

**UTT/18/0739/FUL (NEWPORT)**

(More than five dwellings)

**PROPOSAL:** The erection of 24 dwellings with associated access, car and cycle parking and landscaping, drainage and acoustic fencing, construction of a new multi-use games area (MUGA) and floodlights, replacement floodlighting to existing artificial turf pitch, construction of new fenced tarmacadam courts for tennis and netball, first floor and side extension to the Wawn sports pavilion, new brick electrical cupboard and reconfigured car parking.

**LOCATION:** The Joyce Frankland Academy, Cambridge Road, Newport, CB11 3TR

**APPLICANT:** Hill Residential Ltd & The Joyce Frankland Trust Newport

**AGENT:** Beacon Planning Ltd

**EXPIRY DATE:** 28 November 2018

**CASE OFFICER:** Luke Mills

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**1. NOTATION**

1.1 Countryside; Development Limits (part); Conservation Area (part).

**2. DESCRIPTION OF SITE**

2.1 The site is located off Burywater Lane, Newport. It comprises a portion of the grounds of Joyce Frankland Academy, primarily including playing fields but also the two car parks on the northern side of the road.

**3. PROPOSAL**

3.1 The application is for planning permission to erect 24 dwellings in the south-east corner of the playing field, enlarge the car park near the western boundary and provide new and enhanced sports facilities for the benefit of the school and the local community. The sports facilities would include:

- Multi-Use Games Area (MUGA)
- Tennis and netball courts
- Artificial cricket wicket
- Netting on eastern cricket boundary
- Improvements to the Wawn pavilion
- Improvements to the cricket pavilion
- Improvements to the existing artificial-turf pitch

3.2 An Accommodation Schedule is appended to this report.

**4. ENVIRONMENTAL IMPACT ASSESSMENT**

4.1 A request for a screening opinion was submitted with the application

(UTT/18/0856/SCO). The Council's opinion confirmed that the development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

## **5. APPLICANT'S CASE**

5.1 The application was submitted with the following documents:

- Arboricultural Impact Assessment
- Archaeological Desk-Based Assessment
- Biodiversity Validation Checklist
- Biodiversity Statement & Mitigation Plan
- Boundary Risk Assessment
- Design & Access Statement
- Economic Viability Analysis
- Energy Statement
- Flood Risk Assessment & Surface Water Drainage Strategy (Sports Development Proposals)
- Flood Risk & Drainage Strategy Report
- Geo-Environmental Report
- Landscape and Visual Impact Assessment
- Lighting Statement
- Noise Assessment
- Planning and Heritage Statement
- Proposed car parking layout
- Statement of Community Involvement
- SuDS Checklist
- Transport Statement
- Utilities and Services Report

5.2 During the determination period, the following documents have been submitted:

- Note regarding temporary cricket netting measures
- Email regarding ball stop system
- Technical Note – Response to Essex County Council Comments
- Micro Drainage Storage Estimate
- Drainage Design Report
- Report on supplementary site investigation works

## **6. RELEVANT SITE HISTORY**

6.1 A list of applications from the site's extensive planning history is provided below:

- UTT/0444/92 Change of use from agricultural land to school playing fields (Approved: 1992)
- UTT/1049/93/FUL Change of use on part of site from agricultural land to playing fields and engineering/earthworks on the whole site (Approved: 1993)
- UTT/1264/93/FUL Erection of a sports pavilion, fence and flood-lighting on the sports ground. (Approved: 1994)

- UTT/1193/95/FUL Erection of clubhouse/pavilion (alternative to that approved under UTT/1264/93/FUL) and erection of 3m high fencing. (Approved: 1996)
- UTT/0687/96/FUL Retrospective application for the retention of an all-weather sports pitch, associated ground-shaping, fencing and floodlights, with amendments. (Approved: 1996)
- UTT/0013/99/FUL Construction of a new sports hall, including a clubhouse for hockey club. (Refused: 1999. Appeal dismissed)
- UTT/0800/99/FUL Revised application for erection of new sports hall including club house for hockey club. (Refused: 1999. Appeal allowed)
- UTT/1648/00/REN Renewal of planning permission UTT/1193/95/FUL for erection of clubhouse/pavilion (Approved: 2001)
- UTT/0618/03/FUL Create sixty eight parking spaces on disused tennis court. Close existing vehicular access and create new access onto Bury Water Lane. (Approved: 2004)
- UTT/2049/04/FUL Proposed triple garage for mini buses. (Approved: 2005)
- UTT/0474/07/FUL Phase 2 extension to existing sports hall to include changing rooms, classroom and refreshment area (Approved: 2007)
- UTT/17/0165/CC Essex County Council Consultation ref: CC/UTT/04/17 - Construction of a detached two storey school building, including 9 new classrooms and ancillary facilities at the existing Joyce Frankland Academy, on land to the north of Bury Water Lane. (Approved: 2017)

6.2 It is noted that the nine-classroom building approved in 2017 is currently under construction (UTT/17/0165/CC).

6.3 The site was submitted for consideration in the Strategic Land Availability Assessment (SLAA), which was carried out to support preparation of the Council's emerging Local Plan. The site was initially assessed in 2015 (Site Ref: 12New15) and an updated assessment in 2018 concluded as follows:

“The site is available and development is achievable subject to acceptable replacement of the car park and design solutions to reduce the impact of the railway line. The site is not considered suitable due to loss of school land especially playing fields and car parking, and impact of noise from the railway.”

6.4 The unsuitability of the site was further explained as follows:

“The school is on a split site either side of Bury Water Lane and this site is located in the middle of the school site and there are concerns about the juxtaposition of the two land uses. Concerns are raised over the suitability of this site because of how the residential development can be designed to fit within the school site, loss of playing fields, loss of parking, ground level

differences as well as impact from railway noise on the site.”

## **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
- S3 – Other Development Limits
  - 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
  - ENV1 – Design of Development within Conservation Areas
  - ENV2 – Development affecting Listed Buildings
  - ENV3 – Open Spaces and Trees
  - ENV4 – Ancient Monuments and Sites of Archaeological Importance
  - 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
  - LC1 – Loss of Sports Fields and Recreational Facilities
  - LC2 – Access to Leisure and Cultural Facilities
  - LC4 – Provision of Outdoor Sport and Recreational Facilities Beyond Development Limits

### **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, 59-64, 73, 78-79, 91-92, 96-97, 102-111, 127, 155-165, 170, 175, 178-183 & 189-197  
Planning Practice Guidance (PPG)  
- Air quality  
- Conserving and enhancing the historic environment  
- Design  
- Flood risk and coastal change  
- 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  
- Viability  
- Water supply, wastewater and water quality

### **Other Material Considerations**

- 7.7 West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA) (2015)  
Uttlesford Strategic Flood Risk Assessment (SFRA) (2016)  
Air Quality Action Plan 2017 – 2022  
Housing Trajectory and 5-Year Land Supply Statement 1 April 2018 (October 2018)  
Historic Settlement Character Assessments (2007)  
Newport Conservation Area Appraisal and Management Proposals (2007)

## **8. PARISH COUNCIL COMMENTS**

- 8.1 Objection. Concerns include:
- The site is not allocated in the emerging Local and Neighbourhood Plans
  - Inadequate road infrastructure
  - Increased traffic
  - Risk to highway safety
  - Inadequate parking provision
  - Poor footpath connections to the village
  - Inadequate garden sizes
  - Increased air pollution
  - No need for additional housing in Newport
  - Inadequate sewerage infrastructure
  - Increased risk of flooding
  - Reduced scope for future school expansion
  - Adverse effect on child safeguarding
  - Loss of amenity from light pollution

## **9. CONSULTATIONS**

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

- 9.1 No objections, subject to conditions and a S106 agreement. An initial objection was removed following the submission of additional/revised information, as explained in the below extract from a consultation response dated 4 October:

“Since the planning application has been submitted, further information has been provided and the Highway Authority has conducted an on-site meeting with the planning agents.

It has been confirmed that the visibility splays from the vehicular access can be provided in accordance with the required standard for the speed of the road. Adequate visibility splays from the proposed pedestrian crossing point of Bury Water Lane, at the junction with Cambridge Road, can be provided. The Highway Authority has recommended these visibility splays are subject to a condition.

The applicant has revised the pedestrian accesses into the site, to accommodate the required 2 metre footways. Evidence of a contractual agreement between the developer and Joyce Frankland Academy has been provided, confirming that pedestrians will have the right to access the footway network to the west of the site from the development by access through the school grounds. The Highway Authority seeks to ensure that the pedestrian access is retained in perpetuity and a legal agreement between the relevant parties should be entered into prior to commencement of the development to ensure that the pedestrian access to the west remains free and unobstructed in perpetuity. If this legal undertaking is not secured then the Highway Authority does not believe that safe and suitable access for all users can be provided for this development, and therefore would not support the proposal.”

### **Natural England**

- 9.2 No objections.

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

- 9.3 No objections, subject to the use of conditions to secure ecological mitigation and enhancement measures. Extract:

“I have reviewed the information submitted by the applicant. The Biodiversity Statement & Mitigation Plan (Landscape Planning Ltd, March 2018) has mitigation and enhancements for the development; these should be secured by condition. It also includes calculations for biodiversity net gain based on the proposals having new hedges, I am further asking for a landscaping plan so that the detail of these i.e. species mixes and the locations can be specified.”

### **Environmental Health Officer**

- 9.4 No objections, subject to the use of conditions. Extract:

“Although the application seeks to install additional lighting at this facility, the upgrading of the lighting serving the existing sports pitch should result in less light spill from this facility. This view is demonstrated in the submitted lighting report and associated light spill map.

... The submitted noise report addresses noise from transport sources affecting the new residential properties and noise from the existing and proposed MUGA affecting any new or existing residential premises. I would like to make clear that the noise assessment recommends physical mitigation measures in the form of an acoustic fence along the eastern boundary and bunds to mitigate noise from the MUGA (alongside other measures) and these are important to ensure that satisfactory noise levels are achieved for the proposed and existing dwellings. These do not form part of the submitted plans as far as I am aware which may be problematic, for example, should the planning department not consider these acceptable in planning terms. However, should these measures be acceptable then I recommend conditions to ensure adequate mitigation is achieved.

... The construction phase could give rise to impacts on neighbouring properties which could be dealt with through a Construction Environmental Management Plan for which a recommended condition is given below. For the operational phase, a development of this size is not considered to have a significant impact on air pollution levels. A new NO<sub>2</sub> diffusion tube site has been located in Newport and all indications are that levels are well below the national objective for this pollutant. However, it is recommended that mitigation in the form of electric charging points are included in the residential units is to be encouraged and should be conditioned to ensure these are included.”

### **Conservation Officer**

#### 9.5 Objection. Full response:

“The site subject of this application adjoins the conservation area of historic village of Newport. It is located on an elevated site containing good selection of mature trees along its eastern and southern boundary. Due to its elevated topography and the existence of impressive tree line, it is prominent and forms attractive open space positively contributing to the character of the locality and setting of designated heritage assets nearby. Its open nature represents an attractive transition between compact environment of the historic village and open countryside

I consider that the suggested intensive development would seriously diminish the quality of the area. Although high level of modern development has taken place in Newport already, the northern end of the village still maintains its historic linear pattern. Development of the above land would further dilute the historic plan of the village.

In terms of the layout, all the new houses would ‘turn their back’ onto the public side of the site, presenting unsightly close boarded fencing or other inappropriate boundary treatment to the wider community. I am sceptical that all the existing trees which visually contribute so much to the local built environment would survive and the potential new residents could not be prevented from the removal of any survivals.

The layout consists of tightly knit substantial two storey houses which would appear to be much more imposing because of the structure of the land. It is likely that new housing estate would result in a car dominated street scene as the large scale drawings indicated the parking spaces extending beyond principle elevations of the dwellings. The houses mostly grouped in pairs would be of substantial scale and unremarkable architecturally. The use of brick and brick on edge window heads would give them an additional sense of solidity poorly responding to predominantly plastered historic build heritage in Newport.

To conclude, as the site is elevated above the adjacent carriageways of Cambridge Road and Bury Water Lane it would give the proposed dwellings prominence when viewed from the public realm to the detriment of adjoining conservation area and the wider setting of the listed buildings in the locality. In addition the necessary more robust access to the estate would have a detrimental visual impact on the existing rural character of Bury Water Lane which runs adjacent to the site. I feel that this proposal should be resisted.”

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

- 9.6 No objections, subject to conditions.

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

- 9.7 No objections, subject to the use of conditions to secure archaeological investigation. Extract:

“The Historic Environment Record and the desk top study submitted with the application indicate that the proposed development lies within a potentially sensitive area of heritage assets. The proposed development lies on the northern edge of the medieval town and there is the potential of occupation of this period especially in the areas along the road frontage. There is also documentary evidence of a castle being present in the vicinity of the school (EHER 234). It is assumed this would be a Norman Castle probably dating to the 11th or 12th century. The desk based assessment identifies the site having archaeological potential for a number of periods and has identified the need for further archaeological assessment.

A programme of archaeological investigation of all areas of ground disturbance, to include residential areas, balancing ponds and landscaping will be required to fully assess the surviving heritage assets on the site and record them prior to development commencing. The initial phase of work would comprise a trial trenching exercise.”

#### **Landscape Officer**

- 9.8 Objection. Full response:

“The part of the site proposed to accommodate the new dwellings is elevated above the adjacent carriageways of Cambridge Road and Bury Water Lane which would give the proposed dwellings prominence in views taken from the public highway. The development would in particular have a detrimental visual impact on the character of Bury Water Lane as it runs adjacent to the site. The existing mature trees, consisting principally of birch, maple, horse chestnut, ash, and lime trees, which bound the southern and eastern edges



of the site, make a significant contribution to the quality and visual amenity value of the site and the surrounding area. The proximity of the proposed dwellings to these trees is of concern in that construction would encroach on the root protection areas of some of these trees. Furthermore, a number of the trees retained as part of the proposed development would likely be subject to future pressure from residents for their removal or reduction given their size and proximity to the dwellings.

Some 17 trees are proposed to be felled to accommodate the proposed development, with an additional two groups of trees consisting of maple and birch trees. Of these trees, 14 are classified in the applicant's submission as being of moderate quality (Cat.B), including the groups of maple and birch, and three of low quality (Cat.C). Two other trees were found to be in a poor condition (Capt.) that they cannot realistically be retained.

25 trees shown to be retained as part of the development would have incursions into their root protection areas. One these is a mature oak tree classified as being of high quality (Cat.A). 16 other trees and a group of trees (Cat.B), and 7 other trees (Cat.C) would have potential root area incursions. It is accepted that with 'no dig' solutions that the potential detrimental effect of the development on these subjects can be reduced.

Whilst the majority of the existing trees have been classified in the submission as being of moderate quality, it is considered that a number by reason of their prominence on elevated ground have a group value worthy of being made the subjects of a tree preservation order.

The proposed dwellings are not considered to be of particular architectural merit. Furthermore, the scale, materials, and grouping of the houses on this elevated site exacerbates the detrimental visual impact of the proposed development, which does not sensitively relate to the historic character of the building forms and pattern of development within the adjacent conservation area."

### **Sport England**

- 9.9 No objections as a statutory consultee. The area of playing field that would be lost to residential development does not contain formal pitches, and its loss would be outweighed by the following sports-related benefits:
- The additional artificial grass pitch (AGP) and associated lighting would improve capacity for the Academy, Saffron Walden Hockey Club and community football club users, and provide the opportunity for winter use by Newport Village Tennis Club
  - Necessary improvements to the existing AGP
  - The improvements to the Wawn pavilion would increase capacity in line with the increased sports pitch capacity
  - Minor improvements to the cricket pavilion
  - The proposed tennis and netball courts are important for delivery of the PE curriculum, while interest has also been expressed by local clubs

- The artificial cricket wicket would increase capacity for use by the Academy and local junior cricket, subject to the use of 6m high netting on the boundary with the proposed housing

- A community use agreement could formalise the use of existing and proposed facilities by the local community in the long term

- The relocated parking spaces would better serve the sports facilities

9.10 As a non-statutory consultee, Sport England supports the development. Extract:

“The proposed development would provide a range of new or enhanced sports facilities that have been designed for meeting identified community needs and which have been developed in consultation with stakeholders such as sports clubs and sports governing bodies. The new sports facilities would offer potential to make a significant contribution towards meeting community sports facility needs in the Newport area...”

**Anglian Water**

9.11 No objections, subject to the use of a condition. Extract:

“The foul drainage from this development is in the catchment of Newport Water Recycling Centre that will have available capacity for these flows

... Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

We request a condition requiring the drainage strategy covering the issue(s) to be agreed.”

**Affinity Water**

9.12 No objections.

**Stansted Airport**

9.13 No objections.

**NATS**

9.14 No objections.

**Essex Police**

9.15 No objections.

**Housing Enabling Officer**

9.16 Confirms the required tenure mix for a policy-compliant provision of affordable housing.

### **Open Spaces Society**

- 9.17 Raises concerns regarding the accessibility of public footpaths 4 and 7.

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

- 9.18 No objections. No contributions required for education infrastructure or school transport.

### **Historic England**

- 9.19 Does not wish to comment.

## **10. REPRESENTATIONS**

- 10.1 Neighbours 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) Adverse effect on the character and appearance of the area
- 2) Loss of amenity for existing residents due to a loss of daylight and privacy, and from noise and light pollution
- 3) Loss of a valuable recreation area for pupils
- 4) Increased risk to highway safety
- 5) Inadequate parking provision
- 6) Increased traffic congestion
- 7) Increased risk of flooding
- 8) Increased air pollution
- 9) Lack of public open space within the residential development
- 10) Lack of affordable housing
- 11) Inadequate infrastructure e.g. sewerage, education, healthcare
- 12) An Environmental Impact Assessment (EIA) is required
- 13) Loss of view from existing houses

- 10.2 A number of supportive letters have been received, which include the following points:

- a) Benefits to pupils and local clubs from improved sports facilities
- b) Noise and light pollution would be minimal
- c) The additional traffic would be minimal
- d) There would be adequate parking provision for the sports facilities
- e) The housing would generate funding for improvements to the school
- f) There is a need for housing

- 10.3 The following comments are made in relation to the above concerns:

1) – 11) Covered in the below appraisal.

12) As explained under the heading, 'Environmental Impact Assessment', EIA is not required.

13) The loss of a view is not a material planning consideration. However, effects on the character and appearance of the area are covered in the below appraisal.

## **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 (S3, S7, GEN2, GEN5, ENV1, ENV2, ENV3, 127, 170, 189-197 & PPG)
- C Transport (GEN1, GEN8 & 102-111)
- D Accessibility (GEN2, LC2, 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)
- I Biodiversity (GEN7, 175 & PPG)
- J Archaeology (ENV4, 189-197 & PPG)
- K Contamination (ENV12, ENV14, 178 & PPG)
- L Air quality (ENV13, 181 & PPG)
- M Affordable housing (H9, 59-64 & PPG)
- N Housing mix (H10 & SHMA)
- O Sport and recreation (LC1, LC4, 91-92, 96-97 & PPG)
- P Housing land supply (11 & 73)

### **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 accords 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 homes that could lead to sporadic development in the countryside. The site's location adjacent the built-up area of Newport ensures its consistency with paragraphs 78-79.

### **B Character, appearance and heritage (S3, S7, GEN2, GEN5, ENV1, ENV2, ENV3, 127, 170, 189-197 & PPG)**

- 11.3 The proposed housing would be erected at the south-eastern edge of the school playing field, the new sports pitches/courts would be constructed adjacent the existing Multi-Use Games Area (MUGA) and the proposed parking spaces would be formed in the existing car park in the south-west corner of the site. The housing would be located adjacent the Newport conservation area, which extends to the south, south-west and east.
- 11.4 It is considered that the sports facilities and parking provision would have a minimal effect on the character of the area due to their co-location with similar features, and that the associated floodlighting would minimise light pollution to a suitable level. However, the proposed housing has the potential for a greater visual impact due to its location on land that is currently open. Taking into account the comments of the Conservation Officer and Landscape Officer, it is considered that the effect would inherently be adverse. Nevertheless, it is necessary to establish the weight that should be attributed to the harm.

- 11.5 The site of the proposed housing currently makes an important contribution to the character of the area and the setting of the conservation area due to the mature trees adjacent Cambridge Road and its junction with Burywater Lane. These provide a vegetated backdrop to the street scene and contribute to local distinctiveness. It is considered that the open playing field beyond the trees offers little to the street scene, and that containment of the development to the south-eastern corner of the site prevents any significant incursion of buildings into the surrounding countryside to the north of the school.
- 11.6 The submitted Arboricultural Implications Assessment (AIA) demonstrates that the mature trees on Cambridge Road and Burywater Lane would be retained, thereby protecting the local distinctiveness of the street scene. The most extensive removals would be in the north-east corner, where the trees are not prominent in the street scenes and abut the railway.
- 11.7 During the determination period, the Landscape Officer has identified that four groups of trees on the site have considerable value. As a result, a Tree Preservation Order (TPO) has been made (TPO 05/18). An earlier TPO applies to an Oak adjacent the rear boundary of Plot 4.
- 11.8 The majority of the TPO trees would be retained and, taking into account the comments of the Landscape Officer, it is considered that suitable protection could be provided during the construction phase. Two would be removed – a Lime and an Ash labelled T18 and T52 in the application – but it is considered that the overall effect on the groups would be minimal, subject to the use of a condition to secure suitable replacement planting. The Landscape Officer's advice regarding pressure from future residents for further removals is noted, although this would not necessarily be the case and the TPO provides suitable protection to ensure any works are fully assessed.
- 11.9 The nearest listed buildings are the Grade II listed buildings on the southern part of the school site and at The Priory and Priory Cottage, to the south-east of the proposed housing. Similarly to the above assessment, it is considered that there would be no significant effect on the setting of these heritage assets due to the retained group of trees.
- 11.10 In conclusion, there would be a limited adverse effect on the rural setting of the village, as is inherent with development on open land. The proposed houses are considered to be well designed and laid-out, thereby creating an attractive street scene within the development. The harm to the conservation area, a designated heritage asset, is considered 'less than substantial' in the context of paragraphs 189-196 of the NPPF and, therefore, outweighed by the public benefits of the proposal.
- 11.11 In assessing the proposal's effect on listed buildings and a conservation area, regard has been had to the Council's statutory duties under S66(1) and S72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990.

## **C Transport (GEN1, GEN8 & 102-111)**

- 11.12 The site's location within a relatively large village ensures that the occupants of the proposed dwellings would have access to a small range of services

and facilities, and to a train station with regular services to Cambridge and London. It is therefore considered that the proposal meets the sustainable transport objectives of Policy GEN1 and paragraph 103 of the NPPF.

- 11.13 The highway authority initially raised a number of objections to the proposed development, the key concerns relating to visibility splays and pedestrian access arrangements. Subsequent negotiations have resulted in the submission of revised plans, which have successfully addressed these concerns. Therefore, taking into account the highway authority's final consultation response, it is considered that the proposal would not give rise to adverse effects on highway safety or efficiency.
- 11.14 The proposal accords with the Council's minimum residential parking standards, as set out in the Accommodation Schedule appended to this report.

**D Accessibility (GEN2, LC2, 127 & PPG)**

- 11.15 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)**

- 11.16 Essex Police has not raised any objections to the proposed development. Nevertheless, comments would be sought on any landscaping details reserved by conditions to ensure that the detailed design reflects good practice for crime prevention.

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

- 11.17 Taking into account The Essex Design Guide, a non-adopted but useful guidance document, it is considered that the proposed rear gardens would be of a suitable size, and that there would be no significant adverse effects on the amenity of residents with respect to daylight, privacy or overbearing impacts.
- 11.18 Taking into account the submitted Noise Assessment and the comments of the Environmental Health Officer, it is considered that suitable noise mitigation measures could be secured using conditions. These measures could include appropriate fencing around pitches/courts to limit the generation of noise, and acoustic fencing along the eastern boundary of the site adjacent the railway.
- 11.19 The Environmental Health Officer has confirmed that there would be no significant harmful effects on amenity from the proposed floodlighting. Compliance with the submitted lighting strategy could be secured using a condition.

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

- 11.20 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 development is for 10 dwellings or more, national policy requires the use of a sustainable drainage system (SuDS).

- 11.21 Taking into account the comments of the lead local flood authority, it is considered that an appropriate SuDS could be secured using conditions. It is therefore concluded that the proposal accords with the above policies.

#### **H Infrastructure (GEN6)**

- 11.22 Taking into account the comments of the education authority, Anglian Water and Affinity Water, it is considered that the development would not necessitate improvements to off-site infrastructure. Therefore, subject to the use of a condition to secure a foul water strategy in accordance with Anglian Water's requirements, the proposal accords with Policy GEN6.

#### **I Biodiversity (GEN7, 175 & PPG)**

- 11.23 Taking into account the comments of the Council's ecological consultant, it is considered unlikely that the development would have significant adverse effects on any protected species or valuable habitats. It is therefore concluded that the proposal accords with the above policies, subject to the use of a condition to secure soft landscaping details and mitigation and enhancement measures.

#### **J Archaeology (ENV4, 189-197 & PPG)**

- 11.24 Taking into account the comments of the Historic Environment Advisor, it is considered that conditions could be used to secure appropriate archaeological investigation prior to the commencement of development. Subject to these conditions, it is concluded that the proposal accords with the above policies insofar as they relate to archaeology.

#### **K Contamination (ENV12, ENV14, 178 & PPG)**

- 11.25 Taking into account the comments of the Environmental Health Officer, it is considered unlikely that the development would cause any land contamination issues. Subject to the use of a condition to ensure that any contamination is investigated if encountered, it is concluded that the proposal accords with the above policies insofar as they relate to contamination.

#### **L Air quality (ENV13, 181 & PPG)**

- 11.26 Taking into account the comments of the Environmental Health Officer, it is considered that the proposed development would not give rise to a significant reduction in air quality in Newport. Nevertheless, a condition could secure electric vehicle charging points to minimise any increase in pollution, and a further condition could ensure that environmental impacts are minimised during the construction period. Subject to these conditions, it is concluded that the proposal accords with the above policies.

**M Affordable housing (H9, 59-64 & PPG)**

- 11.27 Policy H9 and its preamble form the basis for seeking affordable housing provision from new residential developments. In this case, the policy indicates that 40% of the proposed dwellings should be affordable homes.
- 11.28 No affordable housing has been proposed, with the applicant proposing new sports facilities instead. This point is discussed further in the conclusion of this report.

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

- 11.29 Policy H10 provides the policy basis for ensuring that the need for smaller homes is reflected in new developments. The SHMA provides further detail on the housing mix for the District, which is compared to the proposed housing mix in the table below:

<b>Market house type</b>	<b>SHMA</b>	<b>Proposal</b>
1 bed flat	140 (1.4%)	0
2+ bed flat	80 (0.8%)	0
2 bed house	690 (7.1%)	5 (20.8%)
3 bed house	4,290 (44.2%)	13 (54.2%)
4 bed house	3,110 (32%)	6 (25%)
5+ bed house	1,410 (14.5%)	0
<b>Total</b>	<b>9,700 (100%)</b>	<b>24 (100%)</b>

- 11.30 It is concluded that the proposal accords with Policy H10 as it would provide a significant proportion of small homes, in excess of that suggested in the SHMA.

**O Sport and recreation (LC1, LC4, 91-92, 96-97 & PPG)**

- 11.31 Taking into account the comments of Sport England, it is considered that the loss of an area of playing field is justified in this instance because no formal pitches would be affected and the loss would be significantly outweighed by the sports-related benefits associated with the new or enhanced facilities. These facilities would be made available to the local community through a legal agreement, and it is acknowledged that the proposed artificial grass pitch addresses a need identified in the Council's Sports Facilities Development Strategy (2016) for an additional hockey pitch at the site. It is therefore concluded that the loss of playing field is compliant with the above policies, and that the new and enhanced facilities represent a significant benefit.

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

- 11.32 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 and 5-Year Land Supply Statement 1 April 2018 (October 2018), the Council's housing land supply is currently 3.46 – 4.45 years. Therefore, contributions towards housing land supply must be regarded as a positive effect.



## **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, settlement character and affordable housing.
- B** Notwithstanding the above, it is necessary to consider whether 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 following positive and adverse effects have been identified:
- Positive effects:
- Contribution towards housing land supply
  - Provision of improved sports facilities, for the school and local community
- Adverse effects:
- Harmful effect on the rural setting of the village
  - Lack of affordable housing provision
- C** Limited weight is given to the harmful effect on the character of the area because the most distinctive feature – the group of trees adjacent Burywater Lane and Cambridge Road – would be retained. It is considered that this harm would not outweigh the positive effect from the proposal's contribution to housing land supply.
- D** As for the other effects, it is considered that the provision of improved sports facilities would outweigh the lack of affordable housing provision in this instance. It is noted that the applicant's viability assessment has been verified by the Council's independent consultant, with the conclusion that affordable housing cannot be provided in addition to the sports facilities.
- E** In conclusion, the adverse effects would not significantly and demonstrably outweigh the benefits of the proposal, such that it represents 'sustainable development' for the purposes of the NPPF. 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.
- F** It is recommended that a S106 agreement be used to secure a financial contribution equivalent to 40% affordable housing, in the unlikely event that the proposed sports facilities are not completed.

### **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 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 Services, in which case he shall be authorised to conclude such an obligation to secure the following:**

**(i) The availability of the artificial grass pitches, netball/tennis courts, sports hall, playing fields (including cricket pitch) and supporting ancillary pavilion and parking facilities to the community, when not required by the Academy for the purposes of its students**

**(ii) Permanent pedestrian access from the proposed housing development to Burywater Lane, via the school**

**(iii) In the event that the sports facilities are not completed and made available for use within an agreed time period, a financial contribution equivalent to the provision of 10 affordable homes**

**(iv) payment of the Council's reasonable legal costs**

**(v) 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 by 27 November 2018, the Assistant Director Planning shall be authorised to refuse permission in his discretion anytime thereafter for the following reasons:**

**(i) Failure to secure community access to the artificial grass pitches, netball/tennis courts, sports hall, playing fields (including cricket pitch) and supporting ancillary pavilion and parking facilities**

**(ii) Failure to secure permanent pedestrian access from the proposed housing development to Burywater Lane, via the school**

**(iii) Failure to secure suitable affordable housing provision, in the event that the sports facilities are not fully completed and made available for use within an agreed time period**

### **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 Purchase Act 2004.

2. Prior to commencement of the development, except for site preparation/groundworks/enabling works, a foul water strategy including a timeline for the phasing of the works must be submitted to and approved in writing by the local planning authority. All works must be carried out in accordance with the approved strategy.

REASON: To prevent environmental and amenity problems arising from flooding, in accordance with policies GEN3, GEN6 and ENV12 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.

3. Prior to the Multi-Use Games Area (MUGA) being brought into use, a Noise Management Plan must be submitted to and approved in writing by the local planning authority. The Plan must identify measures to control noise emanating from the existing MUGA and hereby permitted MUGA facility. The development must be carried out in accordance with the approved Plan.

REASON: To protect the amenity of neighbouring residents, in accordance with Policy GEN4 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.

4. Prior to commencement of the development, a detailed Construction Environmental and Traffic Management Plan must be submitted to and approved in writing by the local planning authority. The Plan should include:

- a) The construction programme and phasing
- b) Hours of operation, delivery and storage of materials
- c) Details of any highway works necessary to enable construction to take place
- d) Parking and loading arrangements
- e) Management of traffic to reduce congestion
- f) Control of dust and dirt on the public highway
- g) Details of consultation and complaint management with neighbours
- h) Mechanisms to deal with environmental impacts such as noise, air quality and light

The development must be carried out in accordance with the approved Plan.

REASON: To minimise environmental impacts and ensure that the highway is not obstructed during the construction period, in accordance with policies GEN1 and GEN4 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.

5. 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, and should include but not be limited to:

- Limiting discharge rates via infiltration for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change. Where this is found to be unviable, run off rate should be limited to the 1 in 1 year greenfield rate for all storm events up to an including the 1 in 100 year rate plus 40% allowance for climate change.

- Provision of 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.
- A timeline for the phasing of the drainage works

REASON: In accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework:

- 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.

6. Prior to commencement of the development, a scheme to minimise the risk of off-site flooding caused by surface water run-off and groundwater during construction works, and prevent pollution, must be submitted to and approved in writing by the local planning authority. The development must be carried out in accordance with the approved scheme.

REASON: In accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework:

- To 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.
- The removal of topsoils 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.

7. Prior to occupation of any dwelling, 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: In accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework:

- 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 before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

8. Prior to commencement of the development, an arboricultural method statement must be submitted to and approved in writing by the local planning authority. The statement should include but not be limited to:

- Tree protective fencing
- No ground excavations within tree RPAs
- Any anti-compaction measures required to be taken
- The specific locating of services trenches to avoid excavations within RPAs where possible, or if necessary being undertaken by hand dig only.
- Specific methods for construction of site access routes close to or within retained trees' RPAs

The development must be carried out in accordance with the approved method statement.

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. 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 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.

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.

10. Following completion of the archaeological trial trenching required by Condition 9 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.

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.

11. Within three months of the completion of the works required by Condition 10, 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.

12. Prior to occupation of any dwelling, 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 (including to directly replace T18 and T52, as labelled in the submitted Tree Protection Plan)
- Hard surfaces
- Boundary treatment

All hard and soft landscape works must be carried out in accordance with the approved details.

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 and in the interests of conserving biodiversity, in accordance with Policy S7, Policy GEN2 and 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.

13. Prior to commencement of development comprising the erection of the dwellings hereby permitted, the new/relocated car parking area as indicated on Drawing No. 3276/SD02 Rev D must be fully hard surfaced, sealed and marked out in parking bays.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur and that appropriate parking is provided, in accordance with Policy GEN1 and Policy GEN8 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure the new parking facilities are available before the existing facilities are lost.

14. Prior to any works above slab level, details of the following external finishes for the dwellings (including samples and/or photographs as appropriate) must be submitted to and approved in writing by the local planning authority:

- Walls
- Roof
- Windows
- Doors

The development must be carried out in accordance with the approved details.

REASON: To ensure compatibility with the character of the area, in accordance with Policy S3 and Policy GEN2 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.

15. Prior to any works above slab level, a scheme for protecting the dwellings from noise from road and rail traffic must be submitted to and approved in writing by the local planning authority. The scheme must follow the recommendations identified in the submitted Noise Assessment (Cass Allen report; Ref: RP01-17226 Rev 2). The approved scheme must be fully implemented 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 mitigation measures are in place before residents are exposed to the noise sources.

16. Prior to any works above slab level, a scheme for protecting the dwellings from noise from the Multi-Use Games Area (MUGA) facilities must be submitted to and approved in writing by the local planning authority. The scheme must follow the recommendations identified in the submitted Noise Assessment (Cass Allen report; Ref: RP01-17226 Rev 2) and relevant national guidance. The approved scheme must be fully implemented 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 mitigation measures are in place before residents are exposed to the noise source.

17. Prior to commencement of development involving the construction of the netball/tennis courts hereby permitted, except for site preparation/groundworks/enabling works, details of the court specifications

(including dimensions, surfacing, fencing and line markings) must be submitted to and approved in writing by the local planning authority. The courts must be constructed in accordance with the approved details.

REASON: To ensure the development is fit for purpose and sustainable, 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.

18. Prior to commencement of development involving the installation of the artificial cricket wicket hereby permitted, details of its technical specifications must be submitted to and approved in writing by the local planning authority. The wicket must be installed in accordance with the approved details.

REASON: To ensure the development is fit for purpose and sustainable, 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.

19. Prior to occupation of any dwelling, full details of the cricket netting system hereby permitted must be submitted to and approved in writing by the local planning authority. The system must be installed in accordance with the approved details prior to occupation of any dwelling, and the netting must be fully raised in accordance with the details during cricket matches.

REASON: To minimise risk to the safety of the occupants of the residential development hereby permitted, 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.

20. Prior to occupation of any dwelling, details of lighting for the eastern pedestrian access must be submitted to and approved in writing by the local planning authority. The lighting must be installed in accordance with the approved details prior to occupation of any dwelling.

REASON: To ensure the safe passage of pedestrians and in the interests of accessibility, in accordance with Policy GEN1 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 occupation of any dwelling, the approved vehicular access must be formed at right angles to Burywater Lane, as shown on Drawing No. SK07 Rev A. The access must include:

- Minimum 6 metre carriageway width with minimum radii of 6 metres

- Visibility splays with dimensions of 2.4 metres by 25 metres to the west and 2.4 metres by 25 metres with a 1 metre offset to the east, as measured from and along the nearside edge of the carriageway, with no obstruction above 600mm.

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, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the access is safe from its first use.

22. Prior to occupation of any dwelling, a pedestrian crossing point across Burywater Lane, at the junction with Cambridge Road, must be provided in accordance with Drawing Nos. SK10, SK11, and SK12. The crossing must include:

- the extension of the footway
- dropped kerb crossing points (with appropriate tactile paving if necessary)
- visibility splays of 1 metre by 25 metres, as shown on DWG no's SK10, retained free of obstruction above 600mm.

REASON: In the interest of highway safety and accessibility, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure safe pedestrian access for all residents, beginning with the first occupant(s).

23. One dwelling (i.e. 5% of the total number of dwellings) must be built in accordance with Requirement M4(3) (Wheelchair user dwellings - adaptable) 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.

24. Each dwelling must be provided with its vehicle parking area, as shown on Drawing No. 093-020 Rev X, prior to its occupation.

REASON: To prevent hazardous on-street parking, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that each vehicle parking area is properly completed before its first use.

25. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

26. Each dwelling hereby permitted must be provided with a fully-wired and operational electric vehicle charging point prior to its occupation.

REASON: To minimise air pollution, 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 provision for electric vehicles at each dwelling before its first occupation.

27. No external lighting shall be installed for the existing and proposed artificial grass pitches, other than in accordance with the lighting details contained within the submitted Lighting Statement (Paul Hawkins Development, November 2017) and the associated Drawing No. JFA03r4.

REASON: To protect residential amenity, in accordance with Policy GEN4 and Policy GEN5 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

28. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported immediately to the local planning authority and work halted on the part of the site affected by the unexpected contamination.

Prior to re-commencement of the development, an assessment of the nature and extent of contamination must be submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a competent person, and must assess any contamination on the site, whether or not it originates on the site. It must include:

- (i) a survey of the extent, scale and nature of contamination
- (ii) an assessment of the potential risks to human health, property (existing or proposed), adjoining land, groundwaters and surface waters
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

The assessment must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR11".

If the assessment identifies that remediation is necessary, a detailed remediation scheme must be submitted to and approved in writing by the local planning authority prior to re-commencement of the development. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Remediation must be carried out in accordance with the approved remediation scheme prior to re-commencement of the development. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the local planning authority.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

29. The development must be carried out in accordance with the ecological

measures and/or works recommended in the submitted Biodiversity Statement & Mitigation Plan (Landscape Planning Ltd, March 2018).

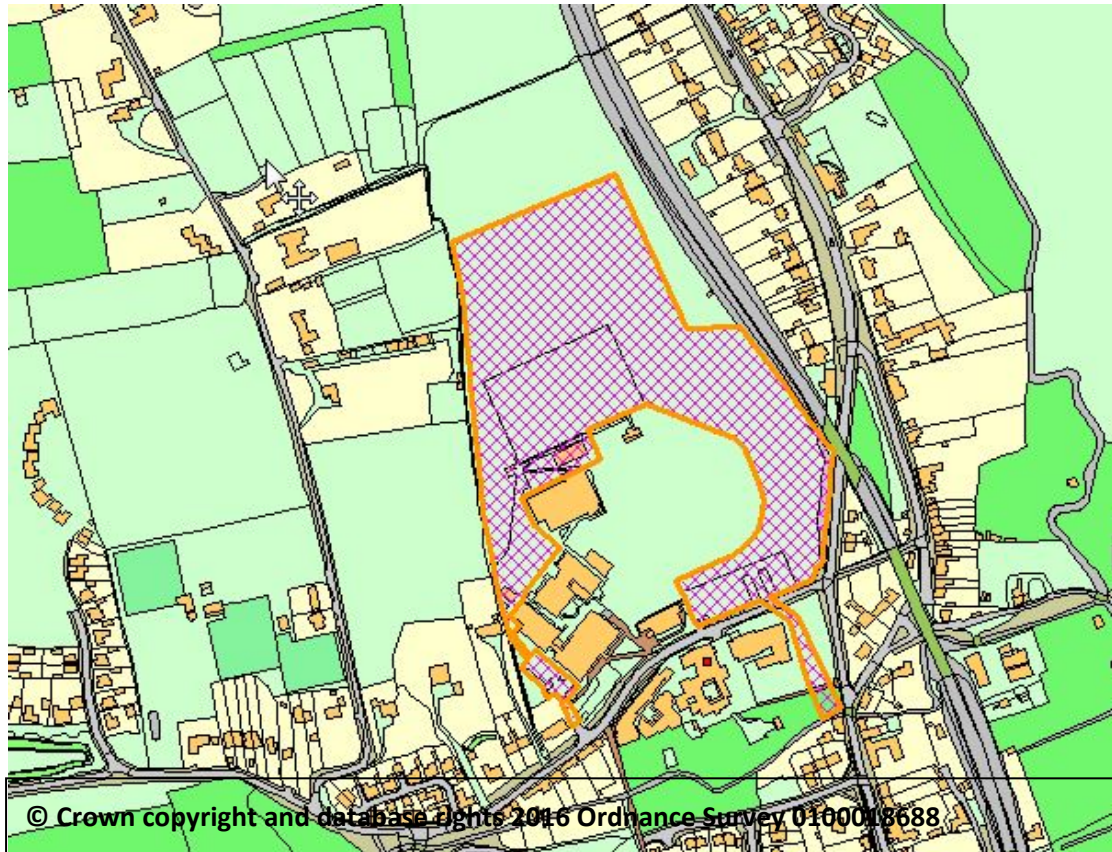
REASON: To conserve and enhance biodiversity, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

## Appendix: Accommodation Schedule

<b>Plot</b>	<b>Bedrooms</b>	<b>Garden size standard (sq m)</b>	<b>Garden size (sq m)</b>	<b>Parking space standard</b>	<b>Parking spaces</b>
1 (B2)	3	100	147	2	2
2 (B2)	3	100	145	2	2
3 (C1)	3	100	168	2	2
4 (C1)	3	100	171	2	2
5 (C2)	4	100	428	3	3
6 (C2)	4	100	481	3	3
7 (C2)	4	100	288	3	3
8 (C2)	4	100	195	3	3
9 (B2)	3	100	261	2	2
10 (B2)	3	100	279	2	2
11 (B2)	3	100	303	2	2
12 (B2)	3	100	313	2	2
13 (A1)	2	50	82	2	2
14 (A2)	2	50	83	2	2
15 (A2)	2	50	148	2	2
16 (A2)	2	50	111	2	2
17 (A2)	2	50	102	2	2
18 (B1)	3	100	116	2	2
19 (B2)	3	100	196	2	2
20 (B2)	3	100	163	2	2
21 (C1)	3	100	204	2	2
22 (C1)	3	100	197	2	2
23 (C2)	4	100	233	3	3
24 (C2)	4	100	190	3	3
Visitors	-	-	-	6	6

Application: UTT/18/0739/FUL

Address: The Joyce Frankland Academy, Cambridge Road, Newport, CB11  
3TR



Organisation: Uttlesford District Council

Department: Planning

Date: 02/11/2018