved matters application is to be considered in conjunction with UTT/22/1080/FUL. The differences of the two applications are that the Full Application seeks to secure details of the drainage features, landscaping and other supporting infrastructure proposed on land immediately north of the residential development and doctors' surgery.

- 1.3 Following approval of the outline application, it is recommended that this application is approved. The overall appearance, layout and landscaping are compatible with the immediate surrounding area and have been through a rigorous assessment with internal and external consultees to ensure a successful scheme.

2. **RECOMMENDATION**

That the Director of Planning be authorised to **GRANT** permission for the development subject to those items set out in section 17 of this report -

A) Conditions

3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 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.

4. **PROPOSAL**

- 4.1 Reserved matters application, following approval of UTT/18/2508/OP, for appearance, landscaping layout and scale, for the proposed development of a doctor's surgery and 38 dwellings. To be considered in conjunction with UTT/22/1080/FUL.
- 4.2 The principle for development, including the access arrangements into the site, have already been approved as part of the outline application, these aspects do not therefore form part of the considerations with this current reserved matters submission.
- 4.3 The current reserved matters application seeks approval for the detailed elements of the scheme comprising:

Layout, elevations, materials of construction,
House size, types and mix of units,
Public open space, play space
Landscaping,

5. **ENVIRONMENTAL IMPACT ASSESSMENT**

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

6. **RELEVANT SITE HISTORY**

- 6.1
- | Reference | Proposal | Decision |
|-----------|----------|----------|
|-----------|----------|----------|

UTT/18/2508/OP	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 up to 38 new dwellings, new accesses, parking provision, landscaping, and associated development.	Approved with Conditions on 25.03.2021
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7. **PREAPPLICATION ADVICE**

7.1 A pre-application enquiry was undertaken as per referenced UTT/21/3771/PA. The pre-application enquiry examined matters of house design, layout, scale, and landscaping, as well as matters of Ecology.

8. **SUMMARY OF STATUTORY CONSULTEE RESPONSES**

8.1 **Highway Authority**

8.1.1 It is noted that this is a full application and there is also a DFO application. This response covers both applications. The recommendations in highway recommendations for UTT/18/2508 should also be applied to this application.

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

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

8.2 **Manchester Airport Group**

8.2.1 The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. We have no objection subject to the following Condition:

Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.

Reason: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport.

Informative: The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see:

<https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

9. **PARISH COUNCIL COMMENTS**

- 9.1** Felsted Parish Council fully supports this application which is consistent with the approved "outline" plan and the associated s106 agreement and confirms the delivery of a new Doctors Surgery / Health Centre (which will need to comply with Primary and Social Care Premises specification as set out in the Department of Health's (DH) Design Guidance (The Design Guidance - <https://www.england.nhs.uk/estates/health-building-notes/>).

It is a well thought out proposal that should provide the community with the assurance of a future local health facility for Felsted residents, as outlined in the Made Felsted Neighbourhood Plan and it will become a real and tangible asset to the Felsted community, in ownership of the Felsted Community Trust.

10. CONSULTEE RESPONSES

10.1 UDC Housing Enabling Officer

- 10.1.1** Thank you for consulting me regarding this application.

I note that the FVA undertaken by Kift Consulting concluded that the site could support the provision of 5 affordable housing units, and this is the affordable provision included within the application.

The 5 affordable homes meet the NDSS, and the garden sizes meet those recommended in the Essex Design Guide.

The 5 new affordable homes will help towards meeting the affordable housing need within the district.

10.2 UDC Environmental Health

- 10.2.1** This service has been consulted following the submission of additional information after the outline permission of the above application.

Having reviewed this information, none of which relates to Environmental Health, this service has no comments.

10.3 UDC Landscape Officer/Arborist

- 10.3.1** The submitted landscaping details in respect of UTT/22/1078/DFO and UTT/22/1080/FUL are considered satisfactory and can be approved.

10.5 Place Services (Ecology)

- 10.5.1** No objection subject to the inclusion of conditions relating to an updated Ecological Assessment, Landscape and Ecological Management Plan and a Wildlife Lighting Design Scheme.

10.6 Place Services (Archaeology)

- 10.6.1** An archaeological condition was attached to the original planning application UTT/18/2508/OP. As part of that application a Written Scheme of Investigation (WSI) for a programme of archaeological work has been submitted for the site and approved and the trial trenching has been undertaken. The archaeological condition recommended on the outline required a WSI, the archaeological field

work and the final archaeological report. Open area excavation still needs to be undertaken along with a final report. Therefore, this condition is reiterated.

10.7 Crime Prevention Officer

10.7.1 UDC Local Plan Policy GEN2 - Design (d) states" It helps reduce the potential for crime" Whilst there are no apparent concerns with the layout to comment further, we would require the finer detail such as the proposed lighting, and physical security measures. We would welcome the opportunity to consult on this development to assist the developer demonstrate their compliance with this policy by achieving a Secured by Design Homes award. An SBD award is only achieved by compliance with the requirements of the relevant Design Guide ensuring that risk commensurate security is built into each property and the development as a whole.

10.8 Cadent Gas

10.8.1 We have received a notification from the LinesearchbeforeUdig (LSBUD) platform regarding a planning application that has been submitted which is in close proximity to our medium and low-pressure assets. We have no objection to this proposal from a planning perspective; however, we need you to take the following action – to add an Informative Note to the Decision Notice.

10.9 Chelmsford City Council

10.9.1 We refer to the above application and are writing to advise you that we have NO OBJECTION to this proposal. For a copy of the officers report please view our website www.chelmsford.gov.uk/planningonline and search for application 22/00892/OBS3.

10.10 UK Power Networks

10.10.1 Thank you for contacting us regarding UK Power Networks equipment at the above site. I have enclosed a copy of our records which show the electrical lines and/or electrical plant. I hope you find the information useful. I have also enclosed a fact sheet which contains important information regarding the use of our plans and working around our equipment. Safety around our equipment is our number one priority so please ensure you have completed all workplace risk assessments before you begin any works. Should your excavation affect our Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), please contact us to obtain a copy of the primary route drawings and associated cross sections.

10.11 NATS Safeguarding

10.11.2 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.

11. REPRESENTATIONS

11.1 Site notices were displayed on site and 96 notifications letters were sent to nearby properties. An advertisement in the local press was also included as part of this application.

11.2 Support

11.2.1 The proposed layout looks good.

11.3 Object

11.3.1 Concerns over access including crossing for elderly visitors and the use of fast vehicles approaching the access.
Traffic will be exacerbated by the new development.
Proposed lighting should be motion activated rather than solar.
Roofing materials should blend into the landscape.

11.4 Comment

11.4.1 List and or summarise the reasons for comment the

12. MATERIAL CONSIDERATIONS

12.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

12.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

- (a) The provisions of the development plan, so far as material to the application,
- (a) a post-examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

12.4 The Development Plan

12.4.1 Essex Minerals Local Plan (adopted July 2014)
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
Uttlesford District Local Plan (adopted 2005)
Felsted Neighbourhood Plan (made Feb 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)
Thaxted Neighbourhood Plan (made February 2019)
Stebbing Neighbourhood Plan (made 19 July 2022)

3. POLICY

3.1 National Policies

3.1.1 National Planning Policy Framework (2021)

3.2 Uttlesford District Plan 2005

S7 – The countryside Policy
GEN1- Access Policy
GEN2 – Design Policy
GEN3 – Flood Protection Policy
GEN4 – Good Neighbourliness Policy
GEN5 –Light Pollution Policy
GEN6 - Infrastructure Provision Policy
GEN7 - Nature Conservation Policy
GEN8 - Vehicle Parking Standards Policy
H9 - Affordable Housing,
H10 - Housing Mix Policy
ENV3 - Open Space and Trees, Policy
ENV10 -Noise Sensitive Development, Policy
ENV13 - Exposure to Poor Air Quality Policy
ENV14 - Contaminated Land

13.3 Felsted Neighbourhood Plan (made Feb 2020)

FEL/HN1 – Meeting Housing Needs
FEL/HN3 Land at Station Road (Bury Farm)
FEL/HN5 Residential Development outside Development Limits
FEL/HN7 Housing Mix
FEL/ICH1 High Quality Design
FEL/ICH3 Light Pollution
FEL/CW1 Landscape and Countryside Character
FEL/CW2 – Nature Area, including Felsted Fen
FEL/CW3 Footpaths, Bridleways and Cycleways
FEL/CW4 – Green Infrastructure

13.4 Supplementary Planning Document or Guidance

Uttlesford Local Residential Parking Standards (2013)
Essex County Council Parking Standards (2009)
Supplementary Planning Document- Accessible homes and play space homes
Essex Design Guide
Uttlesford Interim Climate Change Policy (2021)

14. CONSIDERATIONS AND ASSESSMENT

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

- 14.2**
- A) Layout of the development including the design, impact to amenity and Parking**
 - B) Scale and appearance of the development, including the design and impact to amenity**
 - C) Landscaping**
 - D) Protected species and biodiversity**
 - E) Affordable Housing**
 - F) Climate Change**
 - G) Archaeology**

14.3 A) Layout of the development including the design, impact to amenity and Parking

14.3.1 The proposed development is for mixed use sharing the site between residential and a health care centre. The residential section consists of 38 houses ranging from 2 to 5 bedroom's, the Health Care Centre has been designed in accordance with the S106 agreement and has been allocated parking to accommodate the centre. The scheme provides detached units with a few semi-detached affordable rented properties. The detached houses have their own garages, and the semi-detached houses are served by shared private drives.

14.3.2 There are 5 affordable units located within the site which covers 13% of the total plots. The scheme is designed to be tenure blind, using the same material palette across the site and providing high quality private amenity space. The affordable units face onto a small pocket park providing an attractive frontage to the units. The gross area of the site is 4.2 ha with 3.18 ha being public open space.

14.3.3

Type	Market	Affordable	Total
2 Bed Houses	0	2	2
3 Bed Houses	6	3	9
4 Bed Houses	21	0	21
5 Bed Houses	6	0	6
Total	33	5	38

14.3.4 The development will include a layout that will provide an appropriate siting of the dwellings, garages, and open public space within the site and that is compatible with its surroundings and nearby residential development. The design of the buildings is traditional and considered in keeping with residential development in the vicinity

14.3.5 The scheme ensures the properties will have sufficient private amenity space in accordance with the Essex Design Guide; this is contributed by the distance between properties and landscaping features. A breakdown of the proposed dwelling accommodation is listed above.

14.3.6 Refuse collection is proposed from within the site, with refuse vehicles travel in forward gear, with room within the site for refuse vehicles to turn and exit the site in forward gear. Each dwelling is within the maximum collection and drag distances prescribed.

14.3.7 ULP Policy GEN2 also considers the impact to neighbouring properties in regard to loss of light, over shadowing, overlooking and loss of privacy. The layout of the development includes separation distances between the proposed dwellings and the existing neighbouring dwellings that ensures the development will not result in any loss of light, overshadowing that will have a harmful impact to neighbouring occupiers. The site plan submitted shows that the proposed dwellings as sited are unlikely to give rise to a significant loss of residential amenity to adjacent dwellings and would be in accordance with the aims of the Essex Design Guide. Sufficient distance between the dwellings and the existing dwelling outside the application site to not result in any harmful impact to neighbour's private amenity. The boundary treatment of the amenity areas of the proposed dwelling is set out in the landscaping plans and include 1.8m close board fencing.

- 14.3.8** The Housing Enabling Officer has been consulted regarding the proposal, no objections have been made. It is noted 5 % of the development will be delivered as Part M, Category 3 Home (wheelchair accessible). All other dwellings remain M4(2) compliant. Therefore, the development is considered the proposal accords with ULP Policies H10.
- 14.3.9** The introduction of the dwellings will result in an increase of noise and disturbance, mainly due to the increase of vehicular movement within the site and residential occupational use, that being said, this would be consistent to the other residential development in the west and south of the application site. As such the officer does not consider the disturbance would be of a significant level that will result in a material harmful impact to the residential amenity of the existing neighbouring residential sites. Therefore, the proposal is in accordance with ULP Policy GEN4.
- 14.3.10** ULP Policy GEN3 considers the development in regard to flood protection. The site is not in an area at risk of flooding however due to the scale and design of the development the appropriate Local Lead Flood Authority has been consulted due to the proposed drainage and SUDs features. No objections have been raised. The development will still be subject to the conditions imposed under the outline planning permission regarding the submission and approval of a surface water drainage scheme, scheme to minimise off site flooding, maintenance plan and year log records. Taking into consideration the comments from the statutory consultees the development is not considered to not give rise to any significant adverse effects with respect to flood risk and accords with ULP Policy GEN3 and the NPPF.
- 14.3.11** The site has two main access points, both of which lead from Station Road. The main access point creates a loop road that leads through the scheme and allows private roads to stem from these. The accompanying pavements along the access roads mean that as well as vehicular access, pedestrian access is also easy and a viable option. The access to the site was considered and approved in the approved outline planning application UTT/18/2508/OP.
- 14.3.12** Some amendments have been made from the Outline Application. The internal layout of the site has been adjusted to provide an outward facing frontage and to provide an approach to the village and natural surveillance to Station Road. This arrangement also provides a footpath link through a new landscaped area inside the retained hedge on the frontage of the site. This will provide a pedestrian link between the doctors' surgery and the new open space to the north-west, whilst providing a softer the frontage and a more appropriate transition between Felsted's village centre and the surrounding countryside. This is in addition to the new footpath between Station Road and the public footpath on the northern boundary, enhancing walking links for the benefit of all residents.
- 14.3.13** The internal street layout has developed through pre-application discussions. The primary perimeter road through the site has been altered slightly to accommodate the outward facing frontage. It has also been separated at the northern end to prevent vehicle users from driving around the whole perimeter road, requiring them instead to use the nearest access onto Station Road. Private drives will serve several houses around the periphery of the site and in a central courtyard to create an additional sense of privacy for residents in certain areas.

- 14.3.14** Two vehicular access points were approved as part of the outline consent. Within the site, shared surfaces are proposed to be used as a speed limiting feature that also compliment the soft landscape buffer along the southern boundary.
- 14.3.15** Across the site all the housing has its allocated parking slots varying from 2 spaces for the lower bed house to 4 spaces for the higher bed houses. There are 128 spaces on the site for parking. Some of the houses have their own private drives that are gated resulting in better secured parking found on the site. As well as the residents parking, there are 8 visitor spots found around the access road for people that are wanting to visit the site via vehicle.
- 14.3.16** Off the access road as well is the private parking for the health centre detaching it from the main part of the site. The parking is also enclosed by a surrounding fence to provide security for the residents. There are 31 provided spaces with 6 of those being primarily for disabled usage.
- 14.3.17** All of the houses will have secure cycle storage in their garages or sheds in rear gardens. Public bicycle stands have been provided by the entrance to the medical centre and the play area, with additional stands within the play area itself.
- 14.3.18** The layout of the proposed development considers the proposed parking standards, ULP Policy GEN8 states development will not be permitted unless the number, design and layout of vehicle parking proposal is appropriate for the location. A realistic approach is required to try and discourage unlimited car parking provision on new developments and thereby car usage, to help tackle the growing problem of traffic emissions and road congestion and making it easier to walk or cycle for local short distance trips, only in appropriate locations and must avoid parking to be displaced elsewhere in the neighbourhood.
- 14.3.19** In terms of layout and number of the parking spaces, the revised scheme is in accordance with the Uttlesford Residential Parking Standards, furthermore, 19 visitor parking spaces will be provided within the development, this is in excess of the guidance provided in the Essex County Council Parking Standards, also the layout of the site is not restrictive and provides sufficient turning spaces.
- 14.3.20** In terms of layout and number of the parking spaces, the revised scheme is in accordance with the Uttlesford Residential Parking Standards, furthermore, 19 visitor parking spaces will be provided within the development, this is more than the guidance provided in the Essex County Council Parking Standards, also the layout of the site is not restrictive and provides sufficient turning spaces.
- 14.3.21** All houses have access to secure bicycle storage located within the rear garden. Those dwellings without a garage will have a cycle store accommodating at least 2 bicycles. Public bike stands have been provided by the entrance to the medical centre and within the play area. Residential provision - A minimum of 2 spaces per dwelling = 76 Bicycle spaces
Medical Centre - 1 space per 4 staff plus 1 space per consulting room. = 9 Bicycle spaces
Visitor provision - Approx. 4 Sheffield Stands
- 14.3.22** The Local Highways Authority has been consulted and raises no objection subject to conditions. Two conditions that are key include the provision of the spine road an adoptable footway/cycleway link with a minimum width of 3m should be provided to the north of plots 20 and 21. It should be clear that this is for public use and offered for adoption. Furthermore, a footway/cycleway to the

south of the site will be provided, it will be built to adoptable standards and have a minimum width of 2.5. This will also be secured via condition.

14.3.23 Taking into regards the details set out in the above paragraphs it is considered layout of the development is appropriate and in accordance with ULP Policies S7, GEN2, GEN4, GEN8, H10, ENV13, Essex Design Guide, UDC Local Residential Parking Standards and the NPPF as well as Felsted Neighbourhood Plan Policies FNP – FEL/HN1, FEL/ICH1, FEL/CW1, FEL/CW2, FEL/CW3, FEL/CW4.

14.4 B) Scale and appearance of the development, including the design and impact to amenity.

14.4.1 Policy GEN2 considers the design of the development to ensure the development is compatible with its surroundings. The design rationale in regard to the appearance of the development is ensuring a scheme that respects the local vernacular and scale of the existing and surrounding areas using high quality building materials from sustainable sources.

14.4.2 The scale of the dwellings is considered appropriate and will include a mixture of larger detached dwellings, and smaller semi-detached dwellings. The scale of the dwellings is not dominant or intrusive in the setting of the site or its surroundings.

14.4.3 Although this location for the development is tacked on the village and has a rural appearance to the north of the site there are a number of more recently constructed developments. It is considered the scale of the development including the scale of the dwellings within the site are compatible with the neighbouring residential developments and therefore would not be out of place or harmful to the character of the site.

14.4.4 Eleven different house types are proposed, each with different styles and features to ensure variety in the street scene and respond to the mixed character of surround housing. The palette of materials used will generate further variety, while taking lead from local context and focusing the use of red brick, cream render, and black weatherboarding. The design and use of materials for the doctors' surgery has taken lead from characteristics and design of a typical Essex barn clad with weatherboarding, to provide a further response to the village edge location of the site and its relationship with the wider countryside. The Materials Plan (drawing 21-3135-005) submitted with the reserved matters application shows the materials proposed across the site.

14.4.5 The site is predominately comprised of 2 storey housing with accompanying 1 storey garages. The only units found on the site without the garages is the affordable/rent properties and the health care centre. The traditional 2 storey height provides continuity with the local vernacular around Felsted and the wider areas. The surgery is provided as a single storey building. The Massing Plan (drawing 21-3135-003) submitted with the reserved matters application shows the storey heights proposed across the site.

14.4.6 A simple pallet of materials is proposed across the site to illustrate a clean and simple rural style. These materials include a red and orange coloured brickwork, cream render, black weatherboarding, red and grey roof tile. The use of the weatherboarding located on top of a red projecting brick plinth and red roof tiles on the medical centre helps to distinguish this as a gateway building and way

finder. However, even though it stands out the materials chosen helps it blend into the vernacular of Felsted and its surrounding countryside.

- 14.4.7** The external finishing materials will include the use of external materials that will be considered acceptable in this location. The scale and appearance of the dwellings are not considered to be adversely intrusive or dominant in the street scene or surrounding area.
- 14.4.8** Careful consideration has been given to the relationship between the proposed dwellings near the southern and western boundary of the site and the existing dwellings located within Ash Green. This includes ensuring the distance between the application site and neighbouring residential properties is appropriate, also that the orientation of the proposed dwellings ensures any overlooking or loss of privacy will not be of a significant level that will have a harmful impact
- 14.4.9** The site does not include any significant change in the existing ground levels across the site or as it extends away from the highway. The proposed dwellings have been designed to respond in scale to these existing levels ensuring dwellings do not unduly overbear neighbouring properties.
- 14.4.10** The proposed dwellings as submitted meet the technical housing standards – nationally described space standard (2014). Although this is not an adopted document it provides good practice for the design of residential development.
- 14.4.11** As such taking due consideration of the above it is considered the proposed development includes an acceptable scale and appearance and is in accordance with ULP Policies S7, GEN2, Essex Design Guide and the NPPF as well as Felsted Neighbourhood Plan Policies FNP – FEL/HN1, FEL/ICH1, FEL/CW1, FEL/CW2, FEL/CW3, FEL/CW4.

14.5 C) Landscaping

- 14.5.1** The landscape design approach has sought to create a simple, functional, and legible landscape structure that distinguishes the hierarchy of streets and spaces within the scheme and knits together the architecture and public realm, whilst enhancing the character of the development. The scheme has been designed to respect the existing landscape features and to ensure the retention of as many existing features as possible, including hedgerows and trees.
- 14.5.2** The new semi-natural public open space proposed at the north-western end of the site is designated as part of Felsted Fen by Neighbourhood Plan policy CW2. The policy states:
- “The area defined on Map 11 is designated as a Nature Area important to the local community which will be protected from development, with the exception of development supported by Policy FEL/VA4.”*
- 14.5.3** This part of the site has been designed to provide an extension to the nature area and a new area of open space for residents to enjoy. It will provide an appropriate transition between the village the surrounding countryside and whilst supporting local wildlife. Mown paths through the site will provide informal pedestrian connections to the existing nature area and Flitch Green Primary School whilst protecting the natural appearance and wildlife interest of this part of the site.

- 14.5.4** In addition, new green space is proposed on the site frontage and an equipped play area will be delivered adjacent to the surgery, the detailed design of which is shown on the plan extract below. Play equipment that is befitting of a rural location has been specially selected for the development and hedgerows and estate-rail fencing will help to enclose the space to soften its appearance and assimilate it with the wider landscape.
- 14.5.5** The landscape design aims to achieve a high quality, robust landscape strategy that seeks to complement the built form, and strengthen the sense of place, identity, and legibility of the development. Utilising the open space that has been provided on the site assists to the vast vistas that can be seen at the north side of the site. It also provides an area for homeowners to use at their leisure.
- 14.5.6** A garden and playground area are proposed to the East of the site. Paths draw visitors and residents from the south of the site and interconnect around the northern edge. This incorporates an accessible play space and a lawn area. Within the northern open public will include the attenuation depression, extensive planting, and wildflower area.
- 14.5.7** To the south of the site, a footpath will be created at 2.5m to an adoptable standard consisting of a bound material to be specified at condition as to the exact type of material to be used.
- 14.5.8** As such taking into consideration the details above it are considered the landscaping details are appropriate in the context of the character of the site and accords with ULP Policies S7, GEN2, ENV3 and the NPPF as well as Felsted Neighbourhood Plan Policies FNP – FEL/HN1, FEL/ICH1, FEL/CW1, FEL/CW2, FEL/CW3, FEL/CW4.

14.6 D) Protected species and biodiversity

- 14.6.1** Policy GEN7 and paragraph 174 of the NPPF seeks to ensure that development would not have a harmful effect on wildlife and Biodiversity. Appropriate mitigation measures must be implemented to secure the long-term protection of protected species. Policy ENV8 requires the protection of hedgerows, linear tree belts, and semi-natural grasslands.
- 14.6.2** Opportunities to enhance biodiversity through the landscaping proposals have been taken. In accordance with condition 11 of the outline planning permission, a Biodiversity Enhancement Strategy for Protected and Priority species accompanies the reserved matters, full and discharge of conditions application.
- 14.6.3** The following habitat enhancement measures will be undertaken throughout the site:
- Planting of 116 native trees.
 - Planting of over 300m of native hedgerow.
 - Creation of over 16000m² of species rich grassland.
 - Creation of approximately 800m² of marshy grassland; and
 - Creation of a new permanent waterbody with associated native marginal planting.

The following bird and bat boxes will also be installed:

Bird Boxes

- Three Schwegler 1B tit boxes.
- Two Schwegler open front boxes.
- Two Schwegler wren boxes; and

One barn owl box

Bat Boxes

- Two Schwegler 1FF; and
- Four Schwegler 2FN

14.6.4 The habitat creation will be undertaken in the first suitable season after construction has been completed. The bird and bat boxes will be installed at the start of the construction phase. The long-term management of these measures will be undertaken by a management company.

14.6.5 The Council's Ecology Consultant has reviewed the Landscape Masterplan and the Hard and Soft Landscape Proposals relating to the likely impact's development on designated site, protected species, priority species and habitats. Subject to the imposition of conditions it is considered the proposed development will not have a harmful impact on protected species or biodiversity and is in accordance with Policies GEN7, ENV8 and the National Planning Policy Framework 202 as well as Felsted Neighbourhood Plan Policies FEL/CW2 and FEL/CW4.

14.7 E) Affordable Housing

14.7.1 The outline planning permission provides the starting point for the consideration of this application. is subject to a Section 106 agreement (S106 agreement) and associated planning conditions. The S106 agreement sets out the necessary contributions and planning obligations along with the trigger points for delivery including:

- 14.7.2**
- Affordable Housing – delivery of five Affordable Housing units, two as shared ownership units and three as Affordable Rented units.
 - Public Open Space – delivery of a children's play space, informal open space and a footpath link between Station Road and the public right of way on the northern boundary of the site.
 - Delivery of Felsted's new doctors' surgery – to the specification set out in the S106. The surgery is to be constructed and then to be transferred to the Felsted Community Trust or Felsted Parish Council. The specification required by the S106 is as per the extract copied below.

14.7.3 Within the outline application, the level of affordable housing was considered proportionate, and this was justified given the inclusion of the above elements within the scheme. The proposal is therefore in accordance with aims of the ULP Policy H9 and the UDC Developer Contributions (2014) as well as Felsted Neighbourhood Plan Policies FEL/HN1, FEL/HN3 and FEL/HN7.

14.8 F) Climate Change

14.8.1 Following the recently adopted UDC Interim Climate Change Policy 2021 due consideration should be made by developer to demonstrate the path that their proposals take towards achieving net – zero carbon by 2030, and all the way

their proposal is working towards this in response to planning law, and also to the guidance set out in the NPPF and planning policy guidance.

- 14.8.2** The location of the site is part of a sustainable extension Felsted, as per the allocation within the Neighbourhood Plan, in accordance with Policy FEL/HN3 – Land at Station Road (Bury Farm). The site will have undergone extensive assessment to ensure the most suitable and sustainable location for growth, as per the approved outlined planning permission. The minimising of carbon emissions through the development itself are demonstrated in the following paragraphs:
- 14.8.3** The proposal takes into consideration the existing landscape working with the existing topography of the site to avoid regrading of the site and the need to export land from the site, this limits the impacts on climate change.
- 14.8.4** The drainage solution adopted for the site make suitable provision to ensure no detriment to local water supply. The units are designed achieve average water consumption.
- 14.8.5** The proposed landscaping scheme includes extensive planting of native trees, shrubs, and areas of open grassland as well as extensive hedgerow planting. This will also provide a significant gain in habitat creation.
- 14.8.6** Electric vehicle charging points will be included in all dwellings and underfloor heating and air source heat pumps to address Uttlesford District Council's aspirations in respect of sustainable methods of construction.
- 14.8.7** In promoting sustainable travel, the development will provide appropriate storage for cycle. The development is located within a sustainable location in terms of being close to local amenities and transport links. The S106 agreement provides for an upgrade to the existing bus stop along the west boundary of the site, where the 16, 133 Sapphire, 451 and 570 buses stop along Station Road. These services connect to Chelmsford, Braintree, Stansted Airport, Great Dunmow, and Colchester.

14.9 G) Archaeology

- 14.9.1** Following the comments made by the Archaeology Officer, an archaeological condition was attached to the original planning application UTT/18/2508/OP. As part of that application a Written Scheme of Investigation (WSI) for a programme of archaeological work has been submitted for the site and approved and the trial trenching has been undertaken. The archaeological condition recommended on the outline required a WSI, the archaeological field work and the final archaeological report. Open area excavation still needs to be undertaken along with a final report. Therefore, this condition is reiterated.
- 14.9.2** Subject to the imposition of this condition, the proposal accords with ULP Policy ENV4 of the Uttlesford Local Plan 2005 and the NPPF 2021.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

- 15.1.1** 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.

15.1.2 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.

15.1.3 Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised

15.2 Human Rights

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

16. CONCLUSION

16.1 The revised layout, scale and appearance of the development is acceptable. No significant loss of residential amenity will arise from the proposals. The amenity areas and parking provision are appropriate and complies with Policies GEN2 and GEN8. The housing mix for the development is also considered acceptable (ULP Policy H10). This is also in accordance with FNP Policies FNP – FEL/HN1, FEL/ICH1, FEL/CW1, FEL/CW2, FEL/CW3, FEL/CW4.

16.2 The layout, scale and appearance of the development is considered appropriate in terms of the character of the site and surrounding area. The size of amenity areas and parking provisions are acceptable. The development accords with ULP Policies S7, ENV3, GEN2 GEN8 and the NPPF. This remains also in accordance with FNP Policies FNP – FEL/HN1, FEL/ICH1, FEL/CW1, FEL/CW2, FEL/CW3, FEL/CW4.

16.3 The landscaping details are considered appropriate internally for the site subject to conditions and therefore accords with ULP Policies S7, GEN2, and ENV3. This is also in accordance with FNP Policies FNP – FEL/HN1, FEL/ICH1, FEL/CW1, FEL/CW2, FEL/CW3, FEL/CW4.

16.4 The submitted layout plan shows that impacts on residential amenity are not likely to be significant and therefore accords with ULP Policies GEN2 and GEN4 as well as FNP policy FEL/ICH1.

16.5 The proposal would not be harmful to protect/priority species subject to accordance of conditions imposed on the outline planning application (ULP Policy GEN7 and FNP Policy FEL/CW4).

16.6 The S106 agreement provides for the numbers of affordable housing, open space, and Doctors Surgery, in accordance with Policy H9 of the Local Plan and FNP Policies FEL/HN1, FEL/HN3 and FEL/HN7).

16.7 The proposed highway access is not considered to have any harmful impact to highway safety and in accordance with ULP Policy GEN1 and FEL/HN

16.8 RECOMMENDATION- APPROVE SUBJECT TO CONDITIONS

17. CONDITIONS

1 The development hereby permitted shall be carried out in accordance with the approved plans as set out below:

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

2 Dwellings and non-residential buildings shall not be occupied until such time as their associated vehicle parking area indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and GEN8 of the Uttlesford Local Plan 2005 (Adopted) and the NPPF 2021.

3 Dwellings and non-residential buildings shall not be occupied until such time as their associated cycle parking indicated on the approved plans, has been provided.

REASON: To ensure appropriate bicycle parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and GEN8 of the Uttlesford Local Plan 2005 (Adopted) and the NPPF 2021.

4 In phase with the provision of the spine road an adoptable footway/cycleway link with a minimum width of 3m should be provided to the north of plots 20 and 21. It should be clear that this is for public use and offered for adoption.

REASON: to provide connection across the development and to the PROW for dwellings to the west in accordance with Policy DM1 of the development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and GEN1 of the Uttlesford Local Plan 2005 (Adopted) and the NPPF 2021.

5 A scheme of traffic calming for a 20mph zone shall be provided on the spine road in phase with the delivery of the spine road.

REASON: in the interests of highways safety and GEN1 of the Uttlesford Local Plan 2005 (Adopted) and the NPPF 2021.

- 6 Prior to occupation the footway/cycleway to the south of the site should be provided, it should be built to adoptable standards and have a minimum width of 2.5 metres.

REASON: to provide a walking and cycling connection across the development in accordance with Policy DM1 of the Development management Policies as adopted as County Council Supplementary Guidance in February 2011 and GEN1 of the Uttlesford Local Plan 2005 (Adopted) and the NPPF 2021.

- 7 Any gates provided at vehicular accesses off adopted highway shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the footway or where no provision of footway is present, the carriageway.

REASON: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent footway/cycleway/carriageway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and GEN1 of the Uttlesford Local Plan 2005 (Adopted) and the NPPF 2021.

- 8 There shall be no discharge of surface water onto the Highway.

REASON: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and GEN1 of the Uttlesford Local Plan 2005 (Adopted) and the NPPF 2021.

- 9 An updated Preliminary Ecological Appraisal shall be submitted to and approved in writing by the local planning authority. This will contain any further precautionary mitigation measures and/or works to reduce potential impacts to protected and Priority species during the construction phase.

The review shall be informed by further ecological surveys commissioned to:

- i. establish if there have been any changes in the presence and/or abundance of protected and Priority species and
- ii. identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of the development.

Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

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) and in accordance with ULP Policy GEN7 of the Uttlesford Local Plan 2005 (Adopted) and the NPPF 2021 and policy FEL/CW4 of the Felsted Neighbourhood 2020 (Adopted).

- 10** Prior to first occupation, a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior occupation of the development [or specified phase of development].

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

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), as updated by the Environment Act 2021 and in accordance with ULP Policy GEN7 of the Uttlesford Local Plan 2005 (Adopted) and the NPPF 2021 and policy FEL/CW4 of the Felsted Neighbourhood 2020 (Adopted).

- 11** Prior to first 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 (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

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), as updated by the Environment Act 2021 and in accordance with ULP Policy GEN7 of the Uttlesford Local Plan 2005 (Adopted) and the NPPF 2021 and policy FEL/CW4 of the Felsted Neighbourhood 2020 (Adopted).

- 12**
1. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.
 2. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.
 3. 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 site 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 in accordance with ULP Policy ENV4 of the Uttlesford Local Plan 2005 (adopted) and the NPPF 2021 and policy FEL/ICH1 of the Felsted Neighbourhood Plan 2020 (Adopted).

- 13**
- Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.

REASON: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport in accordance with ULP Policy GEN5 of the Uttlesford Local Plan 2005 (adopted) and the NPPF 2021 and policy FEL/ICH3 of the Felsted Neighbourhood Plan 2020 (Adopted).

- 14**
- Notwithstanding any provisions to the contrary, prior to occupation of 60% of the residential dwellings approved under this permission:
- (i) Details of the works granted permission under UTT/22/1080/FUL for landscape planting, sustainable drainage attenuation and other supporting infrastructure required in association with application UTT/22/1078/DFO shall be submitted to the LPA for approval in writing; and
 - (ii) The works approved in sub-paragraph (i) of this condition shall be carried out and completed and operational to the satisfaction of the LPA.

REASON: To ensure the simultaneous delivery and implementation of the works granted under this permission and application reference: UTT/22/1080/FUL in accordance with the National Planning Policy Framework (NPPF) 2021.

Appendix 1 – Essex County Council Highways Comments

Your Ref: UTT/22/1080/FUL
Our Ref:HT/TPD /SD/KW/4B
Date:- 14/07/2022



Essex County Council

Paul Crick
Director for Highways and Transportation

CC: Essex Highways DM

To: Uttlesford District Council
Assistant Director Planning & Building Control
Council Offices
London Road
SAFFRON WALDEN
Essex CB11 4ER

County Hall
Chelmsford
Essex CM1 1QH

Recommendation

Application No. UTT/22/1080/FUL / UTT/22/1078

Applicant Full planning application for landscape planting, drainage attenuation and other supporting infrastructure required in association with application UTT/22/1078/DFO for the development of a new Doctors Surgery and 38 dwellings

Site Location Land West Of Bury Farm Station Road Felsted

Proposal Mulberry Homes C/o Bidwells

Note

It is noted that this is a full application and there is also a DFO application . This response covers both applications. The recommendations in highway recommendations for UTT/18/2508 should also be applied to this application.

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following mitigation and conditions:

1. Dwellings and non-residential buildings shall not be occupied until such time as their associated vehicle parking area indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and

associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority. Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

2. Dwellings and non-residential buildings shall not be occupied until such time as their associated cycle parking indicated on the approved plans, has been provided. Reason: To ensure appropriate bicycle parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
3. In phase with the provision of the spine road an adoptable footway/cycleway link with a minimum width of 3m should be provided to the north of plots 20 and 21. It should be clear that this is for public use and offered for adoption –. Reason: to provide connection across the development and to the PROW for dwellings to the west in accordance with Policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
4. A scheme of traffic calming for a 20mph zone shall be provided on the spine road in phase with the delivery of the spine road. Reason: in the interests of highways safety.
5. Prior to occupation the footway/cycleway to the south of the site should be provided, it should be build to adoptable standards and have a minimum width of 2.5 Reason: to provide a walking and cycling connection across the development in accordance with Policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
6. Any gates provided at vehicular accesses off adopted highway shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the footway or where no provision of footway is present, the carriageway. Reason: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent footway/cycleway/carriageway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
7. There shall be no discharge of surface water onto the Highway. Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Informatives:

- (i) Payment of a commuted sum for maintenance of highway trees will be required prior to the issue of the works licence. Reason: To ensure that the public rights

of way are maintained to a suitable standard to allow safe and convenient access for public use

- (ii) The highway authority would not agree a gradient greater than the maximum width of 2.5% within 10m of the junction
- (iii) Private drive for plots 8-14 will need a UU if we apply the APC
- (iv) Further details will be required of the construction access as part of the S278
- (v) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU
- (vi) Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
- (vii) The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.
- (viii) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.
- (ix) The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over the public right of way shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

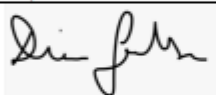
The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

Massie

pp. Director for Highways and Transportation
Enquiries to Katherine Wilkinson
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Appendix 2 – Manchester Airport Group Comments



STANSTED AIRPORT AERODROME SAFEGUARDING AUTHORITY PLANNING APPLICATION CONSULTATION RESPONSE – under Circular 1/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002					
Planning Authority:	Uttlesford District Council			Application No: UTT/22/1078/DFO	
Date Application Received (including sufficient information as required by Circular 1/03):	03/05/2022	Response Deadline on Consultation	24/05/2022	Date Response Returned:	0/0/2022
Development Proposal:	Reserved matters application, following approval of UTT/18/2508/OP, for appearance, landscaping layout and scale, for the proposed development of a doctor's surgery and 38 dwellings. To be considered in conjunction with UTT/22/1080/FUL.				
Location:	Land West Of Bury Farm Station Road Felsted			Application Type: DFO	
OS Co-ordinates (Eastings/Northings):	567096 / 220511				
Our Reference:	2022/101				
No Objection	Crane Advisory Permit Required	Need to engage with MAG Safeguarding	Request Conditions	Objection	
X	X				
<p>The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. We have no objection subject to the following Condition:</p> <ul style="list-style-type: none"> • Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill. <p>Reason: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport.</p> <p>Informative: The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see: https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/</p> <p>It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Stansted Airport, or not attach conditions which Stansted Airport has advised, it shall notify Stansted Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.</p>					
Signed: Diane Jackson				(Authorised MAG Aerodrome Safeguarding Officer)	
Date: 24/05/2022					

The appropriate office for consultation is:
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