
Appeal Decision

Site visit made on 17 September 2024

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 November 2024

Appeal Ref: APP/C1570/W/23/3331041

The Chequers, Cambridge Road, Ugley CM22 6HZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Plan Building against the decision of Uttlesford District Council.
 - The application Ref is UTT/21/3549/FUL.
 - The development proposed is the erection of 9 no. dwellings, renovation of public house and renovation and extension of existing dwelling.
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Decision

1. The appeal is allowed, and planning permission is granted for the erection of 9 no. dwellings at The Chequers, Cambridge Road, Ugley CM22 6HZ in accordance with the terms of the application, Ref UTT/21/3549/FUL, subject to the conditions in the attached schedule.

Application for Costs

2. An application for costs was made by Plan Building against Uttlesford District Council. This application is the subject of a separate decision.

Preliminary Matter

3. Notwithstanding that the description of development includes the 'renovation of public house and renovation and extension of existing', these elements of the proposal are subject to a separate permission¹. Accordingly, I have determined this appeal on the basis of the remaining proposed development and the erection of nine dwellings at the site.

Main Issues

4. The main issues are whether the appeal site is a suitable location for housing, having regard to the proposal's effect on the character and appearance of the countryside and encouraging movement by means other than the private car, and the effect of the proposal on the setting and significance of a Grade II listed building.

Reasons

Location

5. The appeal site is a corner plot on Cambridge Road and Patmore End, located outside of any defined development limits within the countryside. It accommodates a vacant public house that fronts Cambridge Road and a

¹ Planning application ref: UTT/21/3550/LB

gravelled area to the rear. To the side of the public house is an existing dwelling that is set back from the road. At the rear of the site is an area of overgrown vegetation, separated from the public house and dwelling by a timber fence and metal gate. The areas of vegetation and gravel are currently being used for the informal storage of vehicles and materials.

6. Adjacent to the site are two modern dwellings and to the rear are the properties that front Patmore End. On the other side of the site on the opposite side of Patmore End is a wide grass verge. The field next to this is enclosed by tall hedgerows. A dense area of tree planting is on the opposite side of Cambridge Road.
7. The proposal would introduce nine, two storey dwellings at the rear of the site, to be accessed from Patmore End. The materials, design and layout of the proposed dwellings would be comparable with neighbouring development. Given the scale of the proposal it would not appear as a large housing estate or turn Cambridge Road and Patmore End into a suburban junction. On approach from either direction along Cambridge Road the proposed dwellings would be seen in the context of existing neighbouring dwellings. As such, the visual effects of the proposal would to some extent be mitigated and would be seen as consolidating sporadic development.
8. The site is generally enclosed, without an intrinsic sense of openness owing to the overgrown vegetation and tall hedgerows and trees at the sites northern and eastern boundaries, the dwellings at the southern boundary and the public house fronting Cambridge Road. Consequently, I saw no clear views of the wider countryside from the site, and the proposal would not act as a visual barrier to the rural character of the wider area which is created by the open fields. Rather it would be seen in the context of existing surrounding built development and as such it would not diminish the well-being benefits of the surrounding countryside.
9. Taking the above into account, the proposal would not be stark in longer distance views. Given the enclosed nature of the site and the absence of views of the wider landscape the site does not have an overriding rural character. I observed the public house to generally be in a poor state of repair, detracting from the character and appearance of the area, as does the presence of vehicles and piles of materials at the rear of the site. While the vegetation and trees at the site contribute to the verdant qualities of the area the appeal site does not have the appearance of an open field as suggested by the Council, nor does it act as a natural break between the existing properties to the rear of the site and the public house.
10. Nonetheless, the quantum of development at the site would be increased, thereby having an urbanising effect. Even with landscaping to mitigate the effects of the development, the dwellings would be noticeable in views from the public right of way network when walking past the site. The increase in built form would also be discernible on approach from the north from passing vehicles, despite the presence of existing dwellings off Patmore End and views being transitory. The proposal would therefore result in some limited, localised harm to the character and appearance of the area and would not meet the countryside protection aims of saved Policy S7 of the Uttlesford Local Plan (2005) (ULP) as a consequence.

11. The Council indicate that journeys made by private car to services and facilities would be relatively short and the National Planning Policy Framework (the Framework) recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. There is a bus stop nearby to the site providing convenient access to bus services to Bishop's Stortford and Saffron Walden for those who would choose to travel by public transport.
12. Accordingly, future occupiers would not be solely reliant on private vehicles. Furthermore, provisions could be made to encourage future residents to make journeys by modes of transport other than the private car through a condition relating to residential travel information packs. The proposal would therefore accord with saved ULP Policy GEN1 which includes a requirement for development to encourage movement by means other than driving a car.
13. To conclude on this main issue, while I have not found any conflict with the aims of saved ULP Policy GEN1, given my findings above in relation to the effect of the proposal on the character and appearance of the countryside, it follows that in policy terms the appeal site is not a suitable location for housing. The proposal would therefore conflict with saved ULP Policy S7.
14. The first part of saved ULP Policy S7 seeks to protect the countryside for its own sake with planning permission only given for development that needs to take place there or is appropriate to a rural area. It is more restrictive than the Framework's approach to development in the countryside. This part of the policy is therefore inconsistent with the Framework. The second part of the policy in seeking to protect or enhance the character of the countryside is in accordance with the Framework's requirement to recognise the intrinsic character and beauty of the countryside. Nevertheless, the policy as a whole is based on a lower housing demand that is no longer applicable and therefore attracts limited weight.

Listed building

15. The public house is a Grade II listed building known as The Chequers Inn. Its special interest and significance primarily stems from its architectural and historic character and detailing, comprising a timber framed building re-fronted in red brick over two storeys with a gambrel roof at one end. It's setting includes the roadside within which it is located, comprising the modern dwellings on one side and the wide grass verge on the other. In longer distance views, it also includes the open fields in the wider surrounding area.
16. The undeveloped land to the rear of the appeal site has a visual relationship with the listed building, and therefore falls within its setting. Even if the land to the rear of the appeal site was historically related to the operation of the public house, the informal storage of vehicles and piles of material combined with overgrown appearance of this undeveloped land means that it makes a neutral contribution to the setting of the listed building.
17. The setting of the public house would historically have been rural in character, and the public house would have been seen in the context of open fields. However, the listed building now fronts a busy road and there is modern residential development nearby. It's setting has therefore been eroded over time. As set out above, there are limited views of the open countryside from the appeal site. While the proposed dwellings would be set back from the

public house by an area of carparking and would not dominate the prominence of the public house, the proposal would, nonetheless, urbanise its setting.

18. Consequently, given the location, extent and nature of the proposal in relation to the listed building, the setting of this asset would not be preserved and the contribution it makes to the asset's significance would be harmed. The harm in the context of the Framework is 'less than substantial', towards the lower end of the spectrum, but still carries considerable importance and weight.
19. The proposal would therefore fail to preserve the setting of the listed building and would harm its significance, in conflict with saved Policy ENV2 of the ULP which includes a requirement for development affecting a listed building to be in keeping with its character and surroundings. This policy does not require any harm to a listed building to be weighed against public benefits, however it otherwise broadly accords with the aims of Section 16 of the Framework and attracts moderate weight.
20. In addition, the proposal would also not meet the requirements of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) or the provisions in the Framework regarding the conservation and enhancement of the historic environment.

Protected Sites

21. The appeal site lies within the zone of influence (ZOI) for the Hatfield Forest Site of Special Scientific Interest (SSSI) which is recognised for its value as the finest surviving example of a small Medieval Hunting Forest which has considerable ecological significance and is protected pursuant to the Conservation of Habitats and Species Regulations 2017 (the Regulations). Features of interest include ancient forest mosaic of wood pasture, coppice, old grassland plains and wetlands that collectively support grassland, woodland, wetland habitat features and notable assemblages of veteran trees, invertebrates, fungi, lichen, and breeding birds.
22. The SSSI has been identified as being vulnerable to harm through recreational pressure from new housing development within the ZOI. The Regulations require that permission may only be granted after having ascertained that the development will not affect the integrity of the habitats. Having consulted Natural England and the Council's ecology consultant, and taking account of the nature, scale and location of the proposal, the Council does not consider that it would have a significant effect on the qualifying features of the SSSI.
23. Based on the evidence before me I am satisfied that owing to the scale of the proposal, it would not result in a significant effect on the designated features of the SSSI, either alone or in combination with other plans or projects. In coming to this conclusion, I have taken account of the current interim advice from Natural England that only major developments of 50 dwellings or more within the ZOI should provide mitigation measures to compensate for recreational pressure on the SSSI.

Other Matters

Highway safety

24. Despite residents' highway safety concerns, particularly along Patmore End, the scheme would achieve acceptable visibility splays and it is unlikely that

there would be significant traffic movements associated with a scheme of this size. The proposed new section of footpath would improve the pedestrian link to Cambridge Road, and subject to the imposition of conditions, including relating to car parking provision, the Highway Authority raised no objection to the proposal, and I agree. Moreover, the typographical errors in the appellant's Transport Statement do not invalidate its findings. While it has been suggested that the site can be accessed from Cambridge Road without the need for the Patmore End access, this is not what is proposed.

25. Therefore, and in the context of Framework paragraph 115, the appeal scheme would have no unacceptable impact on highway safety nor would the residual cumulative impacts on the road network be severe.

Biodiversity

26. Biodiversity concerns have been raised by residents, including the effect of the proposal on wildlife in the area and the loss of habitat through the removal of a section of hedgerow to facilitate access to the site. However, the Council's ecological consultant was satisfied that enough compensatory planting would be provided and supports the proposed biodiversity enhancements. I agree, and a number of conditions would ensure the scheme enhances biodiversity in the locality.

Living conditions – existing residents

27. Given the orientation of the proposed dwellings, separation distances to existing properties, window positions and proposed boundary and landscaping treatments no unacceptable harm would arise to the living conditions of existing residents, with regard to privacy, noise and outlook, including for the occupiers of Monmouth House, Roseland House and Pond House. Disturbance during the construction phase would be for a time limited period and could be addressed by imposing a condition requiring that the development is carried out in accordance with a construction method statement. Furthermore, a condition could secure appropriate contamination assessments.

Other points raised by interested parties

28. Land ownership and boundary disputes are not within the scope of this appeal and are therefore not matters on which I can comment further. I have been presented with no firm evidence that appropriate drainage cannot be achieved at the site and as the proposal is for nine dwellings there is no policy requirement for the provision of affordable housing. Concern regarding the devaluing of properties in the area has been raised, however this is a private matter, and while I note the frustrations expressed about the appellant's approach to the proposed development, I have considered the appeal on its planning merits alone.

Planning balance

The Development Plan

29. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

30. I have found that the proposal would accord with saved ULP Policy GEN1 but there would be some localised harm in respect of the proposal's effect on the character and appearance of the countryside in conflict with saved ULP Policy S7. I give the identified policy conflict limited weight because the policy as a whole is based on a housing demand that is no longer applicable. I have also found less than substantial harm to the significance of the setting of The Chequers Inn, in conflict with the saved ULP Policy ENV2.
31. These policies are the most important for determining the application. Despite the proposal's compliance with saved ULP Policy GEN1, it would be contrary to the development plan when taken as a whole. I will now consider whether there are material considerations that would indicate that my decision should be made otherwise than in accordance with the development plan.

The benefits of the appeal scheme

32. The Council is currently unable to demonstrate a five-year supply of deliverable housing sites and it is agreed that the housing land supply position is around 4.5 years. The proposal would deliver nine homes, which the appellant indicates could be delivered quickly, and would make efficient use of a windfall site. In doing so it would help to address the shortfall of housing in the District and would deliver a mix of dwellings to meet local needs that would be accessible for a range of occupants. Taking account of the extent of the shortfall, the scale of the proposal and the delivery of housing for specific groups I give these social benefits moderate weight.
33. There would also be some time limited economic benefits during the construction stage and benefits arising from expenditure by future occupiers, including as clientele to help support the vitality and viability of the public house. I give each of these benefits limited positive weight.
34. The Framework sets out that the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses should be taken into account. The proposed development of nine dwellings is part of a comprehensive scheme at the site that includes the renovation of the listed building to facilitate its reopening as a public house. As such the appeal scheme is a proposal for enabling development, to secure the future conservation of the heritage asset.
35. It is not disputed that the public house has stood vacant for several years. The listed building is in a general state of disrepair, and I observed several examples of its deterioration including broken windows and slipped, cracked and missing roof tiles exposing the building to the elements. The appellant's heritage statement concludes that generally the building is in poor a condition with standing water in the cellar, leaking roofs and puddles of pooling water. It is also indicated that owing to the building's timber frame, water ingress could lead to substantial deterioration of structural elements.
36. The appellant submits that the proposed nine dwellings would enable the renovation of the listed building and its continued historic use as a public house. In doing so the proposal would secure the future conservation of the heritage asset, putting it to a viable use consistent with its conservation. Given the risk of further deterioration of the listed building and its historic and architectural interest I give this environmental and social benefit significant

weight. There would also be a social benefit from the reopening of the public house as a community asset which attracts limited weight.

37. There is no clear evidence that the proposal's sustainable design and construction and provision of electric car charging infrastructure would deliver over and above what is already required by policy or building regulations. Similarly, the proposed landscaping and biodiversity improvements and the proposal's design would mitigate the proposal's effect, as would the Council tax income generated by the scheme. The provision of an improved pedestrian link to Cambridge Road would encourage pedestrian and cycle use which is required by policy. These matters are therefore neutral factors which weigh neither for nor against the proposal.

Heritage balance

38. The harm to the significance of the setting of The Chequers Inn would be less than substantial. The Framework requires that great weight should be given to the conservation of heritage assets, irrespective of the level of harm. Any harm to the significance of a designated heritage asset should also require a clear and convincing justification. Nevertheless, the Framework also requires such harm to be weighed against any public benefits, including where appropriate securing the optimum viable use of the heritage asset.
39. Taking the benefits set out above into consideration and having special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses, I conclude that the public benefits are sufficient to outweigh the great weight attached to the harm to the designated heritage asset.

Conditions

40. It is necessary to impose a condition identifying the approved plans for certainty. The submission and approval of a construction method statement is required in the interest of highway safety and protecting the living conditions of neighbouring occupiers, and before the commencement of development as the details relate to the construction phase. I also impose a condition in relation to contamination to protect living conditions, which is required before the commencement of development to ensure that the proposal can be carried out safely. It covers remediation, verification reports and contamination not previously identified therefore separate conditions are not necessary.
41. In the interest of historical recording of the site and its likely archaeological interest a condition is imposed relating to archaeology, including the submission of a written scheme of investigation and a report of the results so separate conditions are not necessary. This is required before the commencement of development so that a programme of archaeological recording can take place to ensure that ground works do not impact on any surviving archaeological remains and so an accurate recording can be made. To ensure that the proposal secures the future conservation of the listed public house a condition is imposed to require the listed building works to be undertaken prior to the occupation of the dwellings at the site.
42. A condition is imposed to secure details of both hard and soft landscaping which covers boundary treatments, including boundary planting at Patmore End and so a separate condition is not required. This condition is required

before the commencement of development to ensure an appropriate scheme can be achieved with regard to protecting the character and appearance of the area and highway safety.

43. To protect biodiversity, conditions are imposed requiring the submission of a biodiversity enhancement strategy, a landscape and ecological management plan and a wildlife sensitive lighting design scheme. Similarly, a condition to ensure the development is carried out in accordance with the ecological appraisal is imposed. This includes a Great Crested Newt method statement and so a separate condition is not necessary.
44. To ensure that water and energy consumption is minimised a condition is imposed to secure the submission of details on these matters. Should air source heat pumps be proposed to reduce energy consumption, details on this can be secured as part of this condition, and so a separate condition is not necessary. It is also not necessary to impose a condition relating to electric charging points as this is covered by building regulations. In the interest of promoting sustainable development a condition is imposed to ensure that a residential travel information pack shall be provided to all future residents.
45. A condition is imposed to secure a scheme of highway works in the interest of highway safety, this includes reference to the access with Patmore Road, visibility splays and no loose material and so separate conditions are not necessary. Similarly, conditions are imposed to secure car and cycle parking.
46. In the interest of protecting the living conditions of all future occupiers a condition is imposed to secure accessible and adaptable dwellings, to restrict the hours of use of the outdoor area of the public house and to secure a scheme to control the emissions of fumes and odours from the operation of the public house. However, there is no substantive evidence to indicate that a condition is necessary with regard to sound attenuation against external noise as the site is not proximate to a motorway.

Conclusion

47. The proposal's location would encourage movement by means other than driving a car in accordance with saved ULP Policy GEN1. However, it would cause some localised harm to the character and appearance of the countryside and I would fail to preserve the setting and significance of a listed building, in conflict with saved ULP Policies S7 and ENV2. As discussed above these policies attract limited and moderate weight respectively.
48. As a consequence of my heritage balance conclusion and having regard to the lack of a five-year housing land supply, in the context of footnote 7 of the Framework there is no clear reason for refusing the proposed development. As such, it is correct to apply the presumption in favour of sustainable development set out in paragraph 11d)ii of the Framework.
49. Taking account of the current housing land supply, the quick delivery of nine dwellings to meet identified needs are clear social benefits that carry moderate weight. There are further economic and social benefits set out above that weigh in favour of the appeal scheme that attract limited weight. I also give significant weight to the environmental and social benefit of the proposal as enabling the future conservation of the listed public house and putting it to a viable use consistent with its conservation.

50. The proposal would result in benefits, but it would also cause harm. Weighing the two up is not a mathematical outcome; it is an overall judgement. In this case, the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
51. As such, even with the identified conflict with development plan policies, there are material considerations that indicate that this decision should be made otherwise than in accordance with the development plan. Accordingly, for the reasons given above, I conclude that the appeal should be allowed.

F Harrison

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Topographical Survey 1432/01; General Arrangement CT-CCR-GA-01 P03; Visibility Splay CT-CH-VS-05 P02; Swept Path Analysis Access CT-CCR-SPA-04 P04; Proposed Site Plan CT-CCR-SP-01 P02; Pedestrian Visibility CT-CCR-PV-01 P01; Plot 1 Plans 2021-524-020; Plot 1 Elevations 2021-524-021; Plot 2 Plans 2021-524-022; Plot 2 Elevations 2021-524-023; Plot 3 Plans 2021-524-024; Plot 3 Elevations 2021-524-025; Plot 4, 5 & 6 Plans 2021-524-026; Plot 4, 5 & 6 Elevations 2021-524-027, Plot 7 & 8 Plans 2021-524-030; Plot 7 & 8 Elevations 2021-524-031; Plot 9 Plans 2021-524-028; Plot sp Elevations 2021-524-029; Cartlidges for Plot 1, 2 & 3 2021-524-032; Cartlidges for Plot 4, 5 & 6 2021-524-033; Cartlidges for Plot 9 2021-524-034; Proposed Streetscene A – A 2021-524-035; Proposed Streetscene B – B 2021-524-036; Proposed Streetscene C – C 2021-524-037; Proposed Site Plan 2021-524-003 C; Proposed Plans 2021-524-012 A; Proposed Elevations 2021-524-013 A; Proposed Bungalow Plans 2021-524-042 and Proposed Bungalow Elevations 2021-524-043.

Pre-commencement

- 3) No development shall take place until a Construction Method Statement (CMS) has been submitted to and approved in writing by the local planning authority. The CMS shall include details of:
 - access to the site and vehicle routing;
 - the parking of vehicles of site operatives and visitors;
 - the loading/unloading of plant and materials;
 - the storage of plant and materials used in constructing the development;
 - vehicle cleaning facilities;
 - construction/operational/delivery hours;
 - measures to control environmental effects during construction, including emission of dust and dirt, noise, light and odour; and
 - any proposed piling operations, including piling strategy, vibration impact assessment and control and mitigation measures.The approved CMS shall be adhered to throughout the demolition and construction period.
- 4) No development shall take place until an assessment of the risks posed by any contamination, carried out in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency, Land Contamination Risk Management (or equivalent British Standard and Model Procedures if replaced), has been submitted to and approved in writing by the local planning authority. If any contamination is found, no development shall take place until:

- i. a report specifying the measures to be taken, including the timescale, to remediate the site to render it suitable for the development hereby permitted has been submitted to and approved in writing by the local planning authority;
- ii. the site has been remediated in accordance with the approved measures and timescales; and
- iii. a verification report has been submitted to and approved in writing by the local planning authority.

If, during the course of development, any contamination is found which has not been previously identified, work shall be suspended until:

- i. additional measures for the remediation of the site have been carried out in accordance with details that shall first have been submitted to and approved in writing by the local planning authority; and
- ii. a verification report for all the remediation works has been submitted to and approved in writing by the local planning authority.

- 5) No development, including preliminary groundworks shall take place until a programme of archaeological investigation has been carried out in accordance with a written scheme of investigation (WSI) that shall first have been submitted to and approved in writing by the local planning authority. Within six months of the completion of fieldwork, the provision shall be made for analysis, publication and dissemination of results and archive deposition secured, in accordance with the programme set out in the WSI.
- 6) No development shall take place until details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority. Details shall include planting, hard surfaces and boundary treatments, which for any boundary planting fronting Patmore End carriageway shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay. The hard landscaping works shall be carried out before any part of the development is first occupied and thereafter maintained as such. The soft landscaping works shall be carried out in the first planting and seeding seasons following the first occupation of the development, the completion of the development, or in agreed phases whichever is the sooner, and thereafter maintained as such. 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.

After commencement

- 7) No above ground construction shall commence until details to demonstrate how the development will minimise water and energy consumption in accordance with the Uttlesford District Council Interim Climate Change Planning Policy (2021), have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and maintained as such thereafter.
- 8) No above ground construction shall commence until a Biodiversity Enhancement Strategy for protected and Priority species has been submitted to and approved in writing by the local planning authority, which shall include:

- purpose and conservation objectives for the proposed enhancement measures;
- detailed designs or product descriptions to achieve stated objectives;
- locations, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
- timetable for implementation;
- persons responsible for implementing the enhancement measures; and
- details of initial aftercare and long-term maintenance (where relevant).

The development shall then be carried out in accordance with the strategy and the enhancement measures shall be implemented prior to the occupation of the development hereby permitted and shall be retained as such thereafter.

- 9) The development hereby permitted shall be carried out in accordance with the recommendations, mitigation and enhancement measures identified in the Preliminary Ecological Appraisal/Low Impact EcIA and Bat Survey Version 3 (November 2022) by Hybrid Ecology Ltd, including the precautionary method statement for Great Crested Newts provided at paragraph 7.11.

Prior to occupation

- 10) Prior to the occupation of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority, which shall include:
- a description and evaluation of features to be managed, to include native hedgerows and trees;
 - ecological trends and constraints on site that might influence management;
 - aims and objectives of management;
 - appropriate management options for achieving aims and objectives;
 - prescriptions for management actions;
 - preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - details of the body or organisation responsible for implementation of the plan and the legal and funding mechanism(s) to secure the long-term implementation of the plan by the developer with the management body(ies) responsible for its delivery; and
 - ongoing monitoring, and contingency and remedial measures for if the results from monitoring show that the conservation aims and objectives of the LEMP are not being met so that the development still delivers the biodiversity objectives of the originally approved scheme.

The LEMP will be implemented in accordance with the approved details.

- 11) Prior to the occupation of the development hereby permitted a wildlife sensitive external lighting design scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site

that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting plans, drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme.

12) Prior to occupation of the development hereby permitted, highway works shall be implemented, in accordance with a scheme that shall first have been submitted to and approved in writing by the local planning authority. The works shall include:

- the widening of the carriageway on the southern side of Patmore End to 5.5 metres from junction with B1383 to east of the site access, to tie into the existing carriageway, as shown on approved plan Proposed Site Plan CT-CCR-SP-01 P02;
- the installation of the access with Patmore End, as shown on approved plan Visibility Splays CT-CH-VS-05 P02, which shall have a minimum 5.5 metre carriageway width with appropriate radii to accommodate the swept path of all vehicles regularly accessing the site clear to ground visibility splays with dimensions of 2.4 metres by 50 metres to the east and 2.4 metres by 67.5 metres to the west;
- the provision of a 2 metre footway from the site access extending to the west along southern side of Patmore End to tie into the existing footway at the junction with B1383;
- a pedestrian crossing point of Patmore End at the junction with B1383, to include two pedestrian dropped kerbs crossing points (with appropriate tactile paving as necessary) and pedestrian visibility splays; and
- no unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary

The arrangements shall be retained as such thereafter and the visibility splays retained free of any obstruction at all times.

13) Prior to the occupation of the development hereby permitted, all areas shown on approved plans to be used by vehicles shall be fully laid out, including the car parking, garages and turning head as shown on approved Proposed Site Plan 2021-524-003 C, which shall be implemented and made available for use. The arrangements shall be retained as such thereafter.

14) Details of secure, convenient, and covered cycle parking facilities in accordance with the Essex Planning Officers Association Parking Standards (2009) shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be implemented and made available for use prior to the occupation of the development hereby permitted and shall thereafter be retained for use at all times.

15) Prior to the occupation of the development hereby permitted, a Residential Travel Information Pack that includes six, one day travel vouchers for use with the local public transport operation, shall be submitted to and approved in

writing by the local planning authority. Thereafter, Residential Travel Information Packs shall be provided to all future residents of the development upon occupation.

- 16) Prior to the occupation of the development hereby permitted, measures to control the emission of fumes and odours from the public house shall be installed in accordance with a scheme that shall first have been submitted to and approved in writing by the Local Planning Authority. All equipment installed shall thereafter be operated and maintained in accordance with the approved scheme and retained for as long as the use continues.
- 17) The development hereby permitted shall not be occupied until the renovations and extensions to the Grade II listed building known as The Chequers Inn have been undertaken, in accordance with the works shown on approved plans Proposed Plans 2021-524-012 and Proposed Elevations 2021-524-013 A, and subject to listed building consent ref UTT/21/3550/LB dated 21 July 2023.

Other

- 18) The dwellings hereby approved shall be constructed in accordance with Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition, and retained as such thereafter.
- 19) Excluding the car park area, the use of the external outside areas of the Public House shall not be used by customers outside of the hours of 8am to 10pm on Sundays to Thursdays and 8am to 11pm on Fridays and Saturdays.

***** End of Conditions *****