

UTT/18/2917/FUL - (TAKELEY)

(More than 5 dwellings)

PROPOSAL: Residential development comprising 8 dwellings and associated garaging and landscaping.

LOCATION: Land North of Dunmow Road, East of Church Lane, Dunmow Road, Takeley

APPLICANT: Mr D Kwan

AGENT: Mr S Willsher

EXPIRY DATE: 25th December 2018. Extension of time 23rd January 2019.

CASE OFFICER: Mrs M Jones

1. NOTATION

1.1 Outside Development Limits. Countryside Protection Zone. Within 2km SSSI. Within 6km of Stansted Airport. Archaeological Site.

2. DESCRIPTION OF SITE

- 2.1 The application site is to the north of Dunmow Road (B1256) to the West of Takeley.
- 2.2 To the west of the western boundary is the access serving Takeley church. To the west of the access road is a Grade II listed dwelling and to the north west is the Trinity Church which is also listed.
- 2.3 Immediately to the south of the site across the Dunmow Road is a large housing estate development, while the eastern boundary adjoins a recently completed and occupied development of ten houses.
- 2.4 The northern boundary of the site backs onto fields.
- 2.5 The western, southern and northern boundaries of the site are all tree- lined..
- 2.6 The site has been cleared and works commenced on the development allowed on appeal for seven dwellings under planning application UTT/15/2454/FUL.

3. PROPOSAL

- 3.1 The proposal is for planning permission to erect 8 dwellings, with associated garaging and landscaping.
- 3.2 This application follows the approval of a scheme for 7 dwellings granted on appeal under reference UTT/15/2424/FUL which has been implemented.
- 3.3 This planning application is similar to the approved scheme with the following changes:
- The introduction of a two bedroomed flat over garages which is to be located on the site of a carport approved under the previous 7 dwelling scheme, This would

- increase the total number of dwellings from 7 to 8.
- Minor alterations to the design of the 7 approved dwellings, which are limited to fenestration, and window/door details. The size, scale and layout of these dwellings has not been altered.
- Amendment to the site layout to incorporate the land proposed for an electrical substation, as approved under reference UTT/15/1657/FUL, within the rear gardens of plots 1,2,3,4 and 5 , as the substation is no longer required, with that planning permissions having expired on 22nd July 2018.

3.4 In all other respects, including access and landscaping, this application remains identical to the approved 7 dwelling scheme.

3.5 The schedule of accommodation is as follows:

Plot	Bedrooms	Parking spaces	Garden (Sq m)
1	4	3	Over 100m ²
2	3	2	Over 100m ²
3	2	2	Over 50m ²
4	2	2	Over 50m ²
5	3	2	Over 100m ²
6	3	2	Over 100m ²
7	3	2	Over 100m ²
8	2	2	Over 50m ²
Visitor	2		

3.6 The density would be 33 dwellings per hectare.

3.7 All gardens would meet the Essex Design Guide recommendations.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 Town and Country Planning (Environmental Assessment):

The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

And

Human Rights Act considerations:

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

5. APPLICANT'S CASE

5.1 The following documents have been submitted in support of the application:

Planning Statement, Tree survey, Design and Access Statement, Transport Statement, Preliminary Ecological Appraisal, Biodiversity Checklist, Phase 2 Ground Investigation, Dormouse Survey Results and Archaeological Evaluation Report

6. RELEVANT SITE HISTORY

6.1 UTT/14/2387/FUL - 10 dwellings land adjoining site. Conditionally approved

6.2 UTT/15/1657/FUL - Erection of electricity substation on adjoining land to the south west of the application site.

- 6.3 UTT/15/2424/FUL - Erection of 7 dwellings and associated garaging and landscaping.
Allowed at appeal 2016

7. POLICIES

7.1 Uttlesford Local Plan (2005)

POLICY S7 - The Countryside
POLICY GEN1 – Access
POLICY GEN2 – Design
POLICY S8 – Countryside Protection Zone
POLICY GEN7 – Nature Conservation
POLICY GEN8 – Vehicle Parking Standards
POLICY H10 – Housing Mix
POLICY ENV4 - Ancient Monuments and sites of Archaeological Importance
POLICY H1 – Housing Development
POLICY ENV2 – Development affecting Listed Buildings.

7.2 Supplementary Planning Documents/Guidance

Accessible Homes and Playspace.
The Essex Design Guide
Uttlesford Local Residential Parking Standards.
Strategic Housing Market Assessment

7.3 National Policies

National Planning Policy Framework (NPPF) July 2018

8. PARISH/TOWN COUNCIL COMMENTS

- 8.1 Takeley Parish Council object to this application for the following reasons:
1. This land has been split into two separate applications thus avoiding the Section 106 legal agreement.
 2. As highlighted with the previous appeal we strongly recommended that bungalows should be built. This is in line with Section 4.47 Housing (Regulation 19, the local plan). Bungalows provide a popular form of housing in Uttlesford which means that older people can downsize to accommodation that is fit for purpose but still maintains their independence. It also meets a need for those with a physical disability who require accommodation on one floor. The provision of 1 and 2 bed bungalows will be supported.
 3. Drainage – The ditch currently floods and stagnates. With the addition of further properties this situation will only be exacerbated.

9. CONSULTATIONS

NATS safeguarding

- 9.1 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria.

Essex Police

- 9.2 Whilst there are no apparent concerns with the layout to comment further we would require the finer detail such as the proposed lighting, boundary treatments and physical

security measures.

We would welcome the opportunity to consult on this development to assist the developer with their obligation under this policy and to assist with compliance of Approved Document "Q" at the same time as achieving a Secured by Design award.

From experience pre-planning consultation is always preferable in order that security, landscaping and lighting considerations for the benefit of the intended residents and those neighbouring the development are agreed prior to a planning application.

Ecology

- 9.3 No objection subject to securing biodiversity mitigation and enhancement measures.

Essex County Council - Highways

- 9.4 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, as shown in principle on DWG no. 204/ARC/3903 Rev*, subject to conditions.

BAA Safeguarding

- 9.5 Stansted Airport has no safeguarding objections to the proposal. However, the construction of the dwellings could result in creating a site that is attractive to birds therefore we request the following condition:
- Proactive measures must be taken to deter birds from the site and manage the site area to minimise the amount of time that topsoil will be exposed.
- Reason: Flight safety – Birdstrike Avoidance
- Furthermore, should any crane operations be required during the demolition or construction process we would like to draw the applicant's attention to the requirement within the British Standard Institute Code of Practice for the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. We therefore request that the following informative be attached to any approval that is granted:
- Cranes, whilst they are temporary, can be a hazard to air safety. Should any cranes or tall construction equipment be required during the construction process, a separate assessment of crane operations will be required. The developer or crane operator must therefore notify Stansted Airport Airfield Operations at least one month in advance of intending to erect a crane or tall construction equipment in order to obtain a Tall Equipment Permit. The proposed crane operations will be assessed to determine whether any regulatory procedures or operating restrictions would need to be agreed in advance of issuing the permit.
- Reason: To ensure that Stansted Airport's Obstacle Limitation Surfaces are protected to avoid endangering the safe operation of aircraft.

Environmental Health

- 9.6 No objection subject to imposition of recommended conditions/informatives below to address construction impacts and land contamination matters.
- This is a full application for the development of a parcel of land that has historically been used for agricultural purposes, although on-site evidence suggests that there may have been kennelling of dogs on the site at some point in the past. The proposal is to construct 8 dwellings on the site, which lies to the south-east of, Stansted Airport. It should be noted that the site has already been consented for residential development consisting of 7 dwellings under planning consent UTT/15/2424/FUL, and the adjacent Church View Close was developed after 2014 .

- 9.7 Land Contamination:
A Phase I & Phase II geo-environmental assessment have been undertaken by Geosphere Environmental Ltd, dated April 2015, and have been submitted with the application. The site investigation has not identified any tangible contamination risks to be present and therefore does not identify any need for a further remediation strategy to be devised. The nearest potentially contaminative features identified to the site are the cemetery located some 200m to the north, and a small sewage treatment works located some 600m to the west of the site. As a result of the findings of the Phase I & Phase II investigations, no specific contaminated land condition is considered necessary in the context of further development of the site for residential purposes. However, the following "watching brief" informative should be included on any consent granted:
Informative - Land Contamination
The applicant is advised that it is their responsibility to ensure that final ground conditions are fit for the end use of the site. If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.
- 9.8 Noise:
The site lies to the south-east of Stansted Airport. The site is outside the lowest identified daytime (57dB) and night-time (48dB) noise contours for the airport identified by the Civil Aviation Authority.
The site lies north of Dunmow Road but road traffic noise is not considered likely to be a significant issue or barrier to development. As such, no specific conditions in respect of transport related noise are considered necessary for residential development of the site. In view of the size of the proposed development and the proximity of existing residential occupiers, I would recommend that a condition is included to require the formulation of a Construction Management Plan to cover the management of environmental issues during the development of the site
- 9.9 Other Environmental Matters
In terms of air quality and odour, there is a small sewage treatment works located some 600m to the west of the site, but in view of the distances involved odour is not considered likely to have a significant impact on the site. No other significant issues in terms of air quality, odour or light impacts have been identified in relation to this site.

10. REPRESENTATIONS

- 10.1 This application has been advertised and one representation has been received. Expiry date: 11th December 2018
- 10.2 Why is it now planning for 8 dwellings?
The land was only for 7 houses.
Also can you confirm these builders will not be using our entrance for all the building work and after they are built, use as their entrance?
We were lead to believe from Taylor Wimpey that the new builds would have their own entrance and drive in.
I do not object to the new homes but believe they should be separate from Churchview Close and a separate development.

11. APPRAISAL

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

- A Whether the development of this site for residential purposes is appropriate (NPPF, ULP Policies S7, S8, GEN2, GEN3, and H10);
- B Highway safety, and parking provision (ULP Policy, GEN1, GEN8 and ECC Parking Standards);
- C Design, scale and impact on neighbours amenity (ULP Policy GEN2, GEN4, H10, & SPD Accessible Homes and Playspace, SPD Energy Efficiency)
- D Impact on nature conservation (ULP Policy GEN7)
- E Impact on adjacent listed buildings (ULP policy ENV2)

A The development of this site for residential purposes is appropriate (NPPF, ULP Policies S7, S8, GEN2, GEN3, H9, H10);

- 11.1 The site is subject to the provisions of policy S7. Policy S7 is a policy of general restraint which seeks to restrict development to that which needs to take place there, or is appropriate to a rural area in order to protect the character of the countryside. This includes infilling in accordance to paragraph 6.13. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there. This policy seeks to protect the rural area from inappropriate development and permission will only be given for development which is appropriate to the rural area or needs to take place there. Permission will only be given for development which protects or enhances the character of the countryside in which it is set or there are special reasons why the development needs to be there. The proposal relates to a form of development which is inappropriate in a rural area and which does not need to take place there. The proposal is therefore contrary to Policy S7. A review of Policy S7 for its compatibility with the NPPF has concluded that it is partially compatible but has a more protective rather than positive approach towards development in rural areas.
- 11.2 S70 (2) of the Town and Country Planning Act 1990 states that "in dealing with a planning application the local planning authority shall have regard to the provisions of the Development Plan so far as is material to the application and to any other material considerations". S38 (6) of the Planning and Compulsory Purchase Act 2004 states 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.
- 11.3 Paragraph 11 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five- year supply of deliverable housing sites. . In this regard, the most recent housing trajectory identifies that the Council has a 3.4 or 4.45 year land supply depending on the scenario used to calculate the supply.
- 11.4 It is therefore necessary to assess whether the application proposal is sustainable and presumption in favour is engaged in accordance with paragraphs 7 - 14 of the NPPF.
- 11.5 The NPPF emphasises that sustainability has three dimensions (Paragraph 8); an economic role (contributing to building a strong economy), a social role (providing housing and accessible local services) and an environmental role (contributing to protecting and enhancing our natural, built and historic environment.
- 11.6 Economic: The NPPF identifies this as contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity and by identifying and coordinating the provision of infrastructure.. In economic terms the

proposal would have short term benefits to the local economy as a result of construction activity and additionally it would also support existing local services, as such there would be some positive economic benefit.

- 11.7 Social: The NPPF identifies this as supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations and by fostering a well-designed and safe built environment, with assessable services and open spaces that reflect current and future needs and support communities health, social and cultural well-being. The proposal would make a contribution towards the delivery of the housing needed in the district and would also help to maintain the vitality of the local community.
- 11.8 Environmental: The environmental role seeks to protect and enhance the natural, built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. There is a new development of residential housing to the east of the site and on the opposite side of the road. The front of the site, and rear and western boundaries are screened by mature landscaping. The proposal would introduce an element of built form within the open countryside, which would have some impact on the character of the area. The proposed development would effectively be a continuation of the adjoining ten house development in terms of access, design and orientation. The rear gardens of each house would back onto a retained tree-lined boundary on the west, south and north boundaries. A material consideration is, however, that the site already has an extant permission for the erection for seven dwellings. The erection of one more dwelling on this site would not materially change the character of the area. The proposed development would be contained within the tree-lined boundaries on the northern and western edges of the site, which would provide a clearer defensible boundary for any further expansion of Takeley. As a result of these boundaries, and the existence of the housing developments, the proposed development would not be overly conspicuous in the surrounding area. The site is located within the Countryside Protection zone, for which policy S8 applies, however the open characteristics of the CPZ would not be particularly affected, nor would coalescence occur over and above that caused by the development of the site previously allowed on appeal.
- 11.9 Since the previous decision, the NPPF has been updated; however the heart of the updated framework is still for a presumption in favour of sustainable development. The proposal was considered to be sustainable development by the Inspector dealing with the appeal relating to planning application UTT/15/2424/FUL. The addition of one more dwelling would not change this position and therefore the proposal is acceptable in principle. In addition the proposal would make effective use of land in accordance with paragraph 117 of the NPPF.
- B Highway safety, and parking provision (ULP Policy, GEN1, GEN8 and ECC Parking Standards);
- 11.10 The proposed properties are a mixture of two and three and four bedroom houses. Essex County Council parking standards require the provision for two parking spaces per two and three bed roomed dwellings, three parking spaces for four bed roomed dwellings and additional visitor parking spaces. The proposal meets these standards. Each dwelling would have two or three parking spaces and there would also be two unallocated parking spaces within the development to provide visitor parking. A transport statement has been submitted in support of this application. As with the previously approved scheme, access into the site will be via the private access road connected to the internal road associated with the completed ten dwelling scheme to the

east of the application site. Essex County Council, as the Local Highway Authority, has been consulted and their response raises no objections to the proposals. The proposed access would be sufficiently distant from the neighbouring properties that it would not result in any material noise or disturbance to the occupiers of those properties. It would therefore comply with the requirements of ULP Policy GEN4.

The proposals therefore satisfy the requirements of ULP Policies GEN1 and GEN8

- 11.11 In accordance with Supplementary Planning Document – Accessible Homes and Playspace the proposed dwellings would need to be accessible. In new housing developments of less than 10 dwellings, the council will require the dwellings approved by this permission to be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition and 2016 amendments. In this respect Part M4 (2) paragraph 2.12 relating to car parking, in order to comply with the building regulations it states:

Where a parking space is provided for the dwelling, it should comply with all of the following.

- a) Where the parking is within the private curtilage of the dwelling (but not within a carport or garage) at least one space is a standard parking bay that can be widened to 3.3m
- b) Where communal parking is provided to blocks of flats, at least one standard parking bay is provided close to the communal entrance of each core of the block (or to the lift core where the parking bay is internal) The parking bay should have a minimum clear access zone of 900mm to one side and a dropped kerb in accordance with paragraph 2.13d
- c) Access between the parking bay and the principal private entrance or where necessary, the alternative private entrance to the dwelling is step free.
- d) The parking space is level or, where unavoidable, gently sloping
- e) The gradient is as shallow as the site permits.
- f) The parking space has a suitable ground surface.

In this respect the proposal does not meet these requirements in respect of criteria a), however as seven of the dwellings already have extant permission (before the introduction of Part M4 (2)) and the new dwelling is a flat it is considered unreasonable to request this criteria.

- C Design, scale and impact on neighbours amenity (ULP Policy GEN2, GEN4, H10, & SPD Accessible Homes and Playspace, SPD Energy Efficiency)

- 11.12 The proposed development of this site would be relatively low density at around 33 dwellings per hectare.
- 11.13 The proposed dwellings would respect the scale of the adjoining development to the east and approved developments to the south. The design and scale of the proposed dwellings is considered appropriate for this location. Boundary treatment around the site will be retained. New planting is also proposed. The proposed buildings and overall street scenes would fit comfortably with the design of the neighbouring approved development.
- 11.14 Subject to the use of appropriate materials the proposed development would provide a suitable development for this site
- 11.15 The dwellings have been designed to comply with the requirements set out in the SPD: Accessible Homes and Playspace. The homes will be built to Lifetimes Homes standards and plot 8 has also been designed to be wheelchair accessible.
- 11.16 The development has been designed to minimise the potential for overshadowing or

overbearing impacts. In view of the distances between neighbouring properties the proposal would not result in any material overlooking.

There is the potential for the development to result in noise nuisance to neighbouring properties from the extra traffic generated. However it is not considered that the harmful impact would be to such an extent to warrant refusal. Plot seven has windows to the first floor elevation, facing east, however this would serve a hallway and can be conditioned to be obscure glazed. It is considered that there would be no materially detrimental impact from the development to neighbouring properties.

- 11.17 All of the units have private amenity spaces. The Essex Design Guide recommends that dwellings or 3 bedrooms or more should have private amenity spaces of 100sqm+.and 2 bedroom properties 50 sqm+. The proposed gardens accord with the requirements of the Essex Design Guide.

- 11.18 Policy H10 states that all development on sites of 0.1 hectares and above or of 3 or more dwellings will be required to include a significant proportion of market housing comprising small properties. All developments on a site of three or more homes must include an element of small two and three bed homes, which must represent a significant proportion of the total. Since the adoption of the above policy, The Strategic Housing Market Housing report September 2015 has been adopted. This identified that the market housing needs for Uttlesford have changed. 5% of the dwellings shall be bungalows.

This states:

Market Housing Needs for Uttlesford

Flats	1 bed	140	1.44%
	2 bed	80	0.8%
House	2 bed	690	7.1%
	3 bed	4290	44.2%
	4 bed	3110	32.0%
	5+ bed	1410	14.5%

The housing mix for this application is for three two bedroomed properties, four three bedroomed properties, and one four bedroomed properties. The proposal, complies with the requirements of Policy H10 and broadly in line with the Strategic Housing Market Housing report.

- 11.19 The Parish Council have commented that the land has been split into two separate applications to avoid the provision of affordable housing or contributions. This was discussed within the Planning Inspectors report for the appeal relating to UTT/15/2424/FUL and the Inspector considered that as the ten house development was a separate permission, now built and occupied, it would not be fair or reasonable to seek a contribution by combining both sites. Government guidance states that there are specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the [written ministerial statement](#) of 28 November 2014 and should be taken into account. These circumstances are that contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floor space of no more than 1,000 square metres (Gross internal area).

- 11.20 With regards to the provision of bungalows, as the seven dwellings can be built under the extant permission UTT/15/2424/FUL there is no scope for the provision of a bungalow on the site.

11.21 The proposal complies with ULP policies GEN2, H10 and GEN4.

D There would be a detrimental impact on protected species (ULP Policy GEN7);

11.22 Policy GEN7 of the Local Plan states that development that would have a harmful effect on wildlife will not be permitted unless the need for the development outweighs the importance of the feature of nature conservation. Where the site includes protected species, measures to mitigate and/or compensate for the potential impacts of development must be secured.

In addition to biodiversity and protected species being a material planning consideration, there are statutory duties imposed on local planning authorities. Section 40(1) of the Natural Environment and Rural Communities Act 2006 states "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." This includes local authorities carrying out their consideration of planning applications. Similar requirements are set out in Regulation 3(4) of the Conservation (Natural Habitats &c) Regulations 1994, Section 74 of the Countryside and Rights of Way Act 2000 and Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010. Recent case law has established that local planning authorities have a requirement to consider whether the development proposals would be likely to offend Article 12(1), by say causing the disturbance of a species with which that Article is concerned, it must consider the likelihood of a licence being granted.

The tests for granting a licence are required to apply the 3 tests set out in Regulation 53 of the Habitats Regulations 2010. These tests are:

- The consented operation must be for "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment"; and
- There must be "no satisfactory alternative"; and
- The action authorised "will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range".

A Biodiversity Questionnaire has to be submitted by the applicant of any application to assess the likely presence of protected species within or in close proximity to the application site. The questionnaire allows the council to assess whether further information is required in respect of protected species and their habitats. Several questions were answered with a yes and as such a Preliminary ecological Appraisal and a Dormouse survey report have been submitted with the application. These have been considered by the Ecologists at Essex County Council and they have no objections to the proposals subject to the imposition of conditions. The proposal subject to conditions would comply with ULP policy GEN7.

E Impact on adjacent listed building (ULP policy ENV2)

11.23 Although the site is close proximity to grade II listed buildings to the west (on the other side of Church Road) and also the Holy Trinity Church to the north west, it is considered that the development would be sufficiently distant from both properties to avoid harm to the settings of those properties. The proposal would comply with the aims of ULP policy ENV2.

12. CONCLUSION

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

- A** The principle of the development of this site has already been established under UTT/15/2424/FUL as acceptable in light of the sites sustainable location and the limited impact the proposal would have on the surrounding countryside by way of the proposed retention and additional landscaping.
- B** The proposal would comply with the current adopted parking standards and provide two visitor spaces. Access to the site is acceptable. Essex County Council Highways authority has no objections subject to appropriate conditions. The proposal complies with policies GEN1 and GEN8
- C** The proposed design and layout is acceptable and the application provides an acceptable mix of dwellings on this site. The proposal complies with the Essex Design Guide. The proposal would not result in any material, detrimental impact on neighbour's amenity
- D** The presence of protected species does not present any overriding constraints to development and subject to appropriate mitigation measures; the proposed development would not adversely affect the ecological interests of the site.
- E** Although the site is in close proximity to listed buildings to the west and to the north west it is considered that the development would be sufficiently distant from both properties to avoid harm to the settings of those properties.

RECOMMENDATION: CONDITIONAL APPROVAL.

Conditions/reasons

- 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 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, has been hard surfaced, sealed and marked out in allocated parking bays. The vehicle parking area and associated turning area shall be retained in this form at all times.

REASON: To ensure that appropriate parking and turning is provided in accordance with Uttlesford Local Plan Policy GEN1 (adopted 2005).
3. Prior to occupation of the development the areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials and manoeuvring of all vehicles, including construction traffic, shall be provided clear of the highway. These areas shall be adhered to throughout the construction period for the development.

REASON: To ensure that appropriate loading/unloading facilities are available so that the highway is not obstructed during the construction period in the interest of highway safety in accordance with Uttlesford Local Plan Policy GEN1 (adopted 2005).
- 4 Prior to the commencement of the development, a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:
 - 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) Details of hoarding
- f) Management of traffic to reduce congestion
- g) Control of dust and dirt on the public highway
- h) Details of consultation and complaint management with local businesses and neighbours
- i) Waste management proposals
- j) Mechanisms to deal with environmental impacts such as noise, air quality and dust, light and odour.

REASON: In the interests of highway safety and the control of environmental impacts in accordance with Uttlesford Local Plan Policy GEN4

- 5 All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (Geosphere Environmental Ltd., March 2015) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. *This includes creation of log piles for stag beetles, due diligence regarding nesting birds, installation of integrated bat bricks and bat boxes, use of native planting, creation of bug hotels and the creation of hedgehog permeable boundaries (gaps in fencing).*

REASON: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and s17 Crime & Disorder Act 1998 in accordance with Uttlesford Local Plan policy GEN7.

- 6 Proactive measures must be taken to deter birds from the site and manage the site area to minimise the amount of time that topsoil will be exposed.

REASON: To ensure that the proposal does not conflict with safeguarding criteria of Stansted Airport in respect of potential bird strike avoidance in accordance with Uttlesford Local Plan Policy GEN2.

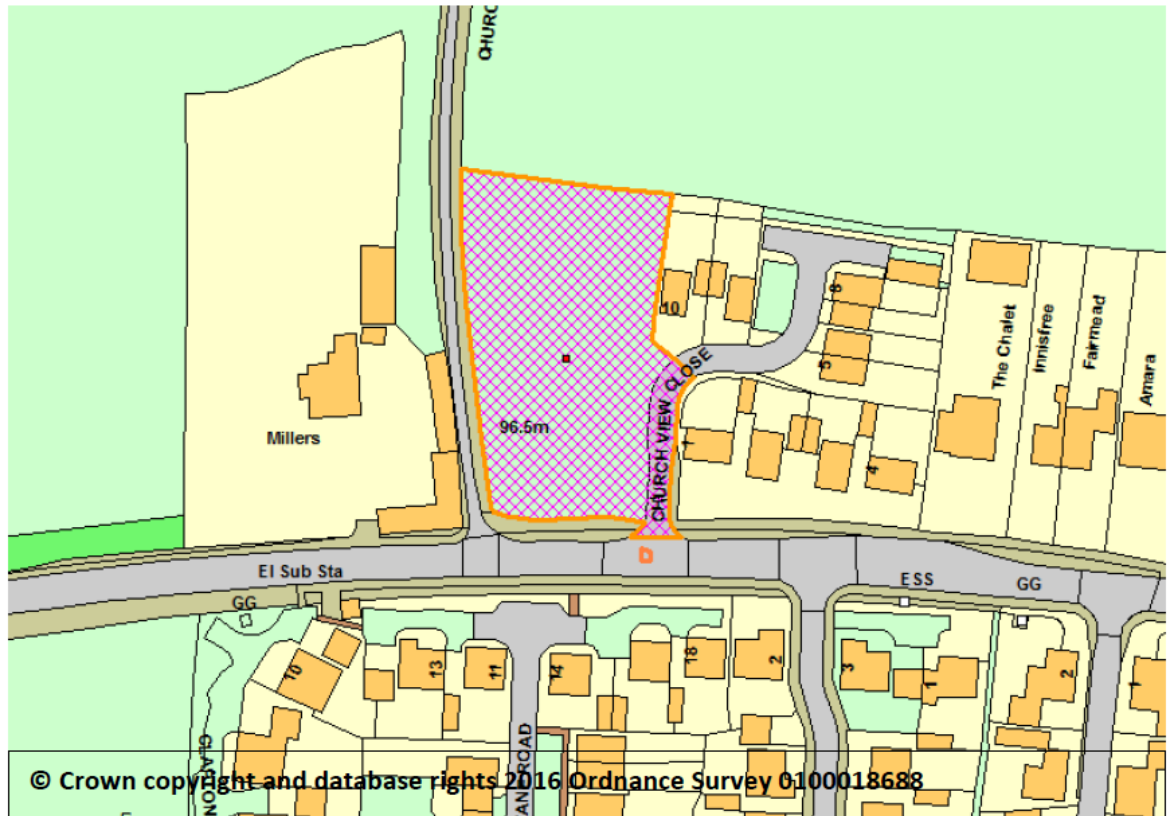
- 7 All new hard and soft landscape works shall be carried out in accordance with drawing number MCA115/02 C All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, or in accordance with a programme submitted to and agreed in writing by the local planning authority, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Uttlesford Local Plan (adopted 2005) policy GEN2.

8. All of the dwellings approved by this permission shall be built to Category 2: Accessible

and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

Reason : To ensure compliance with Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace



Organisation: Uttlesford District Council

Department: Planning

Date: 28 November 2018