

Policy S7 – The Countryside

The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. There will be strict control on new building. 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.

Conservation Areas and Listed Buildings

- 5.1. There are 35 Conservation Areas in the District and about 3500 listed buildings or groups of buildings identified in the Statutory Lists. These buildings or groups represent about one quarter of the Essex total, itself one of the most richly endowed of all English counties.
- 5.2. The Listed Buildings in the District vary widely both in age and their vernacular materials. Clay tile, slate and long straw thatch are used for roof materials. The stock of buildings with long straw thatch is big enough to be a cluster of regional architectural importance. Although timber framed buildings predominate, some early buildings are constructed of brick and stone. External finishes include many excellent examples of weatherboarding, pargetting and flintwork. Every period from before the Norman Conquest is represented, but over 40% of all Listed Buildings date from the 17th century.
- 5.3. This rich heritage is one of the key elements in the quality of the local environment. It is important that the development pressures on the district are managed in ways that enable the built environment to be protected and enhanced and inappropriate development to be avoided. The Council will prepare Conservation Area Statements and supplementary planning documents on the design of development within conservation areas.

Policy ENV2- Development affecting Listed Buildings

Development affecting a listed building should be in keeping with its scale, character and surroundings. Demolition of a listed building, or development proposals that adversely affect the setting, and alterations that impair the special characteristics of a listed building will not be permitted. In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate

works that represent the most practical way of preserving the building and its architectural and historic characteristics and its setting

Open Spaces and Trees

- 5.4. There are open spaces of high environmental quality in many of the towns and villages. Such spaces may include village greens, commons or narrow tongues of agricultural land or woodland or large mature gardens. Sometimes, the land may have been left in a state of untidiness but, nevertheless, the existence of the space may be important to the character of the locality. Retention of the space would also enable its full environmental potential to be realised through an enhancement project. Normally it has been possible to protect such areas by ensuring that they lie beyond defined development limits. The need to protect similar areas within settlements is equally important and the most significant of these have been shown on individual inset maps. Other smaller spaces of importance will also be protected where development would be inappropriate, but it is not practicable to identify all of these.
- 5.5. Where the principle of development is acceptable it should avoid taking away features that are prominent elements and enhance the local environment, such as for example, healthy mature trees. However, as a specific example, it may not be possible to accommodate a residential development on a tight space without removing a clump of sycamore saplings or similar. This may be considered acceptable. Sometimes public facilities may be proposed on open space. Again, if a successful design can be achieved, a limited loss of open space may be permitted.

Policy ENV3- Open Spaces and Trees

The loss of traditional open spaces, other visually important spaces, groups of trees and fine individual tree specimens through development proposals will not be permitted unless the need for the development outweighs their amenity value.

The Quality of the Countryside

- 5.6. Uttlesford is a highly productive arable farming area. There is no Grade land but over 80% of the District is classified Grade 2 by the Ministry of Agriculture, Fisheries and Food. There is some Grade 3a land. This represents the best and most versatile farmland. Such land should be avoided for development unless sustainability considerations suggest otherwise.
- 5.7. Pastureland is not extensive but it does exist in the river valleys where drainage problems, in part, have resulted in Grade 3b designation. Although not the best and most versatile farmland, pasture land is important to the character and biodiversity of the district

- 5.8. Proposals to change agricultural land to domestic garden which are not likely to materially change the character or appearance of the surrounding countryside are those which for instance use unworkable corners of fields and do not create wedges of domestic garden intruding into an agricultural landscape. They should include appropriate boundary treatment such as hedgerows of indigenous species or fencing appropriate to a rural location such as post and rail fencing which do not have the effect of urbanising the area or of compromising the openness of the countryside. In the new garden conditions removing permitted development rights may be imposed where structures would compromise the open character.
- 5.9. The District's landscape includes important historic elements. There are twelve historic parklands identified on the Proposals Map and Inset Maps whose character remains relatively intact. Four of these parklands are included in the English Heritage Register of Historic Parks and Gardens. Development proposals will need to be sensitive to the way open space, plantation and water features create their particular landscape characteristics. There are ancient landscapes in two areas where there are notable complexes of surviving ancient semi natural woodland with coppice and standards, and medieval boundary banks: Hatfield Forest and the southern part of Debden Parish. In the latter case there is also clear evidence of very early piecemeal enclosure. Modest proposals such as agricultural development or farm diversification schemes complying with Policy E4 may be acceptable in historic landscapes if handled sensitively and where harm is compensated by landscape enhancement and biodiversity proposals.
- 5.10. Woodland and hedgerows are important components in the local landscape. Many field boundary hedgerows have been lost in recent years and woodlands in the landscape have often acquired particular prominence because of this. Hedgerow legislation introduced in 1997 means that the Council must be notified when an owner wishes to remove a hedgerow. If the hedge is of historic or ecological importance the Council can serve a Hedgerow Retention notice. While development should retain features listed in policy ENV8 wherever possible, it might be necessary, for example, to remove a length of hedging to provide adequate access to a barn conversion. This may be permitted provided there is an agreed scheme of compensating new planting. All of the visually important woodlands in the District are shown on the Proposals Map and Inset Maps. Broad byways and narrow enclosed high-banked lanes are also important elements in the character of the countryside. The best of these have been designated Protected Lanes.
- 5.11. Some of the woodlands are very old and of ecological importance. The best habitats are designated as Sites of Special Scientific Interest. Hales Wood and Hatfield Forest are National Nature Reserves. Sites of Special Scientific Interest are identified by English Nature as being of special interest by reason of flora, fauna, geological or physiographic features. Most of the sites in Uttlesford are ancient woodlands, but there are good examples of specific grassland/ streamside habitats. Halls Quarry is a site of geological interest. Where the Council has statutory discretion to require an environmental

assessment, because a relevant project is likely to have significant effects on the special character of an SSSI, it will normally require one.

- 5.12. Sites of Special Scientific Interest and National Nature Reserves have the maximum degree of protection from development. Examples of exceptions, though, might be a minor development such as a new access or visitor facilities with limited effects, or a nearby development that might also have limited effects on nature conservation value of the protected site. Other nature conservation sites will still be given a high degree of protection, but a use with limited and temporary effects on biodiversity might be acceptably accommodated if there are landscape considerations that weigh against other technically feasible sites. Also there may be operational reasons why development needs should sometimes override biodiversity objectives. Appropriate mitigation measures will be sought to compensate for biodiversity losses.
- 5.13. Roadside verges also represent uncultivated areas in an intensively farmed landscape where rare plants may still be found, and Special Verges are shown on the Proposals Map and Inset Maps as areas to which Policy ENV8 applies. Special Verges may often be associated with lanes following historic alignments. Other sites of local ecological value exist and further sites worthy of protection may be identified in the Plan period, which might include Local Nature Reserves. The Council will work with English Nature, Town and Parish Councils and landowners to secure the declaration of new Local Nature Reserves in and around the District's main settlements.
- 5.14. Part 1 of the Wildlife and Countryside Act 1981 sets out the protection which is afforded to wild animals and plants. The presence of a protected species such as bats, barn owls, badgers, great crested newts or water voles on a site will be taken into account when considering a proposal for development. Particular care needs to be given to proposals for the redevelopment of derelict sites. Such sites with derelict buildings and areas of hard standing provide suitable habitats for amphibians and reptiles. Development will either be refused or be subject to a requirement that reasonable precautions be taken. This is not an issue restricted to the countryside, as bats, for example, may roost in the roof spaces of buildings in towns and villages.

Policy ENV5 - Protection of Agricultural Land

Development of the best and most versatile agricultural land will only be permitted where opportunities have been assessed for accommodating development on previously developed sites or within existing development limits. Where development of agricultural land is required, developers should seek to use areas of poorer quality except where other sustainability considerations suggest otherwise.

Policy ENV7 - The Protection of the Natural Environment - Designated Sites

Development proposals that adversely affect areas of nationally important nature conservation concern, such as Sites of Special

Scientific Interest and National Nature Reserves, will not be permitted unless the need for the development outweighs the particular importance of the nature conservation value of site or reserve.

Development proposals likely to affect local areas of nature conservation significance, such as County Wildlife sites, ancient woodlands, wildlife habitats, sites of ecological interest and Regionally Important Geological/ Geomorphological Sites, will not be permitted unless the need for the development outweighs the local significance of the site to the biodiversity of the District. Where development is permitted the authority will consider the use of conditions or planning obligations to ensure the protection and enhancement of the site's conservation interest.

Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation

Development that may adversely affect these landscape elements

Hedgerows	Plantations
Linear tree belts	Ponds
Larger semi natural or ancient woodlands	reservoirs
Semi-natural grasslands	River corridors
Green lanes and special verges	Linear wetland features
Orchards	Networks or patterns of other locally important habitats.

will only be permitted if the following criteria apply:

- a) The need for the development outweighs the need to retain the elements for their importance to wild fauna and flora;**
- b) Mitigation measures are provided that would compensate for the harm and reinstate the nature conservation value of the locality.**

Appropriate management of these elements will be encouraged through the use of conditions and planning obligations.

Noise

5.15. Policies ENV10 and ENV11 aim to ensure that wherever practicable, noise sensitive developments are separated from major sources of noise such as road, rail and air transport and certain types of industrial development

5.16. Aircraft movements are a particular major source of noise in Uttlesford. Aircraft taking off from Stansted are required to follow “noise preferential routes” (NPRs) to a height of 3,000 feet (4,000 feet at night time), maintaining a minimum climb gradient of 4%, and remain within a 1.5 kilometre swathe either side of the centre line of the NPR. Two sets of NPRs have been designated by the Civil Aviation Authority. There are statutory requirements for landing aircraft. Aircraft using the Instrument Landing System should not descend below 2,000 feet prior to intercepting the glidepath, and then not fly below it. At night, aircraft should not descend below 3,000 feet until on their final approach and less than 10 nautical miles from touchdown.

- 5.17. Calculation of the noise index of exposure to aircraft noise takes into account the level of use of each NPR and glide path, the number of aircraft movements and aircraft type. Indices are calculated for each year, based on the actual number of movements, and for the future scenario of 25mppa using assumptions. Monitoring of air noise patterns will help to ensure that the policy continues to be applied to the most appropriate area. Noise sensitive developments include residential uses.
- 5.18. National guidance on Planning and Noise indicates the appropriate response to the level of noise by source. This includes road, rail and mixed sources as well as air noise.

Policy ENV10 - Noise Sensitive Development and Disturbance from Aircraft Housing and other noise sensitive development will not be permitted if the occupants would experience significant noise disturbance. This will be assessed by using the appropriate noise contour for the type of development and will take into account mitigation by design and sound proofing features

- 5.19. It is equally important that new development involving noisy activities should if possible be sited away from noise sensitive land uses. Development that generates noise is typically associated with economic activity. A B2 general industrial use, transport infrastructure, or a significant traffic generator are examples. It will be necessary to weigh the benefit of the jobs created, the value of the business supported, the reduction in congestion costs and any other benefits against the degree of annoyance caused by the noise in the case of these developments, taking into account any controls and mitigation measures that could reasonably be imposed by condition.

Policy ENV11 - Noise Generators

Noise generating development will not be permitted if it would be liable to affect adversely the reasonable occupation of existing or proposed noise sensitive development nearby, unless the need for the development outweighs the degree of noise generated.

Protection of Water Resources

- 5.20. The Environment Agency publishes information on the localities where contamination of ground water is a critical issue because of proximity to abstraction sites where water is drawn off for potable supply. There are four such sites under the upper reaches of the Cam, at Arkesden, Debden Road Saffron Walden, Springwell and Uttlesford Bridge Wendens Ambo; two in the Pant valley, at Hempstead and Gambers Hall Bardfield; and three in the Chelmer Valley, at Armitage Bridge and Bolford Street Thaxted and Great Dunmow. A major aquifer lies under most of the northern half of the district.
- 5.21. Development must minimise its impact on the environment by adopting environmental best practice and necessary pollution measures. Supplementary Planning Documents will be prepared on design issues including measures to protect water resources.

Policy ENV12 –Protection of Water Resources

Development that would be liable to cause contamination of groundwater particularly in the protection zones shown on the proposals map, or contamination of surface water, will not be permitted unless effective safeguards are provided.

Contaminated Land

- 5.22. The principle of sustainable development means that, where practicable, brownfield sites, including those affected by contamination, should be recycled into new uses. Any proposal on contaminated land needs to take proper account of the contamination. Mitigation measures, appropriate to the nature and scale of the proposed development will need to be agreed.

Policy ENV14 – Contaminated Land

Before development, where a site is known or strongly suspected to be contaminated, and this is causing or may cause significant harm, or pollution of controlled waters (including groundwater) a site investigation, risk assessment, proposals and timetable for remediation will be required.

Affordable Housing and Mixed and Balanced Communities

- 6.1. There are, and will continue to be, many households or potential households in Uttlesford lacking their own housing or living in housing that is inadequate or unsuitable, who are unlikely to be able to meet their needs in the housing market without some assistance. This is the Government's definition of housing need. It is estimated that the scale of the requirements for affordable housing is nearly 300 homes a year for the period 2001 to 2006 taking into account the backlog of existing need, reducing to about 230 homes a year for the next five year period to 2011 once the backlog has been addressed. Much of the need is newly arising each year. The ten year requirement is accordingly 2,650. If the newly arising need in 2000-1 (the underlying rate of about 230 homes a year) is added to this, the total of 2,880 represents just under 60% of the total housing provision in the plan for 2000-11. Future surveys will include a 'Key Worker' housing needs survey to identify who are the key workers in Uttlesford as well as their housing needs.
- 6.2. Over 40% of the homes proposed in total already had planning permission in April 2000. The supply of housing from these sites that would address the situation of those who are unlikely to be able to meet their needs in the housing market without some assistance is already determined. It is about 200 homes (11%). This means that the balance of the total requirement, 2,680, has to be compared with the balance of the housing provision without planning permission of about 3190. In practice the ratio will be even more unfavourable, because of planning permissions granted between 2000 and the date when the policies in this Plan are capable of being accorded sufficient weight to be

implemented. The situation justifies affordable housing being sought on as many sites as is practicable, subject to national planning policy.

- 6.3. In Government policy advice, the term affordable housing includes low cost market housing, discounted market housing, as well as housing for social rent or shared ownership from social landlords. However, new build low cost market housing is unlikely to address housing need in Uttlesford. This is because new build housing is significantly more expensive than second hand properties, and those households who are on the margins of being able to meet their needs in the housing market will be purchasing second hand towards the bottom end of the price band.
- 6.4. For affordable housing to be relevant to those in housing need in Uttlesford it must meet the following tests:
- It results in weekly outgoings on housing costs that 20% of Uttlesford households in need can afford, excluding housing benefits.
 - Such housing should be available, both initially and for subsequent occupancy, only to those with a demonstrable housing need.
- 6.5. This Plan sets a target of 40% of dwellings to be affordable housing, meeting the weekly outgoings on housing costs and availability tests above. This represents a compromise between the proportion justified by the scale of need and what the housing industry can reasonably be expected to provide. The percentage and type of affordable housing on any given site will be subject to negotiation at the time of a planning application, to allow issues of site size, sustainability and economics of provision to be considered. Within Great Dunmow, Saffron Walden and Stansted Mountfitchet, on sites of 0.5 hectares or of 15 dwellings or more 40% affordable housing will be negotiated. Where appropriate consideration will also be given to the provision of housing to meet special needs. The level of housing provision sought on a site should have regard to the Council's target for housing provision yet should not make the development unviable. Elsewhere in the District 40% affordable housing will be similarly sought on sites of 0.5 hectares or of 15 dwellings or more. There may however be smaller sites within the rural areas which could provide a useful contribution to the Council's supply of affordable housing. Appropriate sites should still be large enough to ensure a viable scheme and not lead to the provision of only 1 or 2 affordable units on a site which would lead to a fragmented approach to affordable housing in the rural areas.
- 6.6. It will be important to achieve mixed and balanced communities in two respects: within a larger site, and the village as a whole in the case of smaller settlements. All developments on a site of 3 or more homes must include an element of small 2 and 3 bed homes, which must represent a significant proportion of the total, for those households who are able to meet their needs in the market and would like to live in a new home.

Policy H9- Affordable Housing

The Council will seek to negotiate on a site to site basis an element of affordable housing of 40% of the total provision of housing on

appropriate allocated and windfall sites, having regard to the up to date Housing Needs Survey, market and site considerations

Policy H10 – Housing Mix

All developments 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.