

**UTT/18/0318/OP (GREAT CANFIELD)**

(More than five dwellings)

**PROPOSAL:** Outline planning permission for the erection of up to 135 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Great Canfield Road. All matters reserved except for means of access.

**LOCATION:** Land West of Great Canfield Road, Great Canfield

**APPLICANT:** Gladman Developments and Takeley Farming LLP

**AGENT:** N/A

**EXPIRY DATE:** 28 September 2018

**CASE OFFICER:** Luke Mills

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**1. NOTATION**

- 1.1 Countryside; County Wildlife Site (adjacent).

**2. DESCRIPTION OF SITE**

- 2.1 The site is located immediately west of Great Canfield Road and south of the Flitch Way, adjacent the neighbouring villages of Takeley and Little Canfield and to the north-west of the hamlet of Hope End Green. It comprises 8.22 ha of undeveloped agricultural land.

**3. PROPOSAL**

- 3.1 The application is for outline planning permission to erect up to 135 dwellings, with all matters reserved except the means of access from Great Canfield Road. Associated works include the provision of public open space, landscaping and a sustainable drainage system (SuDS). A new footway would be provided along Great Canfield Road, and pedestrian/cycle connections would be made to both the Flitch Way and Great Canfield Road.

**4. ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 Taking into account the screening direction on a 210-dwelling scheme (UTT/17/1080/SCO), it is considered that the development constitutes 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017. An Environmental Statement has been submitted for the purpose of assessing the likely impact on the environment, which has been prepared following the Council's issue of a scoping opinion (UTT/17/3572/SO).

**5. APPLICANT'S CASE**

- 5.1 The application was submitted with the following documents:

- Environmental Statement
- Planning and Affordable Housing Statement
- Design and Access Statement
- Arboricultural Assessment
- Air Quality Assessment
- Landscape and Visual Appraisal
- Archaeology and Built Heritage Assessment
- Flood Risk Assessment & Outline Surface Water Drainage Strategy
- Ecological Appraisal
- Transport Assessment
- Framework Travel Plan
- Noise Assessment Report
- Preliminary Risk Assessment
- Statement of Community Involvement
- Foul Drainage Analysis
- Utilities Statement
- Soils and Agricultural Use & Quality report
- Socio-Economic Sustainability Statement
- Screening for Likely Effects on Hatfield Forest

5.2 The Environmental Statement (ES) was submitted with the following chapters:

- A. Introduction
- B. Scope and Methodology
- C. Site and Scheme Description
- D. Transport
- E. Biodiversity
- F. Heritage
- G. Cumulative Effects
- H. Mitigation and Monitoring
- Non-Technical Summary

5.3 Further documents submitted during the determination period include:

- Response to the comments of London Stansted Airport (FPCR, 29 March 2018)
- Summary of consultation responses (Gladman, 3 May 2018)
- Revised Archaeology and Built Heritage Assessment
- Revised Air Quality Assessment
- Revised ES Chapters and Appendices

## **6. RELEVANT SITE HISTORY**

6.1 Planning permission was refused for a 211-dwelling scheme in 2014 (UTT/14/2306/OP) and a 180-dwelling scheme in 2015 (UTT/14/3705/OP). The reasons for refusal of the latter application were as follows:

“1. The applicant has not defined a demonstrable need for the development to take place in this particular location that would override the harm caused to the countryside. The proposals would harm the local distinctiveness of the area and the character of the open countryside through the coalescence of settlements and the introduction of a large scale urban development between rural settlements. As such the application fails to accord with the core principles of the NPPF and policy S7 of the ULP 2005

2. The proposal is on the boundary of the Countryside Protection Zone and would destroy the open relationship of the zone and its connectivity to the countryside. As such the proposal represents significant harm to the CPZ and therefore does not accord with Policy S8 of the ULP 2005

3. The developer has failed to demonstrate that the proposed means of access to the site would not involve the loss of important tree and landscape structure that provides the character of Great Canfield Road. As such the proposals would not accord with Policy ENV3 of the ULP 2005

4. The lack of safe and appropriate access for pedestrians and cyclists to the wider network and local facilities mean that this location is wholly dependent on the private car and therefore the proposal does not represent a sustainable location as defined in the core principles of the NPPF and is not in accordance with Policy GEN1 of the ULP 2005

5. The access arrangements are insufficiently detailed without appropriate drawings and documentation. The impacts of the access design have not been adequately considered for its usability, function and sympathy to the character of the countryside. The application does not demonstrate that access for pedestrians and cyclists is suitable for people with disabilities or can meet the reasonable needs of all users. As such the proposals are not in accordance with policy Gen2 of the ULP 2005 and the criteria of the NPPF paragraph 17 bullet point 11.

6. The applicant has failed to demonstrate that the development is an appropriate design for the location or that the density proposed can be accommodated on the site in accordance with policy GEN2 of the ULP 2005 and the Supplementary Planning Guidance of the council

7. The proposals are not sufficiently detailed with regard to the loss of habitat of protected species that may result from the proposed creation of accesses to the site. As such the proposals are contrary to policy ENV7 of the ULP 2005.

8. The proposals do not provide any mechanism to secure the infrastructure requirements arising from the development, including the need for financial contributions towards additional healthcare facilities, primary and secondary education requirements, including school transport, or the delivery of 40% affordable housing and the proposed open space and play area, and the subsequent maintenance of these areas. As such the proposals are contrary to Uttlesford Local Plan Policy GEN6."

- 6.2 The site was submitted for consideration through a 'call for sites', which was followed by a Strategic Land Availability Assessment (Site Ref: 04GtCan15). The initial assessment from 2015 was recently updated, leading to the following conclusion:

"The site is available. Achievability of development is dependent upon highway improvements. The site is not considered suitable as development of the site would not lead to a sustainable pattern of development."

- 6.3 The lack of suitability was expanded upon as follows:

“This is a greenfield site just south of the Flitch Way. The site is located within 800m of the B1256 where local services and facilities can be accessed. However, Canfield Road does not have a pavement. Development of the site would introduce a significant built form linking the hamlet of Great Canfield and Takeley village. Planning application reference UTT/14/2306/OP has been refused.”

## **7. POLICIES**

- 7.1 S70(2) of The Town and Country Planning Act 1990 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.
- 7.2 S38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 7.3 Relevant development plan policies and material considerations are listed below.

### **Uttlesford Local Plan (2005)**

- 7.4 S7 - The Countryside
- GEN1 - Access
  - GEN2 - Design
  - GEN3 - Flood Protection
  - GEN4 - Good Neighbourliness
  - GEN5 - Light Pollution
  - GEN6 - Infrastructure Provision to Support Development
  - GEN7 - Nature Conservation
  - GEN8 - Vehicle Parking Standards
  - ENV2 - Development affecting Listed Buildings
  - ENV3 - Open Spaces and Trees
  - ENV4 - Ancient Monuments and Sites of Archaeological Importance
  - ENV5 - Protection of Agricultural Land
  - ENV7 - The Protection of the Natural Environment - Designated Sites
  - ENV8 - Other Landscape Elements of Importance for Nature Conservation
  - ENV9 - Historic Landscapes
  - ENV10 - Noise Sensitive Development and Disturbance from Aircraft
  - ENV12 - Protection of Water Resources
  - ENV13 - Exposure to Poor Air Quality
  - ENV14 - Contaminated Land
  - H1 - Housing Development
  - H9 - Affordable Housing
  - H10 - Housing Mix

### **Supplementary Planning Documents/Guidance**

- 7.5 SPD – Accessible Homes and Playspace (2005)  
The Essex Design Guide (2005)  
Parking Standards: Design and Good Practice (2009)  
Uttlesford Local Residential Parking Standards (2013)

### **National Policies**

- 7.6 National Planning Policy Framework (NPPF) (2012)  
- paragraphs 11, 73, 78-79, 95, 98, 102-111, 127, 155-165, 170, 175, 178-183 & 189-199  
Planning Practice Guidance (PPG)  
- Air quality  
- Conserving and enhancing the historic environment  
- Design  
- Environmental Impact Assessment  
- Flood risk and coastal change  
- Hazardous substances  
- Housing: optional technical standards  
- Land affected by contamination  
- Light pollution  
- Natural environment  
- Noise  
- Open space, sports and recreation facilities, public rights of way and local green space  
- Planning obligations  
- Rural housing  
- Transport evidence bases in plan making and decision taking  
- Travel Plans, Transport Assessments and Statements  
- Water supply, wastewater and water quality  
Rights of Way Circular 1/09 (Circular 1/09)  
The town and country planning (safeguarded aerodromes, technical sites and military explosives storage areas) direction 2002 ('Safeguarding Direction')

### **Other Material Considerations**

- 7.7 West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA) (2015)  
Uttlesford Strategic Flood Risk Assessment (SFRA) (2016)  
Housing Trajectory 1 April 2017 (August 2017)  
Landscape Character Assessment (LCA) (2006)  
Great Canfield Village Design Statement (VDS) (2010)

## **8. PARISH COUNCIL COMMENTS**

- 8.1 Great Canfield Parish Council has raised an objection. Reasons include:
- The site is not allocated for residential development in either the adopted or draft Local Plans
  - The proposal conflicts with the Great Canfield Village Design Statement
  - Harmful effect on the rural character of the area
  - Increased risk to the safety of road users
  - Increased airport parking
  - Loss of biodiversity

- Increased pressure on Hatfield Forest
- Harmful effect on the setting of Canfield Park – a Grade II listed building
- Loss of agricultural land
- Limited sustainable transport options

8.2 Takeley and Great Canfield Parish Councils have also submitted a combined objection. The full reasons for the objection are contained within reports by Gardner Planning Ltd and Railton TPC Ltd. They include:

- The realignment and widening of Great Canfield Road, described in the Transport Assessment, is not properly reflected in the application documents
- Inadequate infrastructure to support the development
- Unsafe and unsuitable access proposals
- Inadequate capacity on local road network and at Junction 8 of the M11
- Limited sustainable transport options
- Loss of important trees and hedgerow to accommodate the new access
- Harmful effect on the rural character of the area, including the nearby Countryside Protection Zone
- Loss of biodiversity
- Increased pressure on Hatfield Forest
- Harmful effect on the setting of Canfield Park – a Grade II listed building
- While a five-year housing land supply cannot be demonstrated, the adverse effects of the proposal outweigh the benefits

8.3 A further technical note on transport and highways matters was submitted following the applicant's submission of further information during the determination period.

## 9. CONSULTATIONS

### Landscape Officer

9.1 Objection. Extract:

"The main body of the site is a relatively flat single arable field with a fall of some 4m across its extent. The field has remained in its current form since the latter half of the 19th century, when the Eastern Counties Railway Bishop's Stortford to Braintree line was built (1864-1869). The disused line, the Flitch Way linear park, bounds the northern extent of the site. This section the former railway line lies in cut and is well treed. To the east of the site is the Great Canfield Road which is a country lane linking the Dunmow Road to the north with the hamlet of Hope End to the south of the site. Immediately to the south of the site are arable fields and the farmstead of Canfield Park, which includes three principle listed buildings. To the west is the heavy landscaped Takeley Park mobile home site, which was built to accommodate mobile home residents displaced by the expansion of Stansted Airport in the second half of the 1980's.

A Landscape and Visual Appraisal (LVA) accompanies this application. The LVA concludes that "the site could be sensitively developed in a way that would result in no more than limited and localised landscape and visual effects", however, between Great Dunmow in the east and Hatfield Forest in the west there is no residential development of the form proposed immediately south of the Flitch Way. The Flitch Way contributes to the separation of Takeley village and the open countryside to the south. The

Takeley Park mobile home site adjacent to the proposal site is a very different animal to the proposed development as the homes are low rise and do not impact on the wider landscape.

The proposed development would have a significant detrimental impact on the rural character of the site. Whilst the site is relatively well described by exiting hedgerows and trees, the proposed development would impact on the rural character on the surrounding area, and more so in the dormant season following leaf fall.

The proposed access provisions and removal of a section of the existing roadside hedgerow would significantly diminish the rural character of the Great Canfield Road adjacent to the site. The proposed planting provision illustrated in the submission would not reinstate or compensate for the loss of the existing character of this section of the Canfield Road.

The development would result in a sense of coalescence with the Hope End Green hamlet and consequently adversely impact on the hamlet's bucolic setting."

#### **Conservation Officer**

##### **9.2 Extract:**

"Great Canfield Road is a narrow country lane running through Hope End, a small hamlet of some 150 dwellings number of which are listed and of early origins, all loosely dispersed along the twisting road. Clearly any development in such a rural locations would seriously diminish its character and is likely to lead to the unfortunate coalescence between almost urban Takeley and bucolic Hope End. However this is a matter to be considered on balance in planning terms.

In terms of impact on any designated heritage assets, the nearest historic site is the farmstead of Canfield Park which include 3 principle listed buildings and potentially some curtilage listed structure as well. This application follows some previously refused similar schemes. It appears that the current proposal would aim at reduction of units, greater buffer strip adjacent to the Flitch Way, and more meaningful areas of communal green open spaces. The suggested East Green would adjoin Great Canfield Park site providing some measure of screening from the new development.

Clearly these layout improvements could not compensate for very hazardous access from a narrow country lane which character would be fundamentally altered by the provisions of necessary visibility splays and standard housing estate road."

#### **Historic England**

##### **9.3 Does not wish to comment.**

#### **Historic Environment Advisor (Place Services)**

##### **9.4 No objections, subject to conditions. Extract:**

"The proposed development lies within an area which has extensive multi-

period archaeological deposits identified from the Middle Bronze Age through to the post medieval period. Those excavations completed at Stansted have shown that much of the agricultural landscape features have their origins in the medieval period. The geophysical survey indicates that there are no nationally significant archaeological features within the site, however, a range of anomalies have been identified which will require investigation. This office disagrees with chapter F of the supplementary environmental statement. The geophysical assessment indicates it is unlikely that any nationally significant archaeological deposits will be identified, however, the archaeological work has not shown there are no surviving archaeological deposits and in fact the geophysical assessment has a range of archaeological features identified. The updated potential effects are incorrect as any archaeological deposits will be impacted during the construction phase of the development. Similarly the mitigation and monitoring is incorrect as a programme of trial trenching and excavation will be required following planning permission. These sections in the heritage update should be rewritten to identify the potential of non-nationally significant deposits being identified during the construction phase. All further archaeological work can be completed post determination if the application is approved.”

#### **Highway Authority (Essex County Council)**

- 9.5 No objections, subject to conditions. Extract from supplementary response:

“The highway authority has looked at this application in considerable detail, structural engineers, development management and safety engineers commented on the initial proposal for the bridge and requested changes, extra information and safety audits which have all be carried out. Internal consultation was also undertaken with the Country Parks team on the Flitch Way and the ITS (signals) team on the proposals. As mitigation for the impact of the scheme the following is agreed: a new footway is to be provided; Great Canfield Road is being widened form the access to the junction with B1256; a link is being made to the Flitch Way and funding provided to improve the surfacing drainage and provide signage; improvements to surfacing of the PROW that runs alongside the site; improvements to the signals at the Four Ashes to provide MOVA to optimise their efficiency; and a contribution to the planned improvement scheme on the junction 8 of the M11 is being provided. It is recognised that location of the site is challenging and that is why this raft mitigation measures has been required. As is always the case the application has been reviewed in highways term in relation NPPF (2012 and the revised 2018) policy which states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

#### **Highways England**

- 9.6 No objections.

#### **Stansted Airport**

- 9.7 No objections.

#### **NATS**



- 9.8 No objections.

**Essex Police**

- 9.9 Encourages the developer to seek to achieve a Secured by Design award.

**Lead Local Flood Authority (Essex County Council)**

- 9.10 No objections, subject to conditions.

**Thames Water**

- 9.11 No objections.

**Affinity Water**

- 9.12 No objections.

**Education Authority (Essex County Council)**

- 9.13 No objections, subject to a S106 agreement that secures financial contributions to mitigate the effect of the development on early years and childcare provision (£176,406), primary education (£515,727) and secondary education (£522,315).

**West Essex Clinical Commissioning Group (CCG)**

- 9.14 No objections, subject to a S106 agreement that secures a financial contribution (£55,153) to mitigate the effect of the development on primary healthcare provision. Extract:

“The development would give rise to a need for improvements to capacity, in line with CCG estates strategy, by way of extension, reconfiguration, refurbishment or potential relocation for the benefit of the patients at Eden Surgery, a proportion of the cost of which would need to be met by the developer.”

**Natural England**

- 9.15 No objections, subject to mitigation. Extract:

“We consider that without appropriate mitigation the application has potential to:

- Damage or destroy the interest features for which Hatfield Forest Site of Special Scientific Interest has been notified.

Natural England is working alongside Uttlesford District Council and the National Trust in carrying out research into the visitor patterns and impacts to Hatfield Forest SSSI / NNR. This work will help to establish a "zone of influence" within which new housing will be expected to contribute towards mitigation for recreational impacts. Whilst this work is yet to report, we note that this housing development is very likely to fall within this zone of influence, and may be required to contribute mitigation towards these aims.

This may take the form of a financial contribution. We will be working with the Council to ensure its Local Plan integrates these requirements.

In the absence of a strategic solution within the current Local Plan, Natural England would not want to see any permissions granted by Uttlesford DC that would create a precedent of acceptability for additional housing developments close to Hatfield Forest SSSI, NNR. As this is an additional development to those in the current and the emerging Local Plans, we would expect the proposal to meet the same policy requirements for mitigation as those in future allocations. As these mitigation measures are to be defined once the report is received, we cannot comment further at this stage on the particulars of a future mitigation strategy.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures. We would suggest the following wording:

‘Contributions from this development will be secured towards mitigation measures identified in the Hatfield Forest Recreational disturbance Avoidance and Mitigation Strategy (RAMS).’

As stated above, this Strategy is yet to be agreed.”

### **National Trust**

#### **9.16 Objection. Extract from initial response:**

“The potential cumulative impact of further residential development so close to Hatfield Forest has the potential to increase visitor pressure and damage to the SSSI, NNR and ancient woodland. The site subject of this planning application is located less than 2km from Hatfield Forest. It is within walking distance of the Forest and this is facilitated by the proximity of the site to the Flitch Way. The Flitch Way is a well-used bridleway which abuts the Forest and provides users with direct access to Hatfield Forest.

...The Trust is pleased that the applicant has sought to assess the impacts of the proposed development on the SSSI and acknowledges the issues which are occurring at the Forest and that there is a continuing need to address the issues. A visitor survey was carried out by the applicant in 2015. There are differences between the surveys carried out by the Trust and the applicant and it is not therefore possible to draw direct comparisons (eg time of year, location of surveys, number of people surveyed, questions asked). The Trust agrees with the applicant that there are various methods of predicting the number of residents likely to visit Hatfield Forest and that there is not a recognised method of assessing this, nor is there any guidance (in policy or spd for example) as to appropriate mitigation measures for the scale of development. However, based on the Trust’s results, it is considered that the increase in visitor numbers may be higher than those predicted by the applicant.

On-site mitigation is welcomed in the form of on-site public open space, green infrastructure and a dog walking circuit. However it is noted that this application is in outline form with all matters reserved and therefore the design and layout of the site is not yet known. Reassurances that these would be delivered through appropriately worded conditions would be

required. Furthermore, although Hatfield Forest is used by a large number of dog walkers and walkers, it also offers other visitor experiences which could not be replicated on a new site. It is used for a range of recreational activities including jogging, cycling, wildlife watching, family outings and photography. Therefore there will inevitably be a residual recreational impact. This has also previously been acknowledged by Natural England.”

Extract from supplementary response (4 June 2018):

“To confirm, the National Trust maintains its objection to this application and requests that the Council duly considers whether the proposal would accord with the sustainability principles set out in the National Planning Policy Framework (NPPF). Para. 7 of the NPPF sets out the three dimensions to sustainable development: economic, social and environmental. It states that these roles should not be undertaken in isolation, because they are mutually dependent. An environmental role is about contributing to protecting and enhancing our natural, built and historic environment.

... I consider that a S106 Agreement to cover a package of ecological mitigation measures would be appropriate, to include:

- A financial contribution of £20,000 to the National Trust for use at Hatfield Forest towards visitor and botanical monitoring, visitor and community education and infrastructure maintenance;
- The provision of a ‘Home Pack’ for the first occupants of each new dwelling (as detailed above);
- The installation of educational signage on the application site;
- The provision of a 0.9km dog walking circuit and enclosed dog exercise area to be provided on the application site.

The contribution, signage, dog walking circuit and exercise area would need to be provided prior to occupation of the first dwelling to help minimise visitor impacts from the new residents on the forest.”

### **Ecological Consultant (Place Services)**

9.17 No objections, subject to conditions. Extract:

“I have reviewed the Environmental Statement (Lichfields, Jan 2018) supplied by the applicant, relating to the likely impacts of development on Protected sites, particularly Hatfield Forest SSSI and Fitch Way LoWS, as well as Protected and Priority habitats & species, particularly bats. I consider that proportionate mitigation measures have been identified and these need to be secured by conditions of any consent.

I welcome the Environmental Statement recommendation that increased recreational pressure on Hatfield Forest sites can be mitigated through Strategic Access Management and Monitoring Measures (SAMMs) which would be funded by the developer. The design layout of the development includes 48% of the area as green infrastructure which will be managed to enhance biodiversity and ensure residents are able to use the site for recreation. Rather than an information board about Hatfield Forest within the onsite greenspace, I recommend that this provides sufficient details about local rights of way networks and circular routes for residents to avoid daily visits to the SSSI. I therefore recommend that the details of the SAMMs are

discussed with Natural England Discretionary Advice Service and the National Trust to ensure measures will be effective and deliverable.

The retention of hedges and buffering of sensitive features is an appropriate way of protecting the ecological value of the site. The ecological mitigation features such as integrated bat/bird boxes and dog bins need to be detailed on the landscaping plan as well as the planting and I recommend the provision of a long term Landscape and Ecological Management Plan (LEMP) as a condition of any consent. A sensitive lighting scheme will need to be submitted for the development to ensure that there is a dark corridor for barbastelle bats and that there is no light spill onto wildlife corridors.”

### **Essex Wildlife Trust**

- 9.18 Objection, due to adverse effects on the Flitch Way Local Wildlife Site. Extract:

“Adverse impacts on the Flitch Way Local Wildlife Site. These include urbanisation and harmful edge effects leading to a reduction in habitat quality; biodiversity loss due to increased disturbance, recreational impacts and predation of wildlife by domestic cats.

This disused railway line west of Great Dunmow has developed into a valuable wildlife site and corridor. Thick hedges generally bound the track, with grassland forming a central “woodland ride” and other areas where the hedges thin. Species of interest amongst the very diverse flora include Wall Rue (*Asplenium ruta-muraria*), Yellowwort (*Blackstonia perfoliata*), Lesser Calamint (*Clinopodium calamintha*), Small Toadflax (*Chaenorhinum minus*), Small-flowered Crane’s-bill (*Geranium pusillum*) and Flattened Meadow-grass (*Poa compressa*).

The important ecological status and wildlife interest of the Flitch Way will be adversely impacted by the current proposals for the reasons outlined above. We therefore recommend that Uttlesford council refuses permission for this application.”

### **Environmental Health**

- 9.19 No objections, subject to conditions regarding air quality, noise and contamination. Extract in relation to air quality:

“The air quality assessment submitted is in line with agreements made with UDC Environmental Health Officer in previous correspondence and includes traffic flows from cumulative sources (committed developments in the vicinity). It looks at current and predicted levels of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> with and without the development for the construction phase and operational stage of the proposed development. For the construction phase, the report concludes that the development could give rise to a ‘medium risk’ of dust from earth works, construction and trackout.

For the operational phase, the report concludes that although this development (along with increased traffic levels generated from other committed developments) will increase NO<sub>2</sub> levels in the area and specifically around the ‘Four Ashes’ roundabout. The air quality assessment recommends that whilst the ‘with development scenario’ predicts NO<sub>2</sub> levels

to be close to the objective, a breach of the objective will not occur. PM10 and PM2.5 levels and contributions are thought to be insignificant.

...The air quality assessment ultimately concludes that mitigation measures should be employed for both the construction and operational stages of the development. I agree with this and therefore recommend the following conditions are placed on any permission.”

### **Environment Agency**

9.20 No objections. Extract:

#### **“Foul Drainage**

The “Foul Drainage Analysis” provides scoping of two separate points for foul drainage to existing public sewerage infrastructure. It provides evidence of consultation by the developer with the Sewerage Undertaker; Thames Water. We are content with the intent to connect the site to mains sewerage infrastructure.

#### **Water Resources**

This development lies in an area of ‘Serious’ water stress.

The “Utilities Statement”, specifies that Affinity Water has indicated there is a mains connection adjacent to the site and the existing water network infrastructure has the capacity to provide water.

However, there is no document from Affinity Water that confirms their position. The applicant should submit at the reserve matters stage evidence direct from Affinity Water confirming that there is capacity for water resources to be provided to the development. If you think it appropriate this could be the subject of a pre-commencement condition.”

### **Housing Enabling Officer**

9.21 No objections, subject to affordable housing provision. Extract:

“The affordable housing provision on this site will attract the 40% policy requirement as the site is for 135 (net) units. This amounts to 54 affordable housing units and it is expected that these properties will be delivered by one of the Council’s preferred Registered Providers.

The mix and tenure split of the properties are given below; this mix should be indistinguishable from the market housing, in clusters of no more than 10 with good integration within the scheme and be predominately houses with parking spaces.

	1 bed	2 beds	3 beds	4 beds	Totals
Affordable Rent	5	16	14	3	38
Shared Ownership	2	7	6	1	16

It is also the Councils’ policy to require all units delivered to the Lifetimes Home Standard with 5% being wheelchair accessible as well as 5% of all

units to be bungalows delivered as 1 and 2 bedroom units. This would amount to 7 bungalows across the site delivered as 3 affordable units and 4 for open market.”

### **Health and Safety Executive**

- 9.22 Advises against the granting of planning permission. Extract:

“The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and also within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of Uttlesford District.

HSE's Advice: Advise Against. The assessment indicates that the risk of harm to people at the proposed development site is such that HSE's advice is that there are sufficient reasons on safety grounds, for advising against the granting of planning permission in this case.”

### **UK Power Networks**

- 9.23 No objections. General advice regarding undertaking works in close proximity to electrical lines/plant.

### **Cadent Gas/ National Grid**

- 9.24 No objections.

### **Fulcrum Pipelines**

- 9.25 General advice regarding safe working procedures near pipelines.

## **10. REPRESENTATIONS**

- 10.1 Local residents were notified of the application by letter, and notices were displayed near the site and in the local press. The following concerns have been raised among the submitted representations:

- 1) Conflict with the adopted and emerging Local Plans
- 2) Conflict with the Village Design Statement
- 3) Harm to the character and appearance of the area, including the Flitch Way
- 4) Loss of valuable tree specimens
- 5) Adverse effect on the setting of listed buildings
- 6) Adverse effect on the protected lane to the south through increased vehicle movements
- 7) Increased traffic congestion, including at Junction 8 of the M11
- 8) Increased risk to highway safety
- 9) Damage to the road surface
- 10) Limited sustainable transport options
- 11) Limited services and facilities nearby
- 12) Inadequate parking provision
- 13) Nuisance to residents from the proposed play area
- 14) Increased risk of crime

- 15) Increased risk of flooding
- 16) Loss of agricultural land
- 17) Loss of biodiversity, including impacts on the Flitch Way and Hatfield Forest SSSI
- 18) Increased air pollution
- 19) Increased noise pollution
- 20) Increased light pollution
- 21) Inadequate infrastructure e.g. healthcare, education, telecommunications, water, sewerage
- 22) Inadequate play space
- 23) Increased damage to the surface of the Flitch Way
- 24) Increased litter from visitors
- 25) No local need for additional housing
- 26) Cumulative effects with nearby developments
- 27) There are better sites in alternative locations
- 28) Increased presence of vermin
- 29) Disruption during the construction period
- 30) Adverse effect on neighbouring property values

10.2 The following comments are made in response to the above concerns:

1) - 26) Covered in the below appraisal.

27) The application must be assessed on its own merits.

28) It is not considered that the proposed residential development would be particularly likely to increase the risk of vermin.

29) There would be some disruption, as is the case with any development, but the Control of Pollution Acts would provide protection during the construction period.

30) Not a material planning consideration.

## 11. APPRAISAL

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

- A Location of housing (S7, H1, 78-79 & PPG)
- B Character, appearance and heritage (S7, GEN2, GEN5, ENV2, ENV3, ENV9, 127, 170, 189-196, PPG, LCA & VDS)
- C Transport (GEN1, GEN8, 98, 102-111, PPG, Circular 1/09 & Safeguarding Direction)
- D Accessibility (GEN2, 127 & PPG)
- E Crime (GEN2, 127 & PPG)
- F Amenity (GEN2, GEN4, GEN5, ENV10, 127, 180 & PPG)
- G Flooding (GEN3, 155-165, PPG & SFRA)
- H Infrastructure (GEN6 & PPG)
- I Biodiversity (GEN7, ENV7, ENV8, 175 & PPG)
- J Archaeology (ENV4, 189-199 & PPG)
- K Agricultural land (ENV5 & 170)
- L Contamination (ENV12, ENV14, 178-179 & PPG)
- M Air quality (ENV13, 181 & PPG)
- N Affordable housing (H9 & PPG)
- O Housing mix (H10 & SHMA)

- P Housing land supply (11 & 73)  
Q Public safety (95 & PPG)

**A Location of housing (S7, H1, 78-79 & PPG)**

- 11.1 The Local Plan places the site beyond the defined Development Limits for town and villages, and therefore in a countryside location that is inconsistent with policies S7 and H1 on the location of housing.
- 11.2 Notwithstanding the above conflict with development plan policies, the proposal does accord with the more up-to-date national policy in the NPPF. Paragraphs 78-79 take a less restrictive approach compared with the Local Plan, supporting the growth of existing settlements while preventing isolated development that could lead to sporadic development in the countryside. The site's location adjacent the built-up area of Takeley ensures its consistency with paragraphs 78-79.

**B Character, appearance and heritage (S7, GEN2, GEN5, ENV2, ENV3, ENV9, 127, 170, 189-196, PPG, LCA & VDS)**

- 11.3 The introduction of a residential development on the undeveloped application site would inherently have a harmful urbanising effect on the rural character of the area, in conflict with Policy S7 and paragraph 170 of the NPPF. However, it is necessary to consider the amount of weight that should be given to this breach of policy.
- 11.4 The applicant has submitted a number of documents, with those most relevant to landscape character being the Design and Access Statement, the Arboricultural Assessment and the Landscape and Visual Appraisal. The Council's Landscape Officer has taken these documents into account and concluded that planning permission should be refused. However, as stated above, it is necessary to confirm the amount of weight to be attributed to the harm in order to enable a sound recommendation to be made.
- 11.5 Taking into account the submitted documents and the Landscape Officer's assessment, it is concluded that harmful effects would arise from the urbanisation of a rural site, the loss of mature trees along Great Canfield Road and the encroachment of development south of the Flitch Way. However, it is considered that the following mitigating factors ensure that the adverse effect can be considered no more than moderate:
- No national landscape designations apply to the site, and the only local designation is the general 'countryside' policy area
  - The site would adjoin the existing village of Takeley and development would not encroach further south than the mobile homes at Takeley Park, although it is acknowledged the mobile homes have a lesser visual impact
  - New planting could mitigate the loss of trees along Great Canfield Road, none of which are protected by a Tree Preservation Order (TPO), albeit the adverse effect would remain for some time while the trees mature
  - The indicated area of open space in the south-east corner of the site ('East Green') would prevent coalescence of Takeley and Great Canfield
- 11.6 The site does not contain any built heritage assets, although a number of



assets are located nearby. These include:

- Three Grade II listed buildings to the south, at Great Canfield Park and Canfield Byre
- A Grade II listed building to the north-east, at Wayside
- Several Grade II listed buildings and a Grade II\* listed building at Smiths Green
- A scheduled monument at Warish Hall and two at Hatfield Forest

11.7 Taking into account the submitted assessments and the comments of Historic England and the Conservation Officer, it is considered that the effect of the development on the setting of nearby heritage assets would be limited. The only material impact would be on the three listed buildings to the south, but the area identified as East Green would assist in limiting the harm to a 'less than substantial' level. In accordance with paragraph 196 of the NPPF, this harm would be outweighed by the public benefits of the proposal – principally, the contribution towards housing land supply.

11.8 It is noted that the National Trust has raised an objection regarding the impact of the proposal on Hatfield Forest, although this relates to its biodiversity value rather than its status as a Historic Park and Garden. An assessment of biodiversity impacts is included under the relevant heading in this appraisal.

11.9 It is concluded that the proposal would have an adverse effect on the rural character of the area, in conflict with the above landscape character policies. Moderate weight is given to the harm from this conflict. Notwithstanding the harm to landscape character, there would be no conflict with the up-to-date heritage policies in the NPPF because the 'less than substantial' harm to heritage assets would be outweighed by the public benefit from the proposal's contribution towards housing land supply.

11.10 In assessing the proposal's effect on listed buildings, regard has been had to the Council's statutory duty under S66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990.

**C Transport (GEN1, GEN8, 98, 102-111, PPG, Circular 1/09 & Safeguarding Direction)**

11.11 The site is located adjacent Takeley, a relatively large village which has been categorised as a Key Village in the Regulation 19 Pre-Submission Local Plan due to its role as a provider of services to a wide rural area. Therefore, the residents of the new development would have access to a small range of services and facilities, and the village's role for the wider area would be reinforced. Furthermore, the proposal includes a new footpath link to the village, thereby ensuring convenient pedestrian access. It is therefore concluded that the proposal meets the sustainable transport objectives of Policy GEN1 and paragraph 103 of the NPPF.

11.12 Taking into account the comments of the highway authority and Highways England, it is considered that any adverse effects arising from the development with respect to roads and public rights of way could be suitably mitigated through measures including:

- A new footway along Great Canfield Road, connecting the development to the existing footpath on Stortford Road (B1256)
  - Widening of Great Canfield Road from the site access to the junction with the B1256
  - Improvements to the signals at the Four Ashes to provide a MOVA signal control strategy that optimises efficiency
  - A contribution to the planned improvement scheme at Junction 8 of the M11
  - A link to the Flitch Way and funding to improve the surfacing drainage and provide signage
  - Improvements to the surfacing of the PROW that runs alongside the site
- 11.13 It should be noted that the highway authority negotiated improvements to the scheme during the determination period, and has had regard to the technical reports submitted on behalf of Takeley and Great Canfield Parish Councils.
- 11.14 The Council's minimum residential parking standards would apply to the development, albeit compliance would be assessed at the Reserved Matters stage.
- 11.15 Stansted Airport and NATS have both commented on the application, raising no objections.
- 11.16 It is concluded that the proposal accords with the above transport policies, subject to the use of appropriate conditions and obligations to secure mitigation measures.

#### **D Accessibility (GEN2, 127 & PPG)**

- 11.17 Policy GEN2 and the SPD entitled 'Accessible Homes and Playspace' require compliance with the Lifetime Homes standards. However, these standards have effectively been superseded by the optional requirements at Part M of the Building Regulations, as explained in the PPG. Compliance with these requirements could be secured using a condition.

#### **E Crime (GEN2, 127 & PPG)**

- 11.18 Essex Police has expressed a desire to work with the applicant to develop a design that incorporates crime prevention principles. Ultimately, the effectiveness of the design in this regard would be assessed at the Reserved Matters stage.

#### **F Amenity (GEN2, GEN4, GEN5, ENV10, 127, 180 & PPG)**

- 11.19 Taking into account the comments of the Environmental Health Officer, it is considered that conditions could secure suitable mitigation measures to prevent significant noise disturbance to future residents from traffic on the local road network, operations at Takeley Business Park and aircraft operating from Stansted Airport.
- 11.20 The majority of the surrounding land uses are residential, with the exception of commercial buildings to the north-west and agricultural land to the south and east. It is considered that the proposed residential use would be compatible with these uses, such that it would not give rise to any significant

adverse effects on the amenity of existing residents. It is therefore concluded that the proposal accords with the above policies insofar as they relate to amenity.

**G      Flooding (GEN3, 155-165, PPG & SFRA)**

- 11.21 Policy GEN3 contains the Local Plan policy for flooding, although this has effectively been superseded by the more detailed and up-to-date flood risk policies in the NPPF and the accompanying PPG. The SFRA confirms that the site is not in an area at risk of flooding but, as the proposal is a major development, national policy requires the use of a sustainable drainage system (SuDS).
- 11.22 Taking into account the comments of the lead local flood authority, it is considered that there is scope for the development to include an appropriate SuDS. Full details of the design would be secured at the Reserved Matters stage and through the use of conditions. It is therefore concluded that the proposal accords with the above policies insofar as they relate to flooding.

**H      Infrastructure (GEN6 & PPG)**

- 11.23 Taking into account the comments of the education authority and the West Essex CCG, it is considered that the following financial contributions would mitigate the increased impact of the proposal on education and health infrastructure:
- £176,406 for early years and childcare provision
  - £515,727 for primary education provision
  - £522,315 for secondary education provision
  - £55,153 for primary healthcare provision
- 11.24 The applicant has submitted a Foul Drainage Analysis, and no objections have been raised by Affinity Water or Thames Water regarding water, drainage or sewerage infrastructure. It is therefore concluded that the proposal accords with Policy GEN6, provided that a S106 agreement is used to secure the above financial contributions.

**I      Biodiversity (GEN7, ENV7, ENV8, 175 & PPG)**

- 11.25 The Council's ecological consultant has assessed the potential impacts of the development on the biodiversity value of the site, and the nearby Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) at Hatfield Forest and the Local Wildlife Site (LoWS) at the Flitch Way. The assessment includes cumulative impacts with other committed developments. Taking into account the consultant's response, it is considered that conditions and obligations could be used to secure appropriate mitigation.
- 11.26 Natural England and the National Trust have also identified a range of mitigation measures to counter the effect of the development on Hatfield Forest. While the former has not identified any specific financial contributions, the latter has provided justification for a payment of £20,000 towards off-site monitoring, education and maintenance. Other mitigation measures would be secured using planning conditions.

- 11.27 The Essex Wildlife Trust has raised an objection on the basis that the proposal would have an adverse effect on the Flitch Way LoWS. However, it is considered that the Council's ecological consultant has taken this into account, as well as the potential for mitigation measures, before reaching a conclusion.
- 11.28 It is concluded that, in combination with other committed developments in the area, the proposal could have a significant adverse effect on the Hatfield Forest SSSI/NNR and the Flitch Way LoWS. However, in accordance with paragraph 175 of the NPPF, the benefits from the contribution towards housing land supply would outweigh the residual adverse effects on the SSSI once mitigation measures are taken into account. Furthermore, impacts on the LoWS could be suitably mitigated.
- 11.29 S40(1) of the Natural Environment and Rural Communities Act 2006 requires local planning authorities to have regard to the purpose of conserving biodiversity when exercising its functions. Also, R9(3) of the Conservation of Habitats and Species Regulations 2017 requires Local Planning Authorities to have regard to the requirements of the Habitats Directive and Birds Directive when exercising its functions. These statutory duties have been exercised in reaching the above conclusions.

**J Archaeology (ENV4, 189-199 & PPG)**

- 11.30 The Historic Environment Advisor has noted some minor issues with the applicant's assessment of archaeological impacts, albeit these do not result in an objection. Therefore, provided that conditions would be used to secure appropriate trial trenching, mitigation and post-excavation assessment, it is concluded that the proposal accords with the above policies insofar as they relate to archaeology.

**K Agricultural land (ENV5 & 170)**

- 11.31 Policy ENV5 seeks to prevent significant losses of the best and most versatile (BMV) agricultural land, and paragraph 170 of the NPPF has a similar objective. The site falls within the general classification of Grade 2 on the Natural England maps, although a site-specific assessment in the submitted Soils and Agricultural Use & Quality report concludes that the classification is Grade 3b. Only Grades 1 - 3a are regarded as BMV agricultural land.
- 11.32 As the site is not BMV agricultural land, there is no conflict with the above policies. It is notable that, if the site did fall within a BMV category, the loss of 8.2 ha would not represent a significant breach of policy because it is small in agricultural terms and the high quality of land across the majority of the District means that some loss is inevitable. It is also noted that Natural England has raised no objections or concerns regarding agricultural land.

**L Contamination (ENV12, ENV14, 178-179 & PPG)**

- 11.33 The application includes a Preliminary Risk Assessment, which suggests further investigation to reduce uncertainty and to quantify any contamination risks. Taking into account the comments of the Environmental Health Officer, it is considered that conditions could be used to secure the further investigation and any remediation measures which may be found to be

necessary. It is therefore concluded that the proposal accords with the above policies insofar as they relate to contamination.

**M Air quality (ENV13, 181 & PPG)**

- 11.34 The application includes an Air Quality Assessment, which assesses the impact of the development on air quality during both construction and operational phases and takes into account the cumulative impact with other committed developments in the area. Taking into account the comments of the Environmental Health Officer, it is considered that NO<sub>2</sub> emissions from increased vehicle movements would not breach air quality objectives and emissions of PM10 and PM2.5 would be insignificant. Therefore, subject to the use of conditions to secure mitigation measures for both the construction and operational phases, it is concluded that the proposal accords with the above policies.

**N Affordable housing (H9 & PPG)**

- 11.35 Policy H9 and its preamble form the basis for seeking affordable housing provision from new residential developments. In this case, 40% of the housing would need to be delivered as affordable homes. The applicant has proposed such a level of provision and a S106 agreement would be used to secure the tenure. It is noted that the Council's Housing Enabling Officer has suggested an appropriate mix for the affordable housing, which would be sought at the Reserved Matters stage.

**O Housing mix (H10 & SHMA)**

- 11.36 Policy H10 requires that a significant proportion of market homes be delivered as small units with two or three bedrooms. The SHMA provides the most up-to-date evidence on housing requirements and identifies a pressing need for three-bedroom properties but a reduced need for two-bedroom properties. The housing mix would be determined at the Reserved Matters stage.

**P Housing land supply (11 & 73)**

- 11.37 Paragraphs 11 and 73 of the NPPF describe the importance of maintaining a five-year supply of deliverable housing sites. As identified in the most recent housing trajectory document, Housing Trajectory 1 April 2017 (August 2017), the Council's housing land supply is currently 3.77 – 4.2 years. Therefore, the proposed contribution of up to 135 dwellings must be regarded as a significant positive effect.

**Q Public safety (95 & PPG)**

- 11.38 Through its online standing advice, the Health and Safety Executive (HSE) takes the position that it advises against the granting of planning permission on safety grounds. However, taking into account the more detailed and specific advice provided by the HSE on application UTT/14/3705/OP, it is considered that there is no objection on safety grounds provided that any equipped play space in the 'West Green' would be placed outside the inner zone of the consultation distance around Takeley Park. No such play space is shown on the submitted Framework Plan and compliance with the HSE's requirements could be ensured at the Reserved Matters stage, when the

final layout would be known.

- 11.39 It is noted that no objections have been raised by UK Power Networks, Cadent Gas/ National Grid or Fulcrum Pipelines.

## **12. CONCLUSION**

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

- A** The proposal does not accord with the development plan due to conflicts with policies on the location of housing and landscape character.
- B** Notwithstanding the above, it is concluded that the proposal represents 'sustainable development' in the context of the NPPF. The tilted balance at paragraph 11 is engaged because relevant policies for the supply of housing, including the associated site allocations and Development Limits, are out of date. In this case, the moderate adverse effect on landscape character and the limited residual adverse effects on biodiversity and heritage assets would not significantly and demonstrably outweigh the benefits from the proposal's important contribution towards housing land supply.
- C** Taking into account the more up-to-date nature of the NPPF with respect to the determining issues, it is considered that the lack of accordance with the development plan is overridden in this instance. Regard has been had to all other material considerations, and it is concluded that planning permission should be granted.
- D** The environmental impacts and mitigation measures assessed in the submitted Environmental Statement have been fully taken into account in reaching the above conclusion.

### **RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO S106 LEGAL OBLIGATION:**

- (I) The applicant be informed that the Planning Committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by 26 October 2018 the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Head of Legal Finance, in which case he shall be authorised to conclude such an obligation to secure the following:**
  - (i) On-site provision of affordable housing, amounting to 40% of the total number of dwellings**
  - (ii) Payment of a financial contribution towards early years and childcare provision**
  - (iii) Payment of a financial contribution towards primary education provision**
  - (iv) Payment of a financial contribution towards secondary education provision**
  - (v) Payment of a financial contribution towards primary healthcare provision**
  - (vi) Payment of a financial contribution towards the planned**

- (vii) **improvement scheme at Junction 8 of the M11**
  - (viii) **A suitable link to the Flitch Way and a financial contribution to improve surfacing, drainage and provide signage**
  - (ix) **Payment of a financial contribution to the National Trust for use at Hatfield Forest towards visitor and botanical monitoring, visitor and community education and infrastructure maintenance**
  - (x) **Provision, maintenance and management of open space and play area**
  - (xi) **A Strategic Access Management and Monitoring Measures (SAMMs) agreement between appropriate bodies, to help facilitate the management of visitor pressure on Hatfield Forest SSSI**
  - (xii) **Payment of the Council's reasonable legal costs**
  - (xiii) **Payment of monitoring costs**
- (II) In the event of such an obligation being made, the Assistant Director Planning shall be authorised to grant permission subject to the conditions set out below**
- (III) If the freehold owner shall fail to enter into such an obligation, the Assistant Director Planning shall be authorised to refuse permission in his discretion anytime thereafter for the following reasons:**
  - (i) **Failure to provide sufficient affordable housing**
  - (ii) **Lack of contribution towards early years and childcare provision**
  - (iii) **Lack of contribution towards primary education provision**
  - (iv) **Lack of contribution towards secondary education provision**
  - (v) **Lack of contribution towards primary healthcare provision**
  - (vi) **Lack of contribution towards the planned improvement scheme at Junction 8 of the M11**
  - (vii) **Lack of a suitable link to the Flitch Way and a financial contribution to improve surfacing, drainage and provide signage**
  - (viii) **Lack of contribution to the National Trust for use at Hatfield Forest towards visitor and botanical monitoring, visitor and community education and infrastructure maintenance**
  - (ix) **Lack of suitable arrangements for the provision, maintenance and management of open space and play area**
  - (x) **Lack of a Strategic Access Management and Monitoring Measures (SAMMs) agreement between appropriate bodies, to help facilitate the management of visitor pressure on Hatfield Forest SSSI**

## **Conditions**

1. Approval of the details of layout, scale, landscaping and appearance (hereafter called "the Reserved Matters") must be obtained from the local planning authority in writing before development commences and the development must be carried out as approved.  
  
 REASON: In accordance with Article 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Application for approval of the Reserved Matters must be made to the local

planning authority not later than the expiration of three years from the date of this permission.

REASON: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

REASON: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. Prior to commencement of the development, a written scheme of investigation including a programme of archaeological trial trenching must be submitted to and approved in writing by the local planning authority. The archaeological trial trenching must be carried out in accordance with the approved details prior to commencement of the development.

REASON: To ensure the appropriate investigation of archaeological remains, in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to allow investigation prior to the loss of archaeological remains.

5. Following completion of the archaeological trial trenching required by Condition 4 and prior to commencement of the development, a mitigation strategy detailing the excavation/preservation strategy must be submitted to and approved in writing by the local planning authority. The works detailed in the mitigation strategy must be carried out in accordance with the approved details prior to commencement of the development.

REASON: To ensure the appropriate investigation of archaeological remains, in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to allow investigation prior to the loss of archaeological remains.

6. Within three months of the completion of the works required by Condition 5, a post-excavation assessment (including 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) must be submitted to and approved in writing by the local planning authority.

REASON: To ensure the appropriate investigation of archaeological remains, in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to allow investigation prior to the loss of archaeological remains.

7. Prior to commencement of the development, a Construction Environmental Management Plan (CEMP: Biodiversity) must be submitted to and approved in writing by the local planning authority. The CEMP: Biodiversity must



include:

- a) Risk assessment of potentially damaging construction activities
- b) Identification of “biodiversity protection zones”
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timing of sensitive works to avoid harm to biodiversity features
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The development must be carried out in accordance with the approved CEMP: Biodiversity.

REASON: To conserve and enhance biodiversity, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be ‘pre-commencement’ to ensure that the development is only carried out in accordance with the above details.

8. Prior to commencement of the development, a Landscape and Ecological Management Plan (LEMP) must be submitted to and approved in writing by the local planning authority. The content of the LEMP must include the following:

- a) A description and evaluation of features to be created and managed
- b) Ecological trends and constraints on site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving the aims and objectives of the project
- 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) On-going monitoring and remedial measures

The Plan must 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 responsible for its delivery. The Plan must also set out (where the results from monitoring show that conservation aims and objectives of the Plan 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 development must be implemented in accordance with the approved Plan.

REASON: To conserve and enhance biodiversity, in accordance with Policy GEN7 and Policy ENV8 of the Uttlesford Local Plan (adopted 2005) and the

National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

9. Prior to commencement of the development, a 'Lighting Design Strategy for Biodiversity' for buildings, features or areas to be lit must be submitted to and approved in writing by the local planning authority. The strategy must:

a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of a design drawing and a spill light isolux drawing) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting must be installed in accordance with the specifications and locations set out in the strategy.

REASON: In the interests of conserving biodiversity, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

10. The development must be carried out in accordance with the ecological measures and/or works recommended in the submitted Environmental Statement (Lichfields, Jan 2018) Chapter E – (starting page 27) Section on Mitigation and monitoring.

REASON: To conserve and enhance biodiversity, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

11. Prior to commencement of the development, a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, must be submitted to and approved in writing by the local planning authority. The scheme must be implemented in accordance with the approved details prior to the occupation of any dwelling, and should include but not be limited to:

- Measures to minimise the risk of off-site flooding during construction, from surface runoff and groundwater.

- Limiting discharge rates to the Greenfield 1 in 1 for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.

- 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.

- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

REASON: To prevent surface water flooding both on- and off-site, in accordance with the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

12. Prior to commencement of the development, a detailed Maintenance Plan for the surface water drainage scheme must be submitted to and approved in writing by the local planning authority. The surface water drainage scheme must thereafter be maintained in accordance with the approved Plan.

REASON: To ensure the long-term effectiveness of the surface water drainage scheme, in accordance with the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

13. Prior to occupation of any dwelling, the vehicular and footway access from Great Canfield Road and the associated visibility splays must be formed in accordance with Drawing No. 17-T119-16 Rev B (09/05/2018).

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

14. Prior to occupation of any dwelling, the improvements to Great Canfield Road shown on Drawing No. 17-T119-16 Rev B (09/05/2018) must be completed. These include, but are not limited to:

- Provision of a consistent minimum carriageway width of 5.5m between the site access and the B1256
- Provision of a footway, width 1.8m with a minimum 1.58m pinch point over the bridge
- Minimum 0.6m carriageway setback across the bridge on the eastern side
- Widening of access to B1256 (incorporating full depth construction/reconstruction of the existing carriageway and surfacing of the entire width of the carriageway) retaining a minimum of 2.4 x 43m visibility splay in both directions
- Improvements to include retaining walls, safety barriers, surfacing and signing

REASON: To provide access for all users of the site, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

15. Prior to occupation of any dwelling, details of the proposed relocation of the 30mph speed limit sign(s) on Great Canfield Road must be submitted to and approved in writing by the local planning authority. The proposed 30mph section should include Great Canfield Road from the junction with the B1256 to a point south of the site access. The new sign(s) must be erected in accordance with the approved details prior to occupation of any dwelling.

REASON: To provide safe access for all users of the site and the surrounding roads, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

16. Prior to occupation of any dwelling, a MOVA (Microprocessor Optimised Vehicle Actuation) signal control strategy must be installed at the signalised junction of the B1256/B183 known as the Four Ashes and necessary optimisation of the signals to increase capacity must be provided.

REASON: To improve the efficiency of the signalised junction, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

17. A condition survey of PROW 16\_27 must be taken prior to commencement of the development and upon completion. Prior to occupation of any dwelling, both surveys and details of any remedial measures to repair damage caused during the development must be submitted to and approved in writing by the local planning authority. The approved remedial measures must be completed prior to occupation of any dwelling.

REASON: To mitigate the increased impact of the development on the public right of way, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

18. Prior to occupation of any dwelling, details of a package of travel information and public transport vouchers for the future residents of the development must be submitted to and approved in writing by the local planning authority. Each dwelling must be provided with the approved package of information and vouchers prior to its occupation.

REASON: In the interests of reducing the need to travel by car and promoting sustainable transport, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

19. Prior to commencement of the development, a dust mitigation plan must be submitted to and approved in writing by the local planning authority. The mitigation plan must be in line with the mitigation suggested in the submitted Air Quality Assessment (Ref: LE12431-002; Wardell Armstrong, June 2018). The development must be carried out in accordance with the approved plan.

REASON: To prevent pollution of the environment and protect local air quality, in accordance with Policy ENV13 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

20. Prior to commencement of the development, a scheme of air quality mitigation measures must be submitted to and approved in writing by the local planning authority. The scheme must be in line with the mitigation suggested in the submitted Air Quality Assessment (Ref: LE12431-002; Wardell Armstrong, June 2018). The development must be carried out in accordance with the approved scheme prior to occupation of any dwelling.

REASON: To prevent pollution of the environment and protect local air quality, in accordance with Policy ENV13 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

21. Prior to commencement of the development, a scheme for protecting the proposed dwellings from noise from road traffic must be submitted to and approved in writing by the local planning authority. The scheme must follow the recommendations identified in the submitted Air Quality Assessment (Ref: LE12431-002; Wardell Armstrong, June 2018). The approved scheme must be completed prior to occupation of any dwelling.

REASON: To protect the residential amenity of any future occupiers, in accordance with Policy ENV10 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

22. Prior to commencement of the development, a Phase 2 Investigation Report, as recommended by the submitted Preliminary Risk Assessment (Ref: 301919; RSK Environment Ltd, July 2017), must be submitted to and approved in writing by the local planning authority.

REASON: To protect human health and the environment, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

23. Prior to commencement of the development, a remediation strategy following the recommendations of the details approved pursuant to Condition 23 must be submitted to and approved in writing by the local planning authority. The strategy must include:

- An options appraisal giving full details of the remediation measures required and how they are to be undertaken
- A plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action

Remediation must be carried out in accordance with the approved strategy prior to commencement of the development.

REASON: To protect human health and the environment, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

24. Prior to occupation of any dwelling, a validation report that demonstrates the effectiveness of any remediation measures approved pursuant to Condition 24 must be submitted to and approved in writing by the local planning authority.

REASON: To protect human health and the environment, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

25. 5% of the dwellings must be built in accordance with Requirement M4(3) (Wheelchair user dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition. The remaining dwellings must be built in accordance with Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

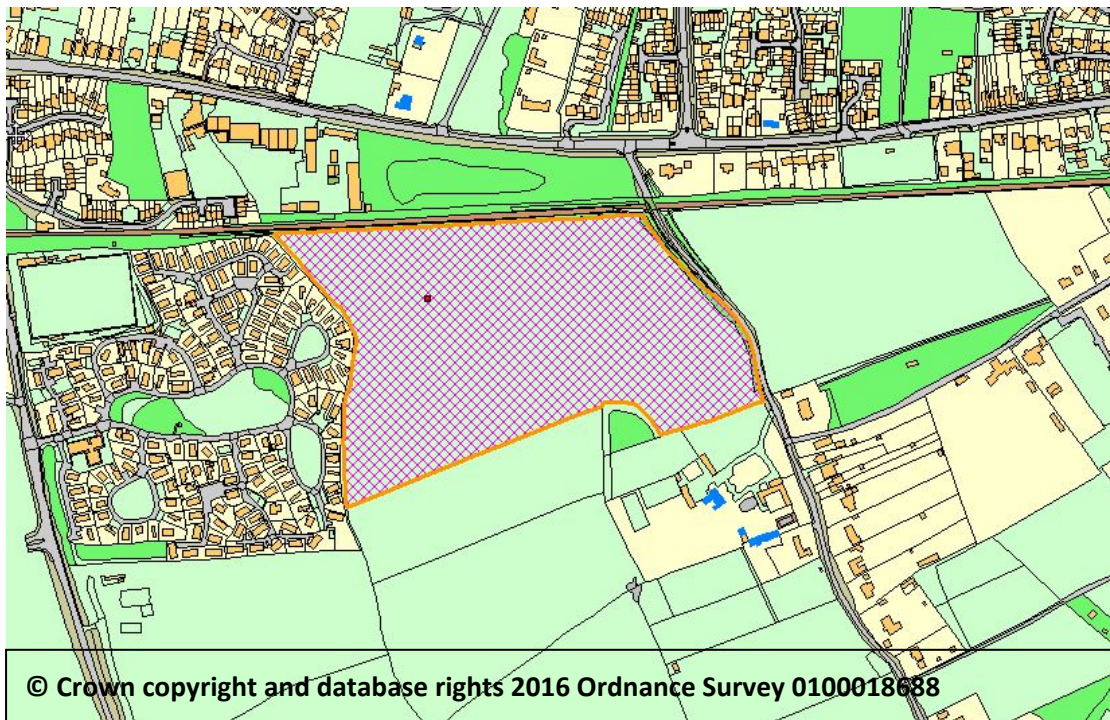
REASON: To ensure a high standard of accessibility, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005), the SPD entitled 'Accessible Homes and Playspace' and the Planning Practice Guidance.

26. The development must be carried out in accordance with the tree protection measures in the submitted Arboricultural Assessment (FPCR, January 2018).

REASON: To ensure that the development would not adversely affect the health of adjacent trees, in accordance with Policy GEN2 and Policy ENV1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Application: UTT/18/0318/OP

Address: Land West of Great Canfield Road, Great Canfield



Organisation: Uttlesford District Council

Department: Planning

Date: 12/09/2018