

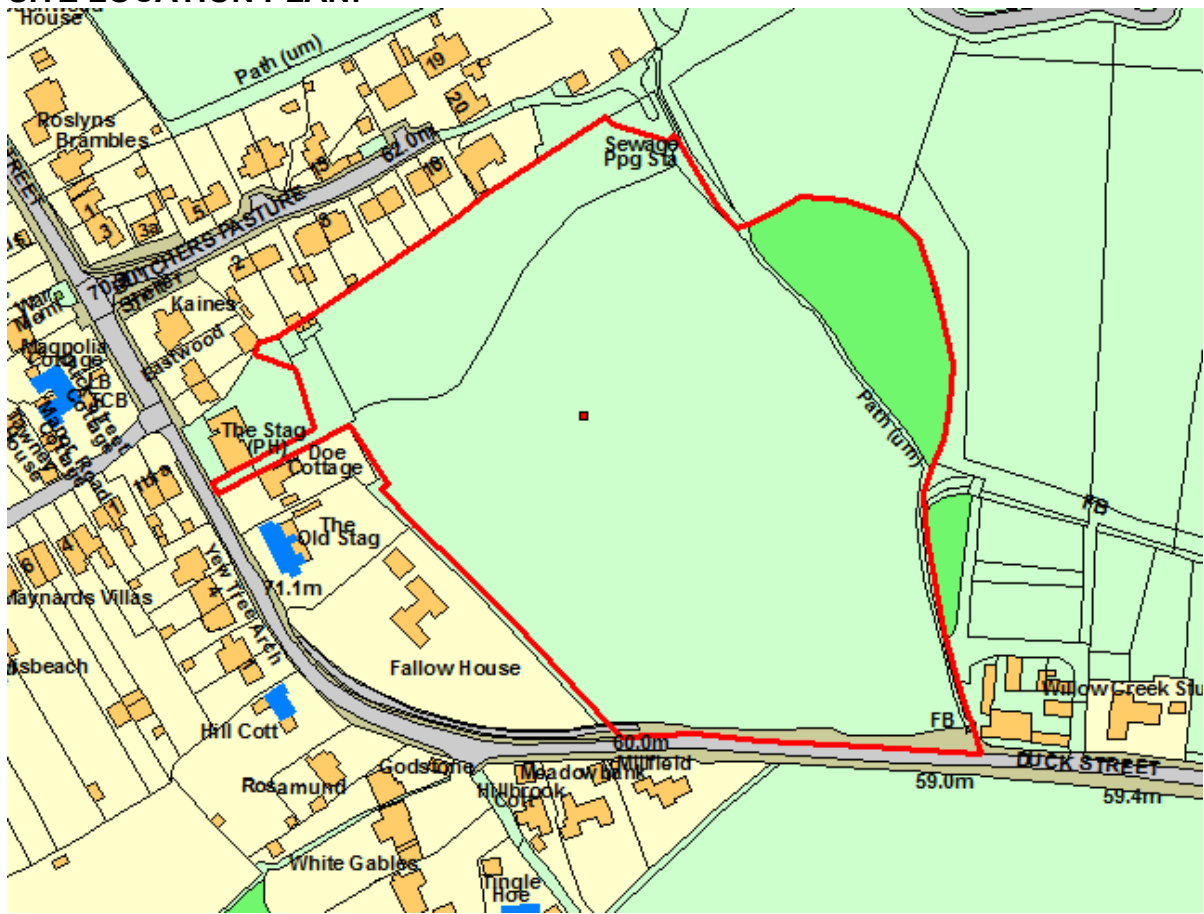
**ITEM NUMBER:** 9

**PLANNING COMMITTEE DATE:** 10 January 2024

**REFERENCE NUMBER:** UTT/23/1439/FUL

**LOCATION:** Land East of The Stag Inn, Duck Street, Little Easton

**SITE LOCATION PLAN:**



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Organisation: Uttlesford District Council      Date: November 2023

**PROPOSAL:** S73 planning application – variation of conditions 25 (commercial units Class E) and 26 (approved plans) of planning permission UTT/21/1495/FUL to allow amended plans for 44 residential units and 3 commercial units (flexible space); inclusion of 3 additional plots for self- build homes together with associated access, car parking and landscaping

**APPLICANT:** Denbury Homes Ltd

**AGENT:** Mr Peter McKeown

**EXPIRY DATE:** 20 September 2023

**EOT EXPIRY DATE:** 19 January 2024

**CASE OFFICER:** Rachel Beale

**NOTATION:** Outside development limits, PRow, TPOs and Flood Zone 2 on the boundary but not within the site, in the setting of a Grade II listed building

**REASON THIS APPLICATION IS ON THE AGENDA:** Major application

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## **1. EXECUTIVE SUMMARY**

- 1.1** This scheme seeks planning permission for 44 residential units and 3 commercial units (flexible space), the inclusion of 3 addition plots for self-build homes, together with associated access, car parking and landscaping.
- 1.2** The amended layout and design of the proposed development is acceptable in all regards and will provide a high-quality form of accommodation for its future residents without harm to the character or appearance of the area, or to amenity or highway safety.

## **2. RECOMMENDATION**

That the Strategic Director of Planning be authorised to <b>GRANT</b> permission for the development subject to those items set out in section 17 of this report -
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- A) Completion of a s106 Obligation Agreement in accordance with the Heads of Terms as set out
- B) Conditions

**And**

If the freehold owner shall fail to enter into such an agreement, the Strategic Director of Planning shall be authorised to **REFUSE** permission following the expiration of a 6 month period from the date of Planning Committee.

**3. SITE LOCATION AND DESCRIPTION:**

- 3.1** The application site is located on the northern side of Duck Street on the eastern periphery of Little Easton. It is approximately 3 hectares in size, irregular in shape and has a modest slope that falls from east to west.
- 3.2** The site is vacant of any built form and remains open grassland. It has a lawful use to be used for recreational purposes in association with the adjoining public house for no more than 28 days a year.
- 3.3** Extensive vegetation in the form of a hedgerow and a mixture of shrubs and bushes and a variety of tree species is located along the boundaries of the site. An unmade public footpath just inside the northern and eastern boundaries of the site extends from Duck Street to Butchers Paradise.
- 3.4** Dwellings fronting Butchers Paradise back onto the northern boundary of the site. The public house known as The Stag Inn (a grade II listed building) abuts the northwestern boundary of the site along with a thatched cottage known as 'Old Stag'. Duck Street bounds the site to the south whilst 'Willow Creek Stud' abuts it to the east. Modest sized fields are located to the northeast of the site whilst Chelmer River and Bush Wood are located beyond.

**4. PROPOSED DEVELOPMENT**

- 4.1** 44 residential units split between affordable and open market.
- 4.2** 3 employment units.
- 4.3** The residential provision would comprise:

Private homes – 26 units

- 12no. three bed detached houses
- 2no. three bed bungalows
- 7no. four bed detached houses
- 5no. five bed house

Affordable homes – 18 units

- 5no. one bed bungalows
- 2no. two bed bungalows (one M(4) 3 specification)
- 1no. three bed bungalow (M(4) 3 specification)
- 6no. two bed houses
- 4no. three bed houses

4.4 Three of the units are to be self- build units.

4.5 The commercial provision would comprise three units in the northwestern corner of the site, adjacent to The Stag Inn.

4.6 The typologies of the dwellings are predominantly detached with a small number of semi- detached and terraced dwellings proposed, spread across both the open market and affordable elements of the scheme.

4.7 The proposal differs from the approved scheme on the site in the following ways;

- The re- siting of the third commercial unit with the other two units in the northwestern corner of the site;
- The relocation of the self- build plots further within the site;
- The reconfiguration of the southern road;
- Changes to the mix of dwellings, though maintaining the same number of affordable dwellings; and
- Changes to the design and materials of the dwellings

## 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**

Reference	Proposal	Decision
UTT/15/2069/OP	Outline application for a development of up to 65 dwellings with all matters reserved except for access	Refused
UTT/21/1495/FUL	Erection of 44 residential units and 3 commercial units (flexible space), inclusion of 3 additional plots for self- build homes; together with access, car parking and landscaping	Granted

## 7. **PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

7.1 The Council is not aware of any consultation exercise carried out by the applicant in accordance best practice and the Statement of Community Involvement. No pre - application advice has been provided for the development.

## **8. SUMMARY OF STATUTORY CONSULTEE RESPONSES**

### **8.1 Highway Authority**

8.1.1 The comments from the Highway Authority will be reported in the Late List or verbally at the committee meeting.

### **8.2 Local Flood Authority**

8.2.1 Having reviewed the Flood Risk Assessment, we do not object to the granting of planning permission, subject to conditions regarding the development be carried out in accordance with the approved Flood Risk Assessment; a scheme to minimise the risk of off- site flooding being submitted to and approved in writing by the Local Planning Authority; maintenance arrangements for the different elements of the surface water drainage system; and the keeping of yearly logs of maintenance for the drainage system.

### **8.3 Historic England**

8.3.1 Historic England provides advice when our engagement can add most value. In this case, we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist archaeological advisors. It is not necessary to consult us on this application again unless there are material changes to the proposals.

## **9. PARISH COUNCIL COMMENTS**

9.1 No comments received.

## **10. CONSULTEE RESPONSES**

### **10.1 UDC Housing Enabling Officer**

10.1.1 I support this application as it includes both plot 11 and plot 17 as M4(3) wheelchair user bungalows specifically for two local households upon the Council's Housing Register, identified as requiring this type of property. If approved, this would greatly assist these two families who have members who are wheelchair users.

### **10.2 UDC Environmental Health**

Contaminated land

- 10.2.1** Any contamination risks that may be present on the site must be identified, assessed and where necessary, remediated to a suitable standard. A condition regarding a Phase 1 Desk Study report and where necessary a Phase 2 Site Investigation and as required, a Phase 3 remediation scheme shall be submitted to the Local Planning Authority.

#### Environmental Noise

- 10.2.2** The plan to locate the commercial buildings and parking next to the existing residential properties has the potential to cause a loss of amenity. A noise assessment should be carried out prior to each unit being occupied to ensure that the proposed use is suitable for the location. A noise impact assessment condition is recommended.

#### Construction/ Demolition

- 10.2.3** A construction method statement is required to ensure compliance with the Uttlesford Code of Development Practice to minimise loss of amenity to the neighbouring properties during construction. This may be achieved by condition.

#### External Lighting

- 10.2.4** In view of the rural location of the site, it is essential to ensure any external lighting is properly designed and installed to avoid any adverse impacts on residential neighbouring properties. A condition is recommended.

#### Air Quality

- 10.2.5** The NPPF supports the provision of measures to minimise the impact of development on air quality by encouraging non- car travel and providing infrastructure to support the use of low emissions vehicles. A condition requiring charging points for electric vehicles is requested.

- 10.2.6** Informatives regarding energy saving and renewable technologies are suggested.

### **10.3 Place Services (Conservation and Heritage)**

- 10.3.1** The application site is located to the rear of The Stag Inn, adjacent to which is a Grade II listed cottage, across the road is a Grade II listed house and to north of the site is another Grade II listed house.

I have reviewed the amended details of the scheme. In my opinion, the effect of relocating the third commercial unit to the north west of the site and the other changes will have a neutral effect with regards to the setting of the listed building and thus I have no concerns about these changes.

I note the design of the dwellings has been amended to a more traditional vernacular from the more contemporary design of the approved scheme.

In principle, this is more likely to meet the requirements of paragraph 130 c) of the NPPF, that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and thus I would support this change. I note however, that some details have been provided regarding the proposed materials palette and a proposal for concrete roof tiles. In my opinion, these would be a poor-quality roofing material in this context. A materials condition is suggested.

#### **10.4 Place Services (Ecology)**

**10.4.1** The response will be reported in the Late List or verbally at the committee meeting.

#### **10.5 Crime Prevention Officer**

**10.5.1** 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, boundary treatment 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 Secured by Design Homes and Commercial awards. 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 benefitting both the residents and the wider community.

#### **10.6 Anglian Water**

##### **10.6.1** Assets

###### Section 1 – Assets Affected

**10.6.2** There are assets owned by Anglian Water or those subject to adoption agreement within or close to the development boundary that may affect the layout of the site.

**10.6.3** Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable, then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991, or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus.

**10.6.4** The development site is within 15m of a sewage pumping station. This asset requires access for maintenance and will have sewerage infrastructure leading to it. For practical reasons therefore it cannot be



easily relocated. Dwellings located within 15m of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station.

- 10.6.5** The site layout should take this into account and accommodate this infrastructure type through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that n development within 15m from the boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issue are not created.

#### Wastewater Services

##### Section 2 – Wastewater Treatment

- 10.6.6** The foul drainage from this development is in the catchment of Great Easton (Essex) Water Recycling Centre which currently does not have the capacity to treat the flows from the development site. Anglin Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should planning permission be granted.

##### Section 3 – Used Water Network

- 10.6.7** The sewerage system at present has available capacity for these flows to connect by gravity to 0101 or downstream of this. If the developer wishes to connect to our sewerage network, they should serve notice under section 106 of the Water Industry Act 1991. Informatives regarding the intention to connect to the public sewer, the protection of existing assets, building near a public sewer and that the site drainage details have not been approved for the purposes of adoption, should be attached to any permission granted.

##### Section 4 – Surface Water Disposal

- 10.6.8** The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to a sewer seen as the last option.
- 10.6.9** From the details submitted, the proposed method of surface water management does not relate to Anglian Water operated assets.

#### **10.7 Aerodrome Safeguarding**

- 10.7.1** We must lodge a holding objection to this variation application because there is insufficient information currently to enable us to determine the level of risk posed by the changes to the SuDS proposals. Further details are required about the proposed single large basin; we need clarity about

how often and for how long this basin is designed to hold water. It may be a larger attractant for waterfowl. Ideally at this location, the drainage basin would be generally dry, holding water only during and immediately after a 1:30 year storm event or greater, with a quick drain down time. If this is not possible, then any areas of permanent or frequent inundation should be kept to a minimum and designed to be as unattractive as possible for hazardous birds.

*Upon requesting clarification of whether MAG would be satisfied for a condition regarding the details of the large basin to be imposed upon any permission granted, they responded;*

We are content to withdraw our holding objection subject to a condition that the SuDS basin is maintained and will not be allowed to clog and thereby hold water over time, in the interests of flight safety and avoiding birdstrike. The other conditions requested for UTT/21/1495/FUL stand and should be conveyed to this variation.

## **11. REPRESENTATIONS**

**11.1** A site notice was displayed on site, the application was advertised in the local press and 151 notifications letters were sent to nearby properties.

### **11.2 Support**

**11.2.1** None.

### **11.3 Object**

**11.3.1** The site is in a flood plain.  
It is only accessible from a narrow pot- holed road with an access on a sharply inclined bend, with poor visibility.  
There are regular sewage outbreaks here.  
It is an unsustainable location with reliance on the private car.  
The commercial units would not survive.  
The variation application is unclear on how many parking spaces would remain for the Stag Inn.  
The siting of all the commercial units in one area of the site would mean that all commercial vehicles would have to traverse the site to reach their destination; additional noise, disturbance and pollution would result.  
The development would harm the village.  
It would result in harm to highway safety and gridlock.  
Why are the commercial units required? What would they be used for?  
There is already demand for more services and facilities in the area: the development will exacerbate this.  
Harm to flora and fauna would result.  
Duck Street has no footpaths other than at Mill End; the traffic arising from the development would increase danger to pedestrians.

Construction traffic would add to the danger and problems caused by this development.

The development would exacerbate the risk of flooding in the area.

Is there a new for more houses here, with so many being built in the area?

#### **11.4 Comment**

**11.4.1** The above representations are addressed in the report.

### **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:

(aza) 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.

**12.3** Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area.

#### **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 January 2005)  
Felsted Neighbourhood Plan (made February 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 July 2022)  
Saffron Walden Neighbourhood Plan (made October 2022)  
Ashdon Neighbourhood Plan (made December 2022)  
Great & Little Chesterford Neighbourhood Plan (made February 2023)

### **13. POLICY**

#### **13.1 National Policies**

**13.1.1** National Planning Policy Framework (2023)

#### **13.2 Uttlesford District Plan 2005**

**13.2.1** S7 – The Countryside  
GEN1- Access  
GEN2 – Design  
GEN3 -Flood Protection  
GEN4 - Good Neighbourliness  
GEN6 - Infrastructure Provision  
GEN7 - Nature Conservation  
GEN8 - Vehicle Parking Standards  
H1 – Housing Development  
H9 - Affordable Housing  
H10 - Housing Mix  
ENV2 - Development affecting Listed Buildings  
ENV3 - Open Space and Trees  
ENV4 - Ancient monuments and Sites of Archaeological Importance  
ENV14 – Contaminated Land

#### **13.3 Neighbourhood Plan**

**13.3.1** There is not a ‘made’ Neighbourhood Plan for the area.

#### **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 playspace  
Supplementary Planning Document – Developer’s contributions  
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) Principle of development**
  - B) Access**
  - C) Design**

- D) Landscaping**
- E) Parking standards**
- F) Neighbour amenity**
- G) Housing mix**
- H) Affordable housing**
- I) Trees and protected or priority species**
- J) Other issues**

### **14.3 A) The principle of the development**

**14.3.1** Section 38(6) of the Planning and Compulsory Purchases Act 2004 states planning applications must be determined in accordance with planning policies in the Development Plan unless material considerations indicate otherwise. The policies contained in the National Planning Policy Framework (NPPF) are also a material consideration, particularly where the policies in the Development Plan are considered to be out of date. The NPPF provides the statutory guidance for determining planning applications at a national level. The Development Plan for Uttlesford comprises the Uttlesford Local Plan which was adopted in January 2005 and is therefore now over 18 years old and pre-dates the NPPF (2023). Little Easton does not have a Neighbourhood Plan.

**14.3.2** The NPPF emphasises the purpose of the planning system is to contribute to the achievement of sustainable development and sets out objectives for achieving this aim, including the need to deliver a sufficient supply of homes in the right place at the right time to support the government's objective of significantly boosting the supply of homes. Paragraph 8 of the NPPF confirms the 'presumption in favour of sustainable development' and explains that there are three dimensions to sustainable development – economic, social and environmental.

**14.3.3** Paragraph 11d of the NPPF states where there are no relevant Development Plan policies, or the policies which are the most important for determining the application are out of date (including applications involving the provision of housing where the Local Planning Authority cannot demonstrate a five year housing land supply), the Local Planning Authority should grant planning permission unless (i) the application of the policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the application; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

**14.3.4** The principle of the development has been established through the grant of the previous permission on the site (ref. UTT/21/1495/FUL). The issues to consider in this application are whether the proposed amendments to the approved scheme on the site is sufficiently different to warrant a different outcome to the application. The differences between the schemes are listed in paragraph 4.7, under the 'Proposed Development',

**14.3.5** The proposed amendments are, within the context of the overall development, limited. The amendments would not have a material impact upon the character and appearance of the development as a whole and would not detract from it. They would not have any greater impact upon the surrounding countryside than the approved scheme, in accordance with Policy S7 of the Local Plan. The sustainability and access considerations surrounding the proposed development would not alter as a result of the amendments to the development on the site. There would be no greater flood risk arising from the development as a result of the proposed amendments to it either while the employment provision would be the same as in the previous scheme. The impact for the adjacent listed buildings would also be acceptable.

**14.3.6** While the Council is now able to demonstrate that it does have a five year housing land supply, this does not mean that an application for housing should be disregarded without full consideration, particularly where the principle of the development has been found acceptable before.

#### **14.4 B) Access**

**14.4.1** Applicants and developer are required to show that their development would not compromise highway safety by ensuring that any additional traffic generated by the development can be easily and safely accommodated within the existing highway network, and that it can meet the Council's Parking Standards.

**14.4.2** The amended development would use the same access arrangements as the approved scheme, to which the Highway Authority raised no objection at the time of the previous application. The minor amendments to the split of housing across the development (in terms of the market housing; one more three bed house, one less three bed bungalow, four less four bed houses and four more five bed houses; and in terms the affordable housing; one less one bed bungalow and the addition of a two bed bungalow) would not be significant and would not result in a greater demand for parking on the site. The comments of the Highway Authority will be included in the Late List or reported verbally at the committee meeting. Subject to these, no objections are raised to the proposed development with regard to Policies GEN1 or GEN8 of the Local Plan.

#### **14.5 C) Design**

**14.5.1** At the November Planning Committee, Members deferred the application, requesting the applicant provide a more thorough submission to justify the revised approach to the design, and illustrate how the new proposal had been designed to reflect the existing settlement character. Members also wanted assurance that discussions had been held with the local community and Parish Council in developing the revised proposals.

**14.5.2** The application is now supported by a design statement that illustrates how the revised design approach will better reflect the existing vernacular,

referencing design cues, materials and architectural details from existing dwellings to ensure the development will sit sensitively as an extension of the village. As the submitted documents shows, additional discussions were held with Parish Councillors and residents as part of the design evolution and these helped the applicant arrive at a scheme that has been clearly influenced by the surrounding area.

**14.5.3** The NPPF advises that the creation of high- quality buildings and places is an important part of the development process and a key aspect of sustainable development. Paragraph 130 of the NPPF states new developments should 'function well and add to the overall quality of the area'. Policy GEN2 of the Local Plan states new development will only be permitted if it meets the design criteria contained in the policy and has regard to the advice in the Council's Supplementary Planning Documents.

**14.5.4** Fundamentally, the design, scale and layout of the proposed development remains as previously approved. The key difference is the change to the appearance, with the designs of the dwellings taking a more traditional approach rather than the previous contemporary style. The scheme would remain at 44 dwellings (26 market and 18 affordable units) and three commercial units.

**14.5.5** No objections are raised to the proposed amendments to approved scheme on the site in terms of design and appearance, in accordance with the NPPF and Policy GEN2 of the Local Plan.

#### **14.6 D) Landscaping**

**14.6.1** A landscaping plan has been submitted with the application and while the comments of the Council's Landscape Officer have not been received regarding it, it is considered that as the scheme is very similar to that approved at the time of the previous application on the site. No objections are therefore raised under Policy GEN2 and ENV3 of the Local Plan.

#### **14.7 E) Parking Standards**

**14.7.1** Policy GEN8 of the Local Plan requires that development be provided in accordance with the Council's Adopted Car Parking Standards. The development is to be provided with the required number of car parking spaces per size of dwelling, as well as cycle parking spaces. Visitor car parking spaces are to be provided as well, while 12 spaces would remain for the Stag Inn.

**14.8.1** The proposed development therefore complies with Policy GEN8 of the Local Plan.

#### **14.8 F) Neighbour amenity**

**14.8.1** Policies GEN2 and GEN4 of the Local Plan require development to have an acceptable impact upon the amenities of the occupiers of the

neighbouring and surrounding dwellings in terms of overlooking, overshadowing, loss of light and overbearing impact.

**14.8.2** The amendments to the approved scheme on the site would not result in any adverse neighbour impacts given that the development would be contained within the same site and would not be materially nearer to any of the surrounding properties than the approved development.

**14.8.3** The proposed development therefore complies with Policies GEN2 and GEN4 of the Local Plan.

#### **14.9 G) Housing mix**

**14.9.1** The proposed mix of housing in the amended scheme is not materially different to that in the approved scheme on the site (the differences are laid out in paragraph 14.4.2 above). Given that the mix would not be materially different, it is considered the proposed mix would be acceptable, in accordance with Policy H10 of the Local Plan.

#### **14.10 H) Affordable housing**

**14.10.1** The number of affordable units in the amended scheme is 18, as in the approved scheme on the site. The mix of units has altered only inasmuch as there would be one less one bed bungalow and the provision of a two bed bungalow. It is considered that this minor change to the affordable provision is satisfactory, in accordance with Policy H9 of the Local Plan.

#### **14.11 I) Trees and protected or priority species**

**14.11.1** The site is situated on an east- facing slope which descends towards the south- eastern corner of the site. The site contains grassland and is bordered by hedgerows and individual trees. The comments of the Council's Ecologist will be included in the Late List or reported verbally at the committee meeting. It should be noted that there were no objections in these regards at the time of the previous application on the site.

#### **14.12 J) Other issues**

**14.12.1** A number of objections to the proposed development have been received from the occupiers of some of the nearby and neighbouring properties. A number of these have been addressed in the preceding paragraphs. The others are addressed below.

**14.12.2** Whether there are sewage outbreaks in the area is not known. However, the development would be provided with a suitable drainage system.

**14.12.3** Whether the commercial units would survive or not and their proposed use (other than for being for local businesses) is not an issue for consideration in this application. They were considered acceptable at the time of the previous application on the site. While they would all be located



in the same part of the site rather than being spread further apart as before would result in a greater degree of travelling by the commercial vehicles using the site, this would not be significant in the context of the overall scheme. It is not considered that this would have a material impact upon the levels of noise, disturbance or pollution arising from the development. It is similarly not considered that the development would result in a greater harm to highway safety or gridlock (including arising from construction traffic), over and above the approved scheme on the site.

- 14.12.4** The amended scheme would not have a materially greater impact upon the demand for service and facilities than the approved scheme on the site.

### **14.13 PLANNING BALANCE**

- 14.13.1** It is considered when taking the Framework as a whole, that the benefits of the proposal are considered to outweigh the harm that would be caused to the character of this rural area, and any less than substantial harm to the setting and significance of the Grade II listed building, The Stag Inn.

- 14.13.2** Consideration has been given to paragraph 11 c) I, and footnote 7 of the National Planning Policy Framework in terms of the impacts of the development upon designated heritage assets. Given that the identified harm to assets is in the lower half of the spectrum of harm, this does not give the Local Planning Authority a *clear* reason for refusing the application, and given the identified public benefits as set out, the application can be supported. The 'tilted balance' is in favour of the proposal, including a presumption in favour of sustainable development, as set out in paragraph 14 of the National Planning Policy Framework, which is therefore engaged.

## **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 taken into account in the determination of this application.

## **16. CONCLUSION**

**16.1** The proposed amendments to the approved scheme on the site would not have a material impact upon the overall scheme, the character of which would not be significantly different to that of the approved scheme. There would be no materially greater impact upon the setting of the nearby listed buildings, upon neighbour amenity or upon the safety and operation of the surrounding highway network. The development would also provide a high-quality living environment for its future occupiers. The level of affordable housing provided would be as in the approved scheme (40%).

**16.2** The application is therefore recommended for approval, subject to the completion of a Section 106 agreement and conditions.

## **17. S106 / CONDITIONS**

### **17.1 S106 Heads of terms**

- (i) Provision of 18 affordable units (to be delivered by Habinteg Housing Association). The proposed tenure split discussed and agreed with the Council's Housing Officer will be based on the following: -
  - 60% affordable rented
  - 40% shared ownership.This is to include two x M4(3) wheelchair user bungalows for families identified by the Council's Housing Officer.
- (ii) Provision and management of public open space.
- (iii) Maintenance of SuDS.
- (iv) Prioritisation of those in need locally (ie. on the Council's waiting list) for the affordable rented element, whilst the first homes/ shared ownership units will also be made available to existing residents/ local people within the Parish boundary during the construction stage.
- (v) Payment of sustainable transport commuted sum contribution of £114,000 (index linked to April 2021) towards a public transport strategy for Little Easton.
- (vi) Delivery and implementation of a Landscape Management Plan

- (vii) Payment of early years, primary and secondary education contributions.
- (viii) Pay the Council's reasonable legal costs.
- (ix) Pay the monitoring fee.

## **17.2 Conditions**

- 1** The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchases Act 2004.

- 2** Prior to occupation of the development, details of the following hard and soft landscaping works must be submitted to and approved in writing by the Local Planning Authority:
- Retained features
  - New planting
  - Hard surfaces
  - Boundary treatment
- All hard and soft landscape works must be carried out in accordance with the approved details.

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

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

REASON: To ensure compatibility with the character of the area, in accordance with Policy S1 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

- 4** Prior to commencement of development, samples of materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the Local Planning Authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity and heritage protection in accordance with ULP Policies S7, ENV2 and GEN2 of the Uttlesford Local Plan (adopted 2005).

- 5** Prior to occupation of any dwelling, the provision of an access formed at right angles to Duck Street, to include but not limited to: minimum 5.5 metre carriageway width with appropriate radii (minimum of 9 metres), two 2-metre-wide footways and clear to ground visibility splays with dimensions of 2.4 metres by 90 metres, in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be retained free of any obstruction at all times.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to provide adequate inter-visibility between vehicles using the road junction and those in the existing public highway the interest of highway safety, 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.

- 6** Prior to occupation of any dwelling, a scheme of highway works to be implemented, to include but not limited to;
- i. Improvements to the existing footway to the north-west of the site access, from the proposed tie in with the existing footway to 'The Old Stag' dwelling, including resurfacing and cutting back of vegetation.
  - ii. Provision of a 2-metre-wide footway (where achievable) along Duck Street from the site access extending eastwards to public footpath no. 26 Little Easton, as shown in principle on DWG no. WIE-14412-SA-95-0037-A01 (Titled - Proposed Frontage Footway link to Public Footpath 26).
  - iii. Cycle Route Enhancements at roundabout with Woodside Way and B184, as shown in principle on lower drawing of 'Off-site enhancements' DWG no. WIE-14412-SA-95-0019-A01.
  - iv. Relocation of the 30mph speed limit (eastwards) to incorporate the development site frontage, including all necessary signing, road markings, Traffic Regulation Orders, as required.
  - v. Any redundant access width adjacent the 'The Stag Inn' public house shall be suitably and permanently closed incorporating the reinstatement to full height of the footway/kerbing.

The highway scheme, to be approved by the Local Planning Authority in consultation with the highway authority, shall be implemented prior to first occupation.

REASON: In the interests of highway safety and accessibility, 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.

- 7** Prior to first occupation, the pedestrian/cycle link along the south-east of 'The Stag Inn' public house from the development site to the existing footway network on Duck Street shall be provided and retained in perpetuity.

REASON: In the interests of accessibility, 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.

- 8** The width of public footpath no. 7 (Little Easton), for its entire length within the site, must be retained at a minimum of 3 metres, and any proposed planting must be set back a minimum of 2 metres from the width of the footpath, and any surfacing works to be agreed with the Highway Authority.

REASON: To ensure the definitive line and width of the public footpath is retained, in the interests of accessibility and highway safety, 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.

- 9** The width of public footpath no. 26 (Little Easton), for its entire length within the site, must be retained at a minimum of 1.5 metres, and any proposed planting must be set back a minimum of 2 metres from the width of the footpath, and no part of the flood alleviation scheme shall be any closer than 3 metres from the width of the public footpath, and any surfacing works to be agreed with the Highway Authority.

REASON: To ensure the definitive line and width of the public footpath is retained, in the interests of accessibility and highway safety, 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.

- 10** Prior to first occupation of the development, a financial contribution of £114,000 (index linked to April 2021) to be paid to the Highway Authority to contribute to a strategy that will enhance local bus services serving Little Easton and the surrounding areas to provide connections to local amenities and/or key towns.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport, 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.

- 11** No dwelling shall be occupied until the associated parking and/or turning head indicated on the approved plans has been provided. The vehicle parking and turning heads shall be retained in this form at all times.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and that appropriate parking is provided, 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.

- 12** Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity, 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.

- 13** Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport opportunities, including walking, cycling, and local car clubs and other alternatives to the private car, as approved by Essex County Council. Such packs should include six one day travel vouchers for use with the relevant local public transport operator.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport, 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.

- 14** No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved Plan shall be adhered to throughout the construction period and shall provide for the following all clear of the highway:

- i. Safe access into the site;
- ii. The parking of vehicles of site operatives and visitors;
- iii. Loading and unloading of plant and materials;
- iv. Storage of plant and materials used in constructing the development;
- v. Wheel and underbody washing facilities.
- vi. Local highway before and after condition survey and where necessary repairs/reinstatement of the highway (at developers' expense) to the satisfaction of the Highway Authority.
- vii. Appropriate cleaning of the highway in the vicinity of the site.
- viii. The proposed management and protection of the definitive routes of public footpaths no. 7 and no. 26 within the site, and mindful that the route currently used does not wholly coincide with the definitive route.

REASON: To ensure that appropriate facilities are provided for construction operations clear of the highway, to ensure that loose materials and spoil are not brought out onto the highway and appropriate consideration of the public footpaths, in the interests of highway safety, 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.

- 15** No unbound material shall be used in the surface treatment of the highway within 10 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety, 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.

- 16** No works except demolition shall takes place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:

Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.

Limiting discharge rates to 1:1 Greenfield runoff rates for all storm events up to and including the 1 in 100-year rate plus 40% allowance for climate change. Alternatively discharge from the site should be limited to Greenfield equivalent rates with inclusion of Long-Term Storage (LTS) as stated in SuDS Design Guide. All relevant permissions to discharge from the site into any outfall should be demonstrated.

Provide sufficient storage to ensure no off-site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event. Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event. Where the half drain time cannot achieve within 24 hours it should be shown that features are able to accommodate a 1 in 10 year storm events within 24 hours of a 1 in 30 year event plus climate change. Final modelling and calculations for all areas of the drainage system.

Detailed engineering drawings of each component of the drainage scheme.

A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.

A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site. This condition is in accordance with Uttlesford Local Plan (2005) Policy GEN3 and the National Planning Policy Framework (2023).

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

REASON: The National Planning Policy Framework states that Local Planning Authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged.

Furthermore, the removal of topsoil's during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed. This condition is in accordance with Uttlesford Local Plan (2005) Policy GEN3 and the National Planning Policy Framework (2023).

- 18** Prior to occupation, a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site. This condition is in accordance with Uttlesford Local Plan (2005) Policy GEN3 and the National Planning Policy Framework (2023).



- 19** The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk. This condition is in accordance with Uttlesford Local Plan (2005) Policy GEN3 and the National Planning Policy Framework (2023).

- 20** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Hybrid Ecology, April 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 Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 as amended and s40 of the Natural Environment and Rural Communities Act 2006 (Priority Habitats and Species), in accordance with Uttlesford Local Plan (2005) Policy GEN7.

- 21** Prior to slab level a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Ecological Impact Assessment (Hybrid Ecology, April 2021), shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

REASON: To enhance protected and priority species and allow the Local Planning Authority to discharge its duties under the s40 of the Natural Environment and Rural Communities Act 2006 (Priority Habitats and Species), in accordance with Uttlesford Local Plan (2005) Policy GEN7.

- 22** Prior to occupation a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting plans, 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 Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 as amended and s40 of the Natural Environment and Rural Communities Act 2006 (Priority Habitats and Species), in accordance with Uttlesford Local Plan (2005) Policy GEN7.

- 23** A Traffic Noise Assessment, including the cumulative impact from vehicles, accessing/ egressing the proposed development, shall be submitted to and approved by the Local Planning Authority. The assessment should consider the advice contained in the Design Manual For Roads and Bridges, LA 111 Noise and vibration and Guidelines for Noise Impact Assessment from the Institute of Environmental Management and Assessment (IEMA) 2014, as appropriate. It is considered that if the outcome of the assessment is greater than slight, this would be considered unacceptable and further mitigation measures would be required.

REASON: In the interests of the amenity of surrounding residential/business premises in accordance with Policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 24**
- a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.
  - b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes;
    - (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and
    - (ii) The results from the application of an appropriate risk assessment Methodology
  - c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority
  - d) This site shall not be occupied, or brought into use, until:

- (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.
- (ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.

The verification report shall include disposal records, waste transfer receipts etc, to ensure that all waste disposal is traceable.

- e) In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with Land contamination risk management published by the Environment Agency. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures, a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

REASON: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990 in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

- 25** Prior to occupation of the development, details of measures to maximise the use of low-emission transport modes (e.g., secure covered storage for motorised and non-motorised cycles, an electric vehicle charge point) must be submitted to and approved in writing by the local planning authority. The measures must be installed in accordance with the approved details prior to occupation.

REASON: To minimise any adverse effects on air quality, in accordance with Policy ENV13 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework (2023).

- 26** Prior to the commencement of development, a Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall include the consideration of the following aspects of demolition and construction:

- 1) Demolition, construction and phasing programme.
- 2) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
- 3) Construction/ Demolition hours shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300

hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation. Prior notice and agreement procedures for works outside agreed limits and hours.

- 4) Delivery times for construction/demolition purposes shall be carried out between 0730 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the local planning authority in advance.
- 5) Noise method, monitoring and recording statements in accordance with the provisions of BS 5228-1: 2009.
- 6) Maximum noise mitigation levels for construction equipment, plant and vehicles.
- 7) Dust management and wheel washing measures in accordance with the provisions of London Best Practice Guidance: The control of dust and emissions from construction and demolition.
- 8) Prohibition of the burning of waste on site during demolition/ construction.
- 9) Site lighting.
- 10) Screening and hoarding details.
- 11) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
- 12) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.
- 13) Prior notice and agreement procedures for works outside agreed limits.
- 14) Complaints procedures, including complaints response procedures.
- 15) Membership of the Considerate Contractors Scheme.

The development shall then be undertaken in accordance with the agreed plan.

REASON: To minimise any adverse effects on residential amenity, in accordance with Policy GEN4 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework (2023).

- 27** The Sustainable Urban Drainage basin shall be maintained such that it will not be allowed to clog and thereby hold water over time.

REASON: In the interests of flight safety and birdstrike avoidance, and to ensure that a habitat feature is not created for species of birds that are hazardous to aircraft.

- 28** The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment-Addendum ref 2211-763 by Ingent Consultants, dated April 2023, and the following mitigation measures detailed within the FRA: • Infiltration testing in line with BRE 365. If infiltration is found unviable the run-off rates from the site should be limited to 3.4l/s • Provide attenuation storage (including

locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of climate change.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the effective treatment of surface water runoff to prevent pollution.

**29**

Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Only the details thereby approved shall be implemented.

REASON: To protect the amenities of the occupiers of adjoining Properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).