

UTT/2208/10/REN (Saffron Walden)
(Major Application with S106 Agreement).

PROPOSAL: Renewal of approved application UTT/1788/07/OP for outline application (including layout, scale and access) for mixed use redevelopment to comprise Class B1 offices, Class B1/B2/B8 industrial, storage and distribution and Trade Park, Retail Warehouse Park and associated landscaping, access and internal roads and cycle/footways, including the provision of access to existing and proposed adjoining uses and the demolition of all buildings.

LOCATION: Site at Thaxted Road, (former Civic Amenity Site/Formal Granite Building), Saffron Walden.

APPLICANT: Granite Property Development.

AGENT: Rapleys LLP.

GRID REFERENCE: TL 550-373

EXPIRY DATE: 5.8.2011

CASE OFFICER: Joe Mitson

APPLICATION TYPE: Major.

1. NOTATION

1.1 Part within Development Limits, Part Within Employment Land/Part Within Employment Land to be safeguarded.

2. DESCRIPTION OF SITE

2.1 The site is on the southern approach to Saffron Walden on the eastern side of the B184. The site is predominantly rectangular incorporating the civic amenity point, a former highway depot, a field and the former Granite site. An additional parcel of land to the south completes the frontage. The frontage is approximately 195 metres in length and the site has a depth of approximately 175 metres narrowing to around 55 metres to the south. The site runs south-east to north-west and grounds levels vary. The committee visited the site at the time of the last application in 2007 and again prior to determining the Sainsbury's application in December 2010.

3. PROPOSAL

3.1 The proposal comprises the renewal of outline permission for a mixed use development. This would include Class B1 offices, Class B1-B8 industrial, storage and distribution and trade park, retail warehouse park, associated landscaping, access and internal roads and cycle/footways including the provision of access to existing and proposed adjoining uses. All buildings on the site would be demolished.

The layout of the site includes access to the approved Museum Resource Centre and the new civic amenity and recycling centre, highways depot and salt store and a new office building which have previously been granted consent.

On the land to the south-west of the approved office building a B1 office comprising 1,128sqm is proposed. Indicative drawings show a 3 storey building; this would have a height of 9.2 metres when viewed from Thaxted Road and would increase to 12.6 metres. The building would have a frontage of 18 metres, a depth of 26.2 metres and a car park comprising 40 spaces.

The main element relates to the provision of a 3058sqm of retail warehouse floorspace. Indicatively this could comprise 5 units with one of 1046sqm with the remaining 2012sqm being a unit subdivisible as required. This would be set behind a car park that would be located to the front of the site and the access to the Museum Resource Centre site would run along the rear. 5 units are proposed for B1-B8 trade use adjacent to the access road comprising units of 990sqm, 325sqm, 372 sqm and a further unit of 670sqm with a 390sqm mezzanine floor. To the rear there would be 10 units for B1/B2 use consisting of 93sqm of floorspace with 28sqm of mezzanine floorspace, 1 unit of 101 sqm with 28sqm of mezzanine and 3 units of 186sqm with 47sqm of mezzanine.

The indicative design of the retail units shows a flat roof building of 8.8 metres in height and a frontage of 111 metres split into two elements. The divisible floorspace would comprise a frontage of 68.8 by 27.8 metres; the remaining 42.2 metres would be a single retail unit and have a span of 23.4 metres. 126 parking spaces would be provided.

The proposed B1-B8 trade units would consist of 3 blocks with rounded roofs, B1 would comprise a frontage of 26.8 metres, a span of 36 metres and a maximum height of 9.8 metres, units B2-B4 would have a frontage of 35.8 metres, a span of 30 metres and a maximum height of 10 metres. Unit B5 would be an L shape having a frontage of 27.7 metres narrowing to 19.8 metres with an overall span of 33 metres with the front section having a maximum height of 8.6 metres.

The proposed B1/B2 units would consist of a block having a frontage of 103sqm slightly offset so as to appear as two units. The buildings would have a span of 14 metres and a maximum height of 7.8 metres. The B1/B2 units and B1-B8 trade elements would be served by 137 spaces.

4. APPLICANT'S CASE

- 4.1 The following documents have been submitted with the application: updated Design and Access Statement, updated Retail Assessment, Contamination Risk Assessment, Flood Risk Assessment, updated Ecology Report, Planning Statement and Transport Assessment Report and Travel Plan.

5. RELEVANT SITE HISTORY

- 5.1 There is a detailed history on the site which includes UTT/1788/07/OP which granted permission in outline (including layout, scale and access) for the proposal now under consideration for renewal.

6. POLICIES

6.1 National Policies

PPS4 – Planning for Sustainable Economic Growth.

6.2 East of England Plan 2006

E2 – Provision of land for Employment.

6.3 Essex Replacement Structure Plan 2001

No policies relevant.

6.4 Uttlesford District Local Plan 2005

Policy S1 – Development limits for the main urban areas.

Policy S7 – The countryside.

Policy GEN1 – Access.

Policy GEN2 - Design.

Policy GEN3 – Flood protection.

Policy GEN7 – Biodiversity.

Policy GEN8 – Parking.

Policy E1 – Distribution of employment land.

Policy E2 – Safeguarding employment land.

Policy ENV12 – Protection of water resources.

Policy ENV13 – Exposure to poor air quality.

Policy ENV14 – Contaminated land.

Policy ENV15 – Renewable energy.

Policy SW5 – Thaxted Road employment site.

Policy SW6 – Safeguarding of existing employment areas.

7. PARISH/TOWN COUNCIL COMMENTS

7.1 Saffron Walden Town Council did not object but seeks a mixed development.

8. CONSULTATIONS

8.1 ECC Highways: had no objections subject to conditions as previously proposed although the approved scheme relates to the previous parking dimensions.

8.2 Anglian Water: made no comments.

8.3 Veolia Water: had no objection subject to informatives.

8.4 National Air Traffic Services: had no objections.

8.5 Essex Police Architectural Liaison Officer made no comments.

8.6 Fisher German: made no comments.

8.7 Natural England: does not object.

8.8 UDC Policy: state since the previous approval PPS4 Planning for Sustainable Economic Growth has been issued. The site straddles an employment site, a safeguarded employment site and land beyond the development limits. The part beyond the limits was the civic amenity site and is therefore brownfield, it is considered that an exception can be made under S7. The majority of the site falls within an area covered by policies SW5 and SW6 and as such there is no objection in principle to B1-B8 uses and B1 offices. The Council's Employment Land Study 2006 is becoming increasingly out of date and a review is likely to be available this year. The evidence emerging is that there is demand across the district for warehousing and offices but not for factories and that the employment land allocation at Thaxted Road could contribute to meeting that need.

8.9 The Council's Retail Study is also increasingly out of date and a new study is likely to be available later this year. The previous study concluded that the main centres were healthy but money was being spent outside the district in neighbouring larger towns, especially on comparison goods. The study identified a

need for additional comparison floorspace in the town; the application would provide around a third of this. The need has not been met since the time of the study.

- 8.10 PPS4 seeks favourable consideration of applications for economic development and the application will need to be considered against criteria in EC10.2. The site is accessible by walking and cycling but bus routes past the site are limited. Redevelopment of the site would improve the visual approach into the town.
- 8.11 No comments are raised to the sequential test undertaken and consider that this now meets the requirements of PPS4. In relation to PPS4 Policy EC11 the findings of the Retail Assessment imply that there will be longer terms benefits by providing greater choice within Saffron Walden and drawing back trade from the town. No detrimental impact is found and no comments are raised to the findings. It is considered that there is now sufficient information in relation to retail assessment to determine the application and no policy objection is raised to a renewal of the application.
- 8.12 Environmental Health: objects on the grounds of an adverse impact on air quality in an Air Quality Management Area or other areas where air quality is likely to be poor. Since the original permission was granted in 2007 the Council has prepared an Air Quality Action Plan with the aim of reducing the annual mean of nitrogen dioxide levels. The plan identifies the movement of HGV's as a particular issue. The submission predicts increased traffic, HGV's and nitrogen dioxide emissions in 2013 although the assessment categorises these increases as negligible according to significance criteria produced by Environmental Protection UK. The 2008 baseline and modelled nitrogen dioxide concentrations are considerably lower than those measured by the Council's automatic monitor and diffusion tube network. In addition it is believed that the improvement in engine performance expected in the next two years which has been incorporated is over optimistic. For these reasons it is believed that the predicted nitrogen dioxide levels are unrealistically low. The proposal would take the town in the opposite direction to the one the Action Plan is aiming for. However despite this concern officers do not consider there to be a robust case to refuse the application on grounds of air quality. In terms of ground contamination a condition is recommended.
- 8.13 UDC Drainage Engineer: had no objections subject to conditions.
- 8.14 Environment Agency: had no objection subject to conditions.

9. REPRESENTATIONS

- 9.1 Neighbour notification period expired 26th January 2011. The Saffron Walden & District Friends of the Earth objects on the grounds that the retail element of the scheme should be refused, all objections to the previous scheme remain valid but have no objections to the remainder of the scheme. The Local Plan seeks to sustain and enhance the vitality and viability of the town centre including focusing on development which is not car dependent and promotes public access to retail development all of which would be breached by this development. The draft LDF has little relevance to the application, the development would not be easily accessible by non car means and would generate additional trips. The proposal is contrary to PPS1, the Planning and Climate Change Supplement to PPS1 and PPG13 Transport. The retail element is also contrary to PPS4 in that it would not promote the vitality or viability of the town centre as the goods to be sold are also sold in the town centre, the proposal does not comply with the sequential approach of PPS4, there is no need for the development and there are no longer term benefits. The proposal would not meet the wider objectives of the Local

Plan. The Retail Assessment is dated October 2007 and is not fit for the purpose of supporting the current application. There has not been sufficient interest for the existing planning permission to be implemented and as such there is no need for the development, the Planning Statement has also not been updated and does not address the current requirements of PPS4. There are contradictions in the Planning Statement, the Transport Assessment is also out of date and the traffic survey dates from 2003 and underestimates traffic flows and their effect.

10. APPRAISAL

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

- A The principle of development and the acceptability of an out of town retail facility and the potential impact on the viability and vitality of the town (ULP Policies S1, E1, E2, SW5, SW6 and S7, PPS4);**
- B Transport, traffic, parking and access issues (ULP Policies GEN1, GEN8 & E3);**
- C The scale, layout and design (ULP Policies GEN2, ENV12, ENV15);**
- D Contaminated land, flooding and Air Quality (ULP Policies GEN3, ENV13 and ENV14);**
- E The potential impact on biodiversity (GEN7, PPS9).**
- A The principle of development and the acceptability of an out of town retail facility and the potential impact on the viability and vitality of the town (ULP Policies S1, E1, E2, SW5, SW6 and S7, PPS4);**

10.1 The application site is located on the southern approach to Saffron Walden and forms part of the gateway into the settlement. The site is predominantly brownfield with an area of Greenfield to the rear. The Greenfield site, together with the areas formerly occupied by the nursery are identified in the Local Plan as Employment Land (SW5) or safeguarded Employment Land (SW6). It is considered that there remains no objection in principle to the employment development.

10.2 Permission was granted in 2007 for the proposal and since that time PPS4: Planning for Sustainable Economic Growth has been issued. To reflect this the application includes an updated Retail Assessment. No objections are raised to the sequential test undertaken and it is considered that this now meets the requirements of PPS4. In relation to PPS4 Policy EC11 the findings of the Retail Assessment imply that there will be longer term benefits by providing greater choice within Saffron Walden. The Retail Assessment considers the impact of the development as set out in PPS4 Policy EC16. No detrimental impact is found and no comments are raised to the findings. It is considered that there is now sufficient information in relation to the retail assessment to determine the application and no policy objection is raised to a renewal of the application.

10.3 As such the principle of development continues to be acceptable.

- B Transport, traffic, parking and access issues (ULP Policies GEN1, GEN8 & E3);**

10.4 The proposed access has previously been approved and remains acceptable. Since approval was granted in 2007 the Council has adopted the Essex County Council Parking Standards September 2009. The number of parking spaces required remains as before; however, the parking space dimensions have increased to 5.5 metres by 2.9 metres. No objection has been raised by the

Highway Authority is respect of the parking space sizes and it is not considered that the site would be able to provide the larger spaces sought by the new standards. Although the larger spaces would be preferable it is not considered reasonable to resist the scheme on this issue given the other benefits developing the site would provide.

C The scale, layout and design (ULP Policies GEN2, ENV12, ENV15);

10.5 The renewal application is in outline with scale, layout and access to be approved at this stage. Only issues relating to design and landscaping would be reserved matters for consideration at a later date. It is considered that the proposed layout and scale remain acceptable.

D Contaminated land, flooding and Air Quality (ULP Policies GEN3, ENV13 and ENV14);

10.6 The majority of the site has been subject to contamination investigation. These indicate that contamination levels are likely to be low and remediation measures could be undertaken. No objection has been raised by the Environment Agency or Environmental Health subject to conditions.

10.7 The development of the site is likely to result in an increase in traffic within the town with a resultant impact on air quality. The impact on ambient air quality would be important where the traffic generated by the development is likely to conflict with the intentions of the Council's air quality objectives. Since the application was approved in 2007 the Council's Air Quality Action Plan has been prepared. Whilst it is acknowledged that the proposal would have an adverse impact on air quality it was deemed, on balance, to be acceptable in approving permission previously. In addition, the site is allocated in the Local Plan for employment uses which generally result in an adverse impact on air quality through additional traffic generation. A Travel Plan would be produced for the site to minimise traffic movements and this could be subject to a condition. The Agent has stated that the annual mean nitrogen dioxide concentrations are likely to be negligible taking into account mitigation measures. It is therefore considered that, notwithstanding the emergence of the Air Quality Action Plan, the proposal could not reasonably be resisted on this issue.

E The potential impact on biodiversity (GEN7, PPS9).

10.8 An Ecology Report has been submitted to update the report prepared in 2007. A site assessment was carried out in March 2011 where it was found that potential common lizard habitat was still present around the salt barn and new lizard habitat had developed at the front of the former Granite office building. A further reptile survey was carried out in May 2011 which found no evidence of common lizards and it was concluded that the reptiles are likely to be absent from the area. The report stated that following this second survey it is likely that common lizards have gone from the site and are unlikely to constrain the redevelopment of the site.

10.9 The buildings on the site have also been re-assessed for bats and nesting birds. It was concluded that conditions had not materially changed since the 2007 survey and the recommendations made for a precautionary approach to protecting bats from the 2007 report remains relevant. Furthermore, no evidence of badgers was found on the site. It was however noted that numerous rabbits had colonised the site in a number of places, specifically around the salt barn and below a number of hedgerow sections. Site clearance may adversely affect rabbits which are protected under the Wild Mammals (Protection) Act 1996 and would therefore need to be dealt with appropriately.

11. CONCLUSION

11.1 It is considered that the proposal remains acceptable and complies with current policies and guidance.

RECOMMENDATION – APPROVE SUBJECT TO A S.106 LEGAL AGREEMENT AND THE FOLLOWING CONDITIONS:

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless within 5 months of being invited to do so the freehold owner enters into a binding agreement to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant chief Executive - Legal, in which case he shall be authorised to conclude such an agreement to secure the following:
 - (i) Submission of travel plan
 - (ii) Payment of monies relating to travel plan monitoring
 - (iii) Highway works
 - (iv) Pay Councils reasonable costs
- (II) In the event of such an agreement being made, the Divisional Head of Planning and Building Control shall be authorised to grant permission subject to the conditions set out below
- (III) If the freehold owner shall fail to enter into such an agreement, the Divisional Head of Planning and Building Control shall be authorised to refuse permission for the following reasons:
 - (i) Submission of travel plan
 - (ii) Payment of monies relating to travel plan monitoring
 - (iii) Highway works

Conditions:

1 Submission of Reserved Matters: 1

Approval of the details of the appearance and landscaping (hereinafter called 'the reserved matters') shall be obtained from the local planning authority in writing before any development is commenced.

REASON: The outline application as submitted does not give particulars sufficient for consideration of these reserved matters.

2 Submission of Reserved Matters: 2

Plans and particulars of the reserved matters referred to in condition C.1.1. above, relating to the layout, scale, appearance access and landscaping, shall be submitted in writing to the local planning authority and shall be carried out as approved.

REASON: The outline application as submitted does not give particulars sufficient for consideration of these reserved matters.

3 Time Limit for submission of Reserved Matters

Application for approval of the reserved matters shall be made to the local planning authority before the expiration of three years from the date of this permission.

REASON: In order to comply with Section 92 of the Town and Country Planning Act (as amended).

4 Condition for compliance with BREEAM 'very good' (non-domestic buildings with 1000 sqm or greater floor area)

The development as designed, specified and built shall achieve BREEAM rating of 'very good'. The applicant will provide the planning authority with a BREEAM design-stage assessment of the rating of the proposed development, carried out by an accredited assessor, before work commences on-site. The developer will provide a BREEAM post-construction assessment of the rating of the as-built development within four weeks following its completion, also carried out by an accredited assessor.

REASON: In the interests of the promotion of sustainable forms of development and construction

5 The hedges marked on the attached plan numbered 010P shall be retained unless the local planning authority gives its written consent to its removal or variation. Should any part of the hedge die, be removed or become seriously damaged or diseased, it shall be replaced during the following planting season by a hedge planted in accordance with a specification previously approved in writing by the local planning authority.

REASON: To protect the existing planting in the interests of visual amenity

6 Detailed landscaping survey to be submitted (outline permissions)

The plans and particulars submitted in accordance with condition 1 above shall include:

(a) A plan showing (i) the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter of 75mm or greater, measured over the bark at a point 1.5 m above ground level, showing which trees are to be retained and the crown spread of each retained tree and (ii) the location of hedges to be retained and details of species in each hedge;

(b) details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;

(c) details of any proposed topping or lopping of any retained tree or of any tree on land adjacent to the site;

(d) details of any proposed alterations in existing ground levels, and of the position of any proposed elevation, [within the crown spread of any retained tree or of any tree on land adjacent to the site] [within a distance from any retained tree, or any tree on land adjacent to the site, equivalent to half the height of that tree], [within XXX metres of any retained hedge];

(e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree or hedge from damage before or during the course of development;

(f) the plans and particulars submitted shall include details of the size, species, and positions or density of all trees or hedges to be planted, and the proposed time of planting.

In this condition 'retained tree or hedge' means an existing tree or hedge which is to be retained in accordance with the plans referred to in paragraph (a) above.

REASON: The landscaping of the site is required in order to reduce the visual impact and enhance the appearance of the development hereby permitted.

7 Use of native species

The landscaping scheme shall consist of suitable species for the locality with a preference for native species in accordance with the reasonable requirements of the local planning authority. Details of species, sizes, planting centres, number and percentage mix shall be submitted to and be approved in writing by the local planning authority before commencement of development, the approved details shall be implemented in the first planting and seeding season following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased 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.

REASON: To ensure that the long-term health and species rich nature of the existing landscape features within and adjoining the site are consolidated and maintained free of invasive or alien species in accordance with the policy for nature conservation in the Local Plan.

8 Excluding Permitted Development extensions or alterations to industrial [warehouse] premises

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no extensions or alterations shall be carried out (other than those expressly authorised by this or any other express permission) on any part of the site, whether externally or internally, without the prior written permission of the local planning authority.

REASON: Extensions would result in the loss of parking spaces and servicing areas, resulting in a detrimental impact on the layout of the site.

9 Excluding fences and walls without further permission

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no fences, gates or walls shall be constructed within the site or on the site boundaries without the prior written permission of the local planning authority.

REASON: To ensure the development is in accordance with the character of its surroundings

10 The development hereby permitted relates to the provision of the following areas of floor space. The creation of any additional floorspace (including by the provision of mezzanine floors) within the building shall not be undertaken without the prior written permission of the local planning authority. Retail unit 1 1046 sqm; Divisible retail units 2012 sqm; Unit B1 990 sqm; Unit B2 345 sqm; Unit B3 410 sqm; Unit B4 345 sqm; Unit B5 670 sqm and 390 sqm mezzanine floor; Unit C1 197 sqm and 51 sqm mezzanine floor; Unit C2 197 sqm and 51 sqm mezzanine floor; Unit C3 197 sqm and 51 sqm mezzanine floor; Unit C4 106 sqm and 30sqm mezzanine floor; Unit C5 99sqm and 30 sqm mezzanine floor; Unit C6 99sqm and 30 sqm mezzanine floor; Unit C7 99sqm and 30 sqm mezzanine floor; Unit C8 99sqm and 30 sqm mezzanine floor; Unit C9 99sqm and 30 sqm mezzanine floor; Unit C10 99sqm and 30 sqm mezzanine floor
Office building 1128 sqm.

REASON: In order for the local planning authority to control any intensification of the use and any subsequent increase in parking provision.

- 11 The premises hereby permitted shall be used for the stated purpose and for no other purpose (including any other purpose within Classes A1/B1/B2/B8 (as appropriate) of the Schedule of the Town and Country Planning (Use Classes Order) 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Retail Unit 1 and Divisible Retail units A1 limited to the sale of DIY goods, furniture, floor coverings, leisure and garden products, motor accessories, electrical, homewares and other non-food bulky goods but not including fashion wear items or fashion foot wear. Units B1-B5 shall be limited to Class B1 Business/Class B2 General Industrial or Class B8 Storage and Distribution. Units C1-C10 shall be limited to Class B1 Business/Class B2 General Industrial.

REASON: In the interests of amenity and to ensure the development is compatible with the character of the surrounding area.

- 12 The permission hereby granted shall not relate to any retail or trade counter sales from Units B1-B5 or C1-C10.

REASON: The layout of the site would be likely to result in conflict between pedestrians and service vehicles, compromising the safety of pedestrians to an unacceptable degree.

- 13 Details of external ground and internal floor levels to be submitted agreed and implemented – extension

- A Before development commences cross-sections of the site and adjoining land, including details of existing levels around the building hereby permitted and any changes in level proposed, together with the proposed floor levels within the extension, shall be submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: In order to minimise the visual impact of the development in the street scene.

- 14 No outdoor working

No processes shall be carried out or power tools, equipment, machinery or plant of any kind shall be used at any time anywhere on the site except within the building hereby permitted.

REASON: To protect the amenities of the occupiers of adjoining properties.

- 15 No outdoor storage

There shall be no outdoor storage of any materials, goods, equipment, plant or machinery of any description on any part of the site without the written consent of the local planning authority prior to the commencement of development.

REASON: To prevent harm to the character and amenity of the area.

- 16 No development approved by this permission shall be commenced until a scheme for the provision and implementation of surface water drainage and pollution control has been submitted to and approved in writing by the Local Planning Authority. The

drainage works shall be completed in accordance with the details and timetable agreed.

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and pollution control.

- 17 Prior to the commencement of any development, a scheme for the ownership and maintenance of the surface water system shall be submitted and agreed in writing with the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.

REASON: To ensure the satisfactory long-term operation to prevent the increased risk of flooding.

18 Flood risk management measures

All flood risk management measures identified in the approved Flood Risk Assessment shall be incorporated into the development prior to the occupation or first use of the development hereby permitted.

REASON: To reduce the risk and effect of flooding to the development and ensure neighbouring property is not put at greater risk as a result of the development.

19 Acceptable survey mitigation/management plan – Implementation of scheme

The development hereby permitted shall be implemented in accordance with the scheme of mitigation/enhancement submitted with the application in all respects and any variation thereto shall be agreed in writing by the local planning authority before such change is made.

REASON: In the interest of the protection of the wildlife value of the site.

- 20 Prior to the occupation the Highway Works and Estate Road Works A, as contained within the Section 106 agreement shall be fully implemented.

REASON: In the interests of highway safety and efficiency.

- 21 Prior to the commencement of development details of the provision of suitable access arrangements between the application site and service road/B184 Thaxted Road, in connection with the demolition/construction operations, to include traffic management and visibility splays to maintain highway safety, wheel washing facilities (for the duration of the development) to prevent the deposition of mud and debris onto the internal estate roads/public highway, and turning and off loading facilities for delivery/construction vehicles within the limits of the site together with an adequate parking area for those employed in developing the site shall be submitted to and approved in writing by the local planning authority and implemented.

REASON: In the interests of highway safety during construction/demolition.

- 22 Prior to the first occupation of the development two bus stops, to the east and west of Thaxted Road, B184, shall be provided, in a location to be agreed with the Highway Authority, to include wooden bus shelters to ECC Passenger Transport specifications, raised kerbs, flag type bus stop sign, timetable information together with footway connections to the footways serving the site via a pedestrian refuge. Details of the facilities shall have previously been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of sustainability.

- 23 Prior to development commencing details of the new cycle/pedestrian link as shown on drawing 010 rev P including layout, levels, gradients, surfacing and drainage shall be submitted to and approved in writing by the Local Planning Authority. The cycle/pedestrian links shall be implemented as approved prior to the first use of the buildings.

REASON: In the interests of accessibility.

- 24 Size two turning heads shall be provided at the end of the two internal estate roads on drawing 010 rev P prior to the first use of any building hereby approved. These being adjacent to the Council's Museum Resource Centre access and at the junction of the access road and the site labelled 'B1/B2/B8 Buildings'. Details shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.

REASON: In the interests of highway safety.

- 25 Prior to development commencing, detail of the estate roads and footpaths (including layout, levels, gradients, surfacing, means of surface water drainage and any necessary Road Safety Audit) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In the interests of road safety.

- 26 Occupation of the buildings hereby approved shall not commence until a Staff Travel Plan has been provided as contained within the s. 106 Agreement. The Travel Plan shall thereafter be implemented in accordance with the agreement.

REASON: In the interests of accessibility.

- 27 Prior to the commencement of development details of the number, location and design of facilities for the parking of powered two wheelers and bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be provided before occupation of any building hereby approved and shall be retained at all times.

REASON: In the interests of highway efficiency and accessibility.

- 28 Ground contamination

Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 5 of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until condition 4 has been complied with in relation to that contamination.

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The

written report is subject to the approval in writing of the local planning authority. The report of the findings 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,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

2. Submission of Remediation Scheme

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 must be prepared, and is subject to the approval in writing of the local planning authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, 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.

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

4. Reporting of Unexpected Contamination

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 immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority in accordance with condition 3.

5. Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of [x] years, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the local planning authority.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the local planning authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ENV14 of the adopted Uttlesford Local Plan.

- 29 Before the commencement of development details of surface water drainage works shall be submitted to and approved in writing by the local planning authority. Subsequently the drainage shall be implemented in accordance with the approved details. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPG25 (or any subsequent version) and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided the submitted details shall: i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; ii) include a timetable for its implementation; iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

REASON: To control the risk of flooding to the development and adjoining land.

- 30 No external floodlighting or other illumination shall be installed until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of the height of the lighting posts, intensity of the lights (specified in Lux levels), spread of light including approximate spillage to the rear of the lighting posts or disturbance through glare and the time when such lights would be illuminated. The development shall be carried out in accordance with the approved details.

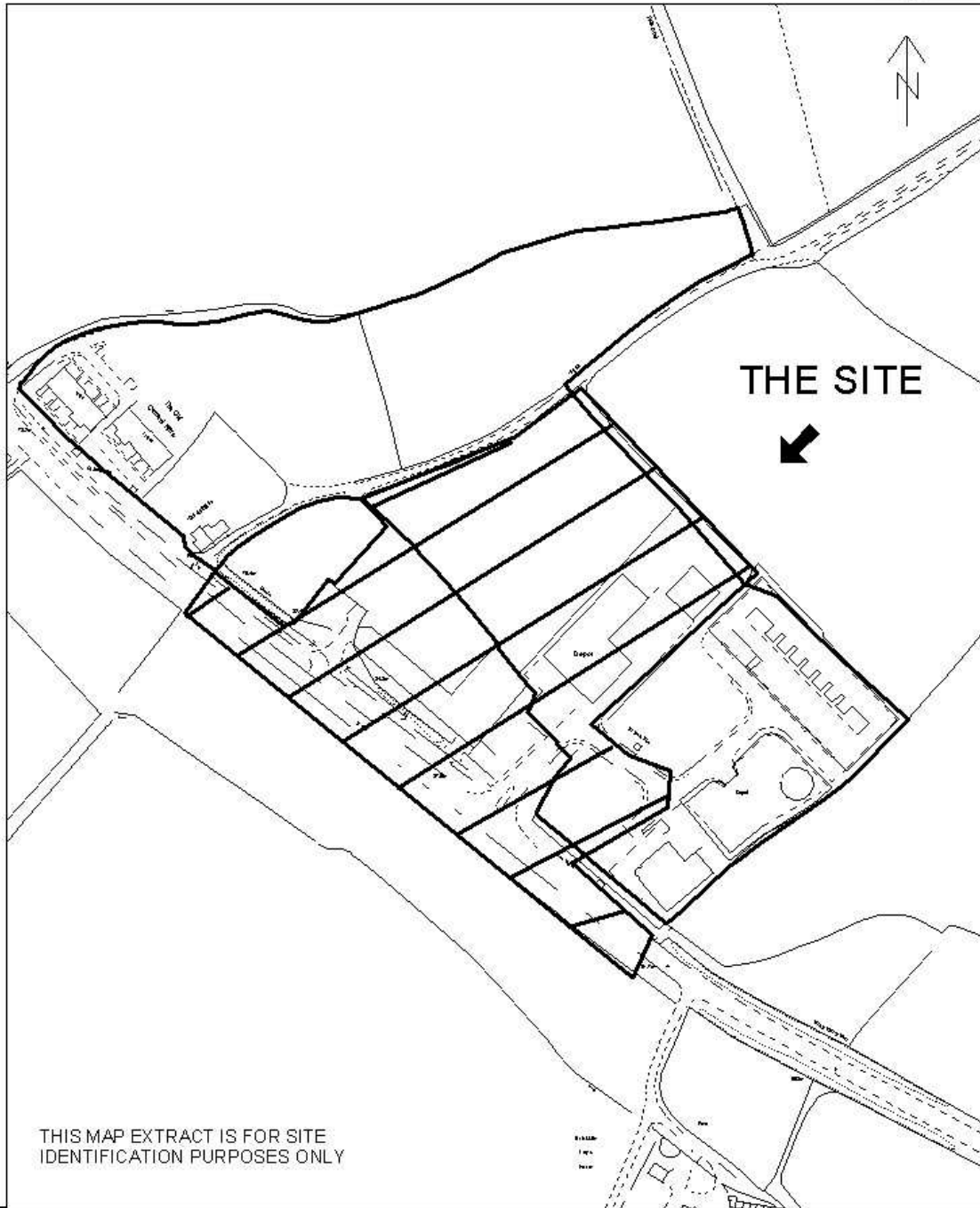
REASON: In the interests of local amenity and highway safety.

- 31 The landscaping details required shall include details of mature planting.

REASON: To ensure adequate landscaping of the site in the interests of amenity.

- 32 The building shown as 'divisible units' (hatched red on plan 010P) shall at no time be used as fewer than two units.

REASON: To avoid the building being occupied by a single occupier.



THIS MAP EXTRACT IS FOR SITE IDENTIFICATION PURPOSES ONLY

Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office.

Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Uttlesford District Council Licence No: 100018688 (2007).

DATE 12/08/2011

MAP REFERENCE: TL5537SW

SCALE 1:2500