

**UTT/13/0669/FUL (Saffron Walden)**

*(Major, Ward Councillor Interest)*

**PROPOSAL:** Demolition of existing industrial buildings and erection of 14 No. dwellings with associated garages, parking and new access arrangements.

**LOCATION:** Goddards Yard, Thaxted Road, Saffron Walden.

**APPLICANT:** Ford Construction Limited.

**AGENT:** KMBC Planning

**EXPIRY DATE:** 24 June 2013

**CASE OFFICER:** Mr C Theobald

---

**1.0 NOTATION**

- 1.1 Within Development Limits / Residential Land Allocation SW2 (Land east of Thaxted Road) / Part of site within Area of Environmental Value - Open Space and Trees (ENV3).

**2.0 DESCRIPTION OF SITE**

- 2.1 The site is situated on the eastern side of Thaxted Road between Harris Yard and the former railway line and comprises a commercial yard of 0.38 ha with established vehicular access onto Thaxted Road. The lower site frontage contains a single storey workshop, office and showroom building set back from the road (Paxtons Glass) with informal frontage parking, whilst a single storey vehicle workshop stands on higher ground along the site's rear boundary. The site's northern boundary comprises a screened chalk face abutting onto Harris's Yard situated adjacent, whilst the site's southern boundary is tree screened where it abuts the former railway line. The interior of the site has a generally vehicle dominated appearance associated with the car servicing/repair workshop use.

**3.0 PROPOSAL**

- 3.1 This detailed application seeks planning permission for the demolition of the existing buildings on the site and the change of use to residential involving the erection of 14 No. dwellings with associated garaging, parking areas and new access arrangements and represents an alternative housing scheme to the outline proposal scheme approved by Members in 2012 for the erection of 12 dwellings on the site with associated garaging and new vehicular access as a renewal of a 2009 planning permission.
- 3.2 The development as now proposed would comprise 1 x 1bed unit (single studio), 2 x 2 bed units, 5 x 3 bed units, 4 x 4 bed units and 2 x 5 bed units (14 No. total). The site frontage onto Thaxted Road would contain a two storey terrace of three units of more formalised design, whilst the remainder of the site would represent a combination of detached and link detached two storey dwellings. Ridge heights of the dwellings would be highest at the road frontage end of the site and lowest at the higher rear eastern boundary. Parking would be a combination of on-site garaging

and hardstandings and a couple of garage courts either side of an internal spine road.

#### **4.0 APPLICANT'S CASE:**

##### **4.1 Main supporting arguments:**

- The site is identified for residential development in the current local plan (2005) and outline planning permission was given for 12 dwellings by the Council in 2012. The principle of change of use to residential at this site is therefore accepted;
- The current uses on the site are not good neighbours and their removal to effect residential use would represent a planning gain;
- The revised proposal gives a density of 37dph, whilst the NPPF encourages the effective use of previously developed land;
- A greater proportion of the dwellings are smaller units (57%);
- The development responds to the local character of surrounding dwellings;
- All dwellings would have private amenity areas. Whilst some of these are smaller than ECC Design Guide minimum standards, they are still sufficient to meet the needs of occupiers. The site is located only 250 metres from The Common, which is a large expanse of POS that residents could access;
- The proposed internal road layout is considered acceptable with a minimum width of 5 metres, giving ample space for vehicles to pass each other and sufficient room for emergency vehicles and refuse lorries;
- Given the emphasis for encouraging travel by sustainable means, the fact that the proposal largely complies with new local parking standards and the site's sustainable location would make the proposed parking arrangements acceptable;
- UDC only has a 3.9 year land supply, which is a significant deficit on the required 5 year supply + 20%. As a result, the "presumption in favour of sustainable development" policy in the NPPF should prevail.
- For these reasons, it is considered that planning permission should be granted.

##### **4.2 Supplementary comments received 30 April 2013 following initial comments by ECC Highways:**

- The site layout has been amended so that the site access would be at right angles to the highway with junction radii of 7.5 metres and visibility splays added, whilst Plot 3 has been reduced from a 3 bed to a 2 bed dwelling and the size of Plot 14 reduced;
- All resident car parking spaces now meet ECC Highway parking standards with the exception of Plots 7 and 8.

##### **4.3 The application is accompanied by the following documents:**

- Landscape Strategy
- Natural England Checklist
- Phase II GeoEnvironmental Assessment Report

#### **5.0 RELEVANT SITE HISTORY**

- ##### **5.1**
- Goddards Yard was originally included within a 1999 Design Brief produced by the Council that focused on land opportunities east of Thaxted Road, including Harris Yard. The brief favoured residential development of this existing commercial area with access preferred from Harris Yard, Goddards Yard or both, depending on existing site factors.

- 5.2 Outline planning permission was granted in 2009 with all matters reserved for the demolition of existing site buildings and change of use from industrial to residential comprising a minimum of 12 dwellings at Goddards Yard subject to a S106 Agreement (UTT/0284/05/OP). Renewal of this permission restricted to a *maximum* of 12 dwellings granted in August 2012 again subject to a S106 Agreement (secondary school education financial contribution) (UTT/0545/12/REN). Whilst in outline form only, the 2012 renewal application indicated that the dwellings would be two, two and a half and three storeys in height with steeped pitched roofs to reflect the design of neighbouring properties west of the site and in Harris Yard. The scheme as approved and renewed did not include any affordable housing element given that the housing unit number proposed (12) did not reach the local plan affordable housing threshold and given its size less than 0.5 ha.

## **6.0 POLICIES**

### **6.1 National Policies**

- National Planning Policy Framework.

### **6.2 Uttlesford District Local Plan 2005**

- ULP Policy S1 - Settlement Boundaries for the Main Urban Areas
- ULP Policy H1 - Housing Development
- ULP Policy SW2 - Residential development within Saffron Walden's Built Up Area
- ULP Policy H3 - New Housing within Development Limits
- ULP Policy H10 - Housing Mix
- ULP Policy GEN1 - Access
- ULP Policy GEN2 - Design
- ULP Policy GEN8 - Parking
- ULP Policy ENV14 - Contaminated Land

## **7.0 TOWN COUNCIL COMMENTS**

- 7.1 No objections.

## **8.0 CONSULTATIONS**

### **8.1 Anglian Water**

The foul drainage from this development is in the catchment of Saffron Walden STW that at present has available capacity for these flows. The sewerage system at present has available capacity for these flows. The surface water strategy indicated on the application is to dispose of surface water using soakaways. This is outside our jurisdiction for comment and the Planning Authority will need to seek the views of the Environment Agency. If the surface water strategy changes and a connection into an Anglian Water asset is proposed, we would ask that you re-consult Anglian Water. It should be noted that there are no surface water sewers within the vicinity of the development. We will request that the agreed strategy is reflected in the planning approval.

### **Affinity Water**

- 8.2 The proposal site is located within a Groundwater Protection Zone (GPZ) corresponding to Debden Road pumping station. The public water supply,

comprising a number of chalk abstraction boreholes, is operated by Three Valleys Water. The construction works and operations of the site should be carried out in accordance with relevant British Standards and Best management Practices in order to significantly reduce the groundwater pollution risk. It should be noted that construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

### **ECC Highways**

- 8.3 The Highway Authority would not wish to raise a highways objection as shown in principle on Drawing No. P1A subject to the imposition of relevant highway conditions and the developer entering into an appropriate legal agreement to regulate the construction of the highway works, which will include the submission of detailed engineering drawings for approval and safety audit.

### **ECC Ecology**

- 8.4 No Objection subject to the imposition of an appropriately worded condition to address the following:

Protection of Breeding Birds (boundary vegetation, including mature trees, will be removed as part of the development).

Other Comments:

(1) Native Vegetation:

It is recommended that the planting scheme makes greater use of native plant species. For example, native species of Tilia and Betula should be used instead of the species currently indicated. The native shrubs proposed for a section of the southern boundary could be used to a greater extent elsewhere in the development. It is recommended that the landscape and management details mentioned under 'Further Details' on page 3 of the submitted Landscape Strategy include a planting scheme detailing the native species that will be used.

(2) Bats:

It is recommended that the following informative is appended to any consent: Should any bats or evidence of bats be found prior to or during vegetation clearance or development, all works must stop immediately and an ecological consultant or the Council's ecologists contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

### **ECC Education**

- 8.5 It is understood that all but one of the dwellings would have two or more bedrooms. It is anticipated that there is likely to be sufficient early years, childcare places and primary school places to serve the needs of the development, but not secondary school places. The development falls in the priority admissions area of Saffron Walden County High School, which has permanent capacity to take 1,882 pupils. According to latest available data, as of May 2012 there were 2,043 pupils on roll and by 2017 it is forecast that there will be 2,068 pupils on roll. It is clear that additional provision will be needed at secondary level and that this development will add to that need. Based on the information provided, it is estimated that this development, if approved, will result in 2.5 additional secondary school places being required. It is requested that a S106 Agreement to provide a secondary school and education contribution is drawn up on the basis of the formula for calculating education

contributions where on the unit mix stated in the planning application the contribution would amount to £39,598 and calculated using the April 2013 cost multipliers and would be index linked from this date.

### **Essex County Council Archaeology**

- 8.6 The HER shows that the proposed development lies adjacent to the line of a disused railway (EHER 372). The proposed development would not impact on the line of the railway. Therefore no archaeological recommendations are being made on this application.

### **Uttlesford Area Access Group**

- 8.7 Although the Design and Access statement recognises the need for inclusive design, no specific mention is made of the dwellings meeting Lifetime Homes Standard nor of the provision of 1 No. Wheelchair Accessible unit. It is further noted that the detailed plans do not indicate how compliance with the above documents would be met. It is therefore considered that inclusion of the above criteria into the application documentation should be provided.

### **Environmental Health Officer**

- 8.8 The ground investigation report submitted confirms that contamination potentially harmful to human health is present on the site. Further characterisation of the hydrocarbon and vapour contamination and a detailed remediation scheme are required. The Environment Agency needs to be consulted on the potential risk to groundwater. The following modified standard condition is requested - Ground contamination: parts (1), (2), (3) and (4)

### **Access Officer**

- 8.9 The proposal relates to 14 dwellings, which will trigger the requirement for one dwelling to meet the Wheelchair Accessible Housing Standard as set out in the SPD Accessible Homes and Playspace Adopted November 2005. There is nothing in the Design and Access Statement or shown on the plans to ensure that this footprint would be met or to which plot it would apply. There is no clear reference to the Lifetime Homes Standard and how the entrance level WC with provision for a future shower would be met, which needs notation. Provision for a through floor lift is not shown either or how level entrance will be met on the principal entry doors.

*Additional advice received 17/0513:*

If the application is approved I would suggest that the following conditions are approved;

1. Prior to commencement the developer shall submit a Lifetime Homes drawing for the house types to confirm compliance with the Lifetime Homes Standard, particularly with relevance to the WC compartments at entrance level.
2. Plot 11 has been nominated as the dwelling to meet the Wheelchair Accessible Standard. A revised drawing shall be submitted to the LPA for prior approval showing details of this. The property will also be required to be marketed as a wheelchair accessible dwelling and a sum of money of up to £8,500 shall be provided to the purchaser for the installation of a lift or other adaptation works to meet their

need. This marketing will be required to be undertaken as part of any legal conveyancing pack.

## 9.0 REPRESENTATIONS

- 9.1 2 received. Notification period expired 8 May 2013 (re-notification following submission of amended drawings). Advertisement expired 25 April 2013. Site notice expired 25 April 2013.

Seckford House, Thaxted Road, Saffron Walden, Essex CB11 3AA:

- Whilst the overall scheme would improve the area, the architectural treatment of Plots 1-4 & 14 would not reflect a sympathetic treatment to blend in with the existing street scene. The style of these properties is very solid and overpowering and has no variety of materials or features such as porches from property to property which are evident in other neighbouring plots. The front elevation to these properties needs to be changed to reflect and be more in keeping with the existing street scene.

Oaklea Homes, Oxted, Surrey, RH8 0RG

- The original (outline) permission excluded access details from the application, but showed the visibility splay going through a 6' high wall that is owned by this company. The current application has an identical layout for Plots 1, 2 and 3 and 14 as Plots 1 to 3 on the original application, although does not show any visibility splays at all. It would seem these have been omitted as they would continue to infringe our ownership. We ask that committee members therefore be made aware of the true legal position in this regard. The position does not seem to have changed with the amended access drawings received.

## 10.0 APPRAISAL

- 10.1 The main issues to consider in the determination of this detailed application are as follows:

- A Principle of development (NPPF and ULP Policies S1, H1 and SW2);
- B Access (ULP Policy GEN1);
- C Design, mix and tenure (ULP Policies GEN2 and H10);
- D Parking (ULP Policy GEN8);
- E Other relevant issues - contaminated land (ULP Policy ENV14).

### **A Principle of residential development (NPPF and ULP Policies S1, H1, SW2)**

- 10.2 The application site comprises a commercial/industrial yard located within development limits where as previously mentioned the site has been identified through the current local plan process as being an appropriate site for residential development along with the now developed adjacent Harris Yard site where this residential allocation is reflected by ULP Policy SW2. This housing use preference has been reflected by the 2009 grant of permission for change of use of this site to residential for the erection of 12 No. dwellings and by the subsequent renewal of that permission in 2012. The residential development of this site through the submission of the current, alternative, detailed housing scheme therefore remains acceptable in principle where the officer report for the previous outline renewal application also identified the site as being within a sustainable location to the east of the town centre where it fronts onto a main road leading into the town (B184) and where it is also located on a bus route.

## **B Whether access arrangements would be satisfactory (ULP Policy GEN1)**

- 10.3 The proposed vehicular access point into the development from Thaxted Road would be in the same position as the existing access point into the yard, whilst the internal access road would be in the form of a Type 8 Mews Court road with rear Type 3 turning head. ECC Highways initially raised objections to this alternative proposal given that no road type was identified, that the site access did not meet Thaxted Road at right angles and that some garages and parking spaces for the proposed dwellings did not meet current parking standards. However, it has now lifted its objection following the submission of an amended site access drawing (Dwg P1A) which now addresses these highway issues.
- 10.4 A representation has been received from a third party company with an existing interest in the site (Oaklea Homes), which has stated that the shown access visibility splay northwards to the mini-roundabout would infringe its ownership of a 6" high wall which projects outwards into the frontage footpath area from the site's northern boundary. Whilst this may or may not be the case, ECC Highways have advised that the wall's existence does not materially affect site visibility northwards in terms of highway safety where traffic speeds are now slower along this section of Thaxted Road in view of the construction of the mini-roundabout from which Harris's Yard feeds off. The applicant's agent has responded to this representation saying that the 33m x 2.4m northward visibility splay shown on Dwg P1A does not go through this wall and this is shown to be the case on this drawing which has been considered by ECC Highways.

## **C Design, mix and tenure**

- 10.5 The development layout for the current detailed scheme differs from the previously approved renewal outline scheme (UTT/0545/12/REN) where the service road would now feed up the centre of the site, albeit that the layout concept of frontage terraced units has been retained between the two schemes. The current scheme would have a slightly higher density than the previously approved scheme at 37dph, which would be acceptable compared with surrounding developments where it would contain a varied mix of dwelling styles with a formal "landmark" frontage terrace and less formalised dwelling treatment to the rear with an acceptable level of architectural and fenestration detailing and use of external materials where dwellings would be mainly of brick, but also of render and where all roofs would be of slate. Whilst third party comments regarding the rather austere form and lack of detailing of the frontage terrace (Plots 1-3, and 14) are noted, it is considered that this design is appropriate in the local context where Thaxted Road contains a variety of building frontage styles and where it would provide a sense of place.
- 10.6 ULP Policy H10 of the local plan seeks a significant proportion of market housing comprising smaller properties where the number of dwellings to be erected is greater than three or on a site area exceeding 0.1 hectares. The proposal is for 14 dwellings and the site is 0.38 ha in size and this policy therefore applies. It is considered that the scheme as submitted involving the provision of 1 bed through to 5 bed units represents a reasonable mix of dwellings for this site and would accord with this policy. With regard to affordable housing, it is not possible through this application, notwithstanding the comments made by the Housing Enabling Officer, to require a proportion of the 14 dwellings proposed to be affordable units where the number of dwellings would not exceed the affordable housing threshold of 15 units or more and where the site area is less than 0.5 hectares (0.38 ha) for this town location.

- 10.7 All the plots would have private amenity areas with the exception of Plot 13 (studio apartment) and Plot 14 (2 bed unit) where amenity sizes would be broadly in line with Essex Design Guide minimum standards relative to the size of the dwellings. Plot 11 has since been nominated by the applicant as the wheelchair accessible dwelling for the development where details have been submitted showing how wheelchair accessibility would be achieved. However, the details currently supplied do not meet wheelchair accessibility standards and any grant of approval of the scheme would therefore require a condition reflecting further internal changes to be made for the dwelling to be wheelchair compliant. Notwithstanding the request by the Council's Access Officer for marketing and a financial contribution, the Council cannot control how properties are marketed and developer payments would have to be the subject of a S106 agreement. However, the Council cannot require a payment to the future purchaser of a property as they would not be party to the S106 agreement and where, in the alternative, payments for disabled adaptations were made to the Council, those payments would be likely to be returnable over a period of time meaning that there would be a strong possibility that the payments would not be used if a disabled person was not to occupy the property.
- 10.8 The layout of the proposed development with dwellings positioned along the site frontage and also facing inwards onto the internal access road would mean that significant amenity loss to neighbouring residential properties is unlikely to arise. Plots 7, 8, 9 and 13 on the site's northern side would face onto Goddards Way, although no significant overlooking or loss of privacy from first floor bedrooms across to the nearest properties in Goddards Yard is likely to occur given separation distances which exist, the differences in ground levels between Goddards Yard and Harris' Yard and the existence/enhancement of boundary screening on this side. The frontage terrace along Thaxted Road would be set at an oblique angle to No.44 Thaxted Road situated adjacent where similarly no significant neighbouring amenity harm is likely to occur here where the end facing wall of the terrace would not contain any windows.

#### **D Whether parking arrangements would be satisfactory**

- 10.9 The submitted drawings show that parking for the scheme would be a mix of garaging, hardstandings and two small parking courts, including visitor spaces and disabled bays where the ratio would be approximately 50-50 between domestic garaged and parking bay spaces. Revised drawings have been submitted since receipt of the application showing that the dimensions of the garages and parking spaces would now be compliant with current parking standards and initial objections raised by ECC Highways in this respect have now been removed. It is therefore considered that the parking as shown to be provided would be satisfactory, notwithstanding the inclusion of two garage courts towards the front of the site, although it should be noted that similar garage courts in approximately the same positions formed part of the previously approved layouts for outline schemes UTT/0284/05/OP and UTT/0545/12/REN and this therefore should be taken into consideration.

#### **E Other relevant issues – contaminated land**

- 10.10 The site has a commercial history with the presence of oil storage facilities. The original report findings by MLM Environmental detail the previous contamination which has taken place at this site, current ground conditions and the remediation requirements necessary to remove potential risk to controlled waters and human health, including potential gas monitoring. The Environmental Health Officer has recommended that full remediation compliance measures through the imposition of



appropriate planning conditions be imposed on any grant of planning permission based upon the report findings and knowledge of the site to provide for future residential use. As such, the site is unlikely to represent a health risk to future occupiers of the new dwelling providing that full compliance with these stringent conditions is achieved by the developer.

## **11.0 CONCLUSION**

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

- The principle of residential development at this commercial yard has previously been accepted by reason of the previous grants of planning permission for residential use, most recently under application reference UTT/0545/12/REN and where it is considered and previously recognised that the site is located within a sustainable position relative to the town centre.
- The proposal is considered acceptable in terms of site access, layout, design, housing mix and parking where these matters fall to be considered with this detailed application.

### **RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO A S106 LEGAL OBLIGATION**

The applicant be informed that the committee would be mindful to refuse planning permission for the reasons set out in paragraph (III) unless by 22 June 2013 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:

1. Prior to development commencing a payment of appropriate contribution to secondary school education as stated within the Essex Developers' Contribution Guidance 2010 (or equivalent at time of commencement of development).

### **CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.  
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Prior to commencement of development samples of materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.  
REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).
3. Before development commences full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority.

Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) means of enclosure along all site boundaries
- b) hard surfacing, other hard landscape features and materials
- c) existing trees, hedges or other soft features to be retained
- d) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
- e) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- f) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- g) location of service runs
- h) management and maintenance details

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

4. All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, 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. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: to ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with ULP Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

5. Prior to commencement of any development, the provision of suitable access arrangements to the application site in connection with the construction of the development, to include wheel cleaning facilities for the duration of the development to prevent the deposition of mud and other debris onto the highway network/public areas, turning and parking facilities for delivery/construction vehicles within the limits of the highway.

REASON: In the interests of highway safety and efficiency in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

6. Prior to commencement of the development, details of the estate roads and footways to accord with the Essex Design Guide (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety, efficiency and accessibility in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. Prior to occupation of any dwelling, the provision of an access formed at right angles to Thaxted Road as shown in principle on Drawing No. P1A to include visibility splays of 2.4 metres by 33 metres in both directions, as measured from and along the

nearside edge of the carriageway, such visibility splays shall be retained free of any obstruction in perpetuity. Details to be submitted to and agreed in writing with the Local Planning Authority in consultation with the Highway Authority, prior to commencement of development.

REASON: To provide highway safety and adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

8. The carriageway of the proposed estate road shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling.

REASON: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

9. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres.

REASON: To ensure adequate space for parking off the highway is provided in the interest of highway safety in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

10. The proposed development shall not be occupied until such time as the vehicle parking areas indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

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 ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

11. Any redundant access on the site layout plan shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the reinstatement to full height of the highway footway/kerbing, to the satisfaction of the Highway Authority immediately the proposed new access is brought into use.

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 ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

12. Before development commences, details of the location and design of the refuse bin and recycling materials storage areas and collection points shall be submitted to and approved by the local planning authority. This should include provision for the storage of three standard sized wheeled bins for each new property with a collection

point no further than 25 metres from the public highway. Where the refuse collection vehicle is required to go onto any road that road shall be constructed to take a load of 26 tonnes. The refuse storage and collection facilities and vehicular access where required shall be provided prior to the first occupation of the units to which they relate and shall be retained in the approved form thereafter.

REASON: To meet the District Council requirements for recycling, to prevent the unsightly storage of refuse containers and in the interests of amenity and sustainability in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

13. Prior to commencement the developer shall submit a Lifetime Homes drawing for the house types to confirm compliance with the Lifetime Homes Standard, particularly with relevance to the WC compartments at entrance level.  
REASON: To ensure that the district's housing stock is accessible to all and to meet the requirements contained in adopted SPD Accessible Homes and Playspace Adopted November 2005 in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).
14. The plot allocated for wheelchair housing (Plot 11) shall conform to wheelchair standards as required by the Council's Supplementary Planning Document "Accessible Homes and Playspace".  
REASON: To ensure that the property can be readily used by people with physical disabilities in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).
15. No construction or site clearance shall be carried out on site between the 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority. If such permission is given for scrub or tree removal between 1<sup>st</sup> March and 31<sup>st</sup> August inclusive, a detailed hand-search of the affected area must be carried out by a suitably qualified ecologist at least 48 hours prior to work commencing. If any nests are found, a 10m buffer zone must be established around each nest and works must be halted in this zone until all chicks have fledged.  
REASON: All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 in accordance with ULP Policy GEN7 of the Uttlesford District Council (adopted 2005).
16. 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 development within Classes A to F of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order (i.e. any extension, outbuilding or enclosure) shall take place without the prior written permission of the local planning authority.  
REASON: To prevent the site becoming overdeveloped and in the interests of the amenity of the occupiers of adjoining dwellings in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).
17. Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of investigation or remediation must not commence until parts 1 to 4 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 hydrocarbon contamination beneath the existing buildings and tar fume condenser plinths;
- (ii) results of recent monitoring of organic vapour concentrations at the existing monitoring wells
- (iii) 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,
  - archaeological sites and ancient monuments;
- (iv) 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.

REASON (common to all parts): 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 approved Uttlesford Local Plan (adopted 2005).