

**Committee:** Planning

**Date:** 11 April 2018

**Title:** UTT/17/1896, Demolition of all existing buildings and structures and comprehensive residential redevelopment comprising of the construction of 7 no. dwellings and related development, J.K. Knights Roadworks, Copthall Lane, THAXTED

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## Summary

1. The above planning application was reported to Planning Committee on 14 February 2018.
2. The planning application was recommended for refusal by officers. Members resolved to approve planning permission subject to suitable conditions. The matter was deferred until this Planning Committee for suitable conditions is drafted by officers.

## Recommendations

**It is recommended that the approval planning application UTT/17/1896/FUL be confirmed by members subject the following conditions:**

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

JUSTIFICATION: A pre-commencement condition is necessary to ensure that all potential contamination issues that may be deleterious to human health are identified and mitigation measures can be agreed before work commences.

3 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

JUSTIFICATION: A pre-commencement condition is necessary to ensure that all potential contamination issues that may be deleterious to human health are identified and mitigation measures can be agreed before work commences.

4 The remediation scheme shall be implemented in accordance with the approved timetable of works. Within two months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

5 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within two days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of condition 2, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition 3.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition 4.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

6 Prior to first occupation of any dwelling, the existing access onto Copthall Lane (to the north of the site), as shown on location plan DWG no. BRD/16/0331002-D, shall be permanently closed to vehicular traffic incorporating the reinstatement to full height of the highway verge I kerbing prior to occupation of any dwelling.

REASON: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety in accordance with Uttlesford Local Plan Policy GEN1 (adopted 2005).

7 The Cycle/ Powered Two wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

REASON: To ensure appropriate cycle powered two wheeler parking is provided in the interest of highway safety and amenity in accordance with Uttlesford Local Plan Policy GEN1 (adopted 2005).

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

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

9 The proposed development shall not be occupied until such time as the vehicle parking area indicated on drawing no. BRD/16/0331002-D has been provided. The vehicle parking area and associated turning area shall be retained in this form at all times

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Uttlesford Local Plan Policy GEN1 (adopted 2005).

### **Financial Implications**

1. None. There are no costs associated with the recommendation.

### **Background Papers**

Planning Application Reference UTT/17/1896/FUL report to Planning Committee 14 February 2018

### **Impact**

- 1.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

### **Risk Analysis**

1.

Risk	Likelihood	Impact	Mitigating actions
1	1	1	None

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

### **Situation**

1. The matter was considered at Planning Committee on 14 February 2018. The officer's report to this Committee is appended as Appendix A. At this Committee members resolved to grant planning permission subject to suitable planning conditions. The matter was deferred to allow the matter to be reported for members to agree the appropriate conditions.
2. The purpose of this report is to agree the appropriate conditions to be appended in line with National Guidance over the appropriate use of planning conditions.

### **Conclusion**

3. Officers consider that the suggested conditions appropriate in the grant of planning permission.