

UTT/13/0750/OP – (SAFFRON WALDEN)

PROPOSAL: Outline application with all matters reserved except access for residential development of upto No. 55 dwellings

LOCATION: Land behind The Old Cement Works, Thaxted Road, Saffron Walden

APPLICANT: Tamcourt Ambit Ltd

AGENT: Peter Court Associates

GRID REFERENCE: TL 550 - 370

EXPIRY DATE: 12 July 2013

CASE OFFICER: Nicholas Ford

1.0 NOTATION

1.1 Key Employment Area

2.0 DESCRIPTION OF SITE

2.1 The proposal is for housing development beyond the development limits of Saffron Walden within land formerly used as cement works, lime kiln and scrap yard with utilitarian buildings. The land is bounded by agricultural field in part with hedges and trees to the north and east together with unmanaged scrub to its south alongside High Bank and Hill View Cottages with a field hedge adjacent the Byway.

2.2 The site is located set back from Thaxted Road from which access would be taken behind the mixed use (B1 business live/work) commercial and residential Kilns development (28 units of 60 approved), which are three and four storey. The land is visible from public vantage points including Thaxted Road, a public right of way Byway (open to all traffic) to the south and occupiers of the Kilns, High Bank and Hill View (vacant dwellings) adjacent Thaxted Road and properties located off Rylstone Way to the north.

3.0 PROPOSAL

3.1 This is an outline application for residential development of upto 55 dwellings. Access is the only matter not reserved for consideration. The applicant has provided an illustrative layout for this number of dwellings with access taken from Thaxted Road via the existing access which serves Kiln Court.

3.2 A drawing has also been provided which indicates a proposed pedestrian crossing with refuge and tactile paving at the junction of Thaxted Road with Peaslands Road.

4.0 APPLICANTS CASE

4.1 See Design and Access Statement and Planning Statement.

5.0 RELEVANT SITE HISTORY

5.1 Erection of 8 blocks for class B1 business 'live/work' purposes and creation of new vehicular access granted planning permission subject to conditions on 21 July 2003 (UTT/1382/01/FUL).

5.2 Known as the Kilns development 2 no. three and four storey blocks have been constructed comprising 28 of the 60 approved units.

6.0 POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy SW6 - Safeguarding of Existing Employment Areas
- Policy E2 - Safeguarding Employment Land
- Policy H10 - Housing Mix
- Policy GEN1 - Access
- Policy GEN2 - Design
- Policy GEN6 - Infrastructure Provision
- Policy GEN7 - Nature Conservation
- Policy GEN8 - Vehicle Parking Standards
- Policy ENV5 - Protection of Agricultural Land
- Policy ENV8 - Other Landscape Elements of Importance for Nature Conservation

- SPD Energy Efficiency and Renewable Energy
- SPD Accessible Homes and Playspace
- Parking Standards: Design and Good Practice Guide

7.0 TOWN COUNCIL COMMENTS

7.1 The Committee objected to this application on the grounds that there was a lack of 'availability of infrastructure' in place and in particular, no evidence to show that there were any plans for roads, education and air pollution issues.

8.0 CONSULTATIONS

Highway Authority

8.1 No objections subject to a legal agreement and conditions. The Highway Authority has assessed planning application including the Transport Statement and a comparison has been made between the consented proposal UTT/1382/01/FUL and this proposal. It is noted that this proposal would result in a total of 83 residential units compared with 60 units with the consented proposal. It is also noted that the traffic generation for the previous proposal for 60 live/work units was assessed on the basis that these units would generate a similar number of movements to residential units as there was no independent data available on the likely traffic generation of live/work units. The net increase in trip generations resulted from this proposal would therefore be those movements attributed to the additional 23 residential units which would generate a negligible increase in traffic on the highway network at this location and will not have any capacity or safety issues as a result.

Housing Strategy

8.2 Thank you for consulting me on this application. The affordable housing provision on this site will attract the 40% policy requirement which amounts to 22 units and it is expected that these properties will be delivered by one of the Council's preferred Registered Providers.

I have included the table below is an indicative mix with figures taken from our Strategic Housing Market Area Assessment, (SHMAA), 2012. The mix and tenure split of the properties are given below; this mix should be indistinguishable from the market housing, to be integrated well within the scheme and be predominately houses with parking spaces.

In addition, the Council require 5% of all units to be bungalows delivered as 1 and 2 bedroom units, across all tenures. This would amount to 3 across the site with 1 for open market.

I understand specific details are agreed at the reserved matters stage, but have included size and tenure mix for your information.

Environmental Health

- 8.3 The Phase Two Risk Assessment will need to be reviewed in the light of current guidance and the part of the development which has already been carried out. Suggest conditions to be attached to approval.

An air quality assessment is needed to accompany the application to assess the potential impact of the proposed development during construction and operational phases.

The site lies just beyond the Saffron Walden Air Quality Management Area declared by UDC due to exceedances of the air quality objective for the annual mean NO₂ concentration at monitoring locations in the town, primarily due to traffic congestion.

An assessment should be made of the contribution to the emission levels in the town as a result of the development, also of the potential for statutory nuisance under the Environmental Protection Act 1990, and whether mitigation measures are required to address any impact identified.

Planning Policy – Adopted Local Plan

- 8.4 Adopted Local Plan

The site is within the Development Limits in Saffron Walden. The site falls within an area covered by Policy SW6 – Safeguarding of Existing Employment Areas where this and other sites in SW are identified as key employment sites to which Policy E2 – Safeguarding Employment Sites will apply. Employment areas to which this policy applies are safeguarded from redevelopment or change of use to other land-uses.

National Planning Policy

Para 22 – Planning Policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Para 49 – Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.

Parish/Town Plan or Design Statement

N/A

Emerging Local Plan

In the draft plan published for consultation in June 2012 the site was not specifically allocated. It was surrounded by, but excluded from Saffron Policy 1, which allocated an area of 79 hectares between Thaxted Road and Radwinter Road for 800 dwellings and associated facilities. Following consultation and further discussions officers are recommending that the application site be shown as a committed residential site, as set out in the Position Statement which the Council published in March 2013.

Planning permission was granted for 60 flats under ref UTT/1382/01. 28 live work units were completed and these are the two blocks which front Thaxted Road. A further 32 units are outstanding and these are taken into the account in the current Housing Trajectory and five year land supply calculations. So, despite the designation as safeguarded employment land, because of the development which has taken place, and in view of the surrounding allocation and NPPF advice a pragmatic view is taken that this site is unlikely to ever come forward for employment and in principle residential use of the site is supported. The previous permission restricted the use of the site to live work units but in view of the difficulties in securing mortgages on this type of property in the current economic conditions it is considered that this would be unnecessarily restrictive on the availability of this housing to the market and the site should be released for non-live work housing.

Whilst acknowledging that the layout submitted is for illustrative purposes only there are concerns that this site can satisfactorily accommodate the number of homes proposed.

The density of the development is 59 dwellings per hectare; this is within the range which will be included in the Housing Density policy in the emerging local plan. This is 35-67 dwellings per hectare within Saffron Walden and reflects current densities within the town. But in this type of high density development, good design is essential to make sure that other policy requirements can be met and the development works.

Planning permission could be granted for residential use in principal but if the number of homes is to be specified in the outline approval then further information needs to be provided on layout etc. to demonstrate that the number proposed can be delivered satisfactorily within the site.

Environment Agency

- 8.5 The planning application falls outside the scope of matters for which we are statutory consultee.

ECC Ecology

- 8.6 The site has ecological value. The site itself qualifies as Essex BAP brownfield habitat and also has the potential to support priority and protected invertebrates and reptiles. There are records of legally protected common lizard and priority invertebrates from within 2km of the site. Reptile and invertebrate surveys are required to comply with Natural England Standing Advice and the NPPF.

Paragraph 5.15 of the Preliminary Ecological Appraisal states: "To be in a position to accurately assess the ecological value of the application site, and to specify appropriate mitigation measures and biodiversity enhancements to support the planning application, a

number of species specific surveys will be required; the application site will have to be surveyed for invertebrates and common lizards.”

I also refer you to Natural England’s Standing Advice. Following the flow chart in Natural England Standing Advice for Reptiles, I arrived at Box 6: “Has a detailed reptile survey been carried out at the right time of year (5-7 visits for presence absence, 15-20 for relative population estimate) See above for survey effort and optimal timing”. The answer is No.

The takes me to Box 8: “Further survey effort required in accordance with good practice guidelines – request additional information from applicant. If not provided, then the application should be refused.”

Natural England recommends that surveys are carried out and mitigation is secured prior to determination of the application for Priority species (Frequently Ask Questions 3.12 <http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/faq.aspx#q3a>).

The surveys must be carried out at an appropriate time of year and in accordance with best practice guidance. They, and any required mitigation strategy, must be submitted prior to the determination of the application as they will need to be considered by the Planning Authority when determining the application. Without them, it is not clear what harm there will be to biodiversity features and it will not be possible to ensure that the development will cause no-net-loss to biodiversity. For reptiles, five to seven visits will be required between April and September with hot weather in July and August avoided. For invertebrates, at least four or five visits will be required between April and September. Please see the relevant Natural England Standing Advice for details and links to good practice guidance.

Equalities and Access Officer

- 8.7 All dwellings would need to be constructed to Lifetime Homes Standard with a 5% commitment on the site to meet the Wheelchair Accessible Housing Standard. This is not detailed within the Design and Access Statement and needs to be part of the design.

9.0 REPRESENTATIONS

- 9.1 51 Church Field – Tiring of traffic congestion and air pollution in the town. Particularly on Thaxted Road, East Street and the High Street. Due to the proximity of arterial links for commuters, further development on the east side of Saffron Walden was unanimously opposed during the consultation process but still seems to be in the frame. A link road through to Radwinter Road is suggested but as with all development schemes, the infrastructure usually follows far behind, if at all, so congestion will be increased in the short to medium term. If the scope of development being considered here does not progress then it could be years before a ‘relief’ road is constructed. Infrastructure also covers foul and surface water drainage and health and welfare facilities that are probably already inadequate for the current population and new occupants of developments already in progress or sites that are planning in the pipeline. The Kilns should remain for agricultural, industrial/commercial use.
- 9.2 Uttlesford Area Access Group – All houses should be built to Lifetime Homes Standards and 5% should meet Wheelchair Accessible Housing criteria.
- 9.3 Cllr David Watson (Audley Ward) – Object. Unjustified change of use. There is no evidence of any marketing for other uses such as office compatible with The Kilns. Permission should not be granted until this has been proven. The application states upto 55 dwellings but principle should be established before the number of units. 55 dwellings

would have to be accommodated irrespective of acceptability or design. The planning statement refers to only 30% as being affordable. It is not acceptable to fail to meet the policy requirement without adequate and convincing justification. An appropriate mix and tenure would need to be provided in accordance with housing strategy requirements.

- 9.4 We are Residents – Object. Comments summarised: The employment area policy SW5 should be protected. Policy E2 provides that employment land should be protected from residential development. There is no evidence that there is not any reasonable prospect of the site being used for employment. We are not aware of any marketing. The proposal contradicts Policy GEN1 as it will increase us of the motor car. There will be heavy reliance on the private motor vehicle on a poorly placed site outside the town boundary on the wrong side of town for access to most services and the town centre. There is a lack of education provision and the secondary school is full. Development would not be sustainable, socially, economically and environmentally. There is no intention to provide public open space and residents would need to negotiate busy Thaxted Road to get to the Lord Butler Leisure Centre or the Bell Language School site. There is no justification for 30% affordable housing – non-compliance with 40% requirement. Planning decisions should development in Air Quality Management Areas is consistent with the local air quality action plan. The application should be accompanied by an Air Quality Management Assessment, being close to the AQMA and by traffic generated with no mitigation measures proposed.

10.0 APPRAISAL

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

- A Whether development of the land for housing is acceptable in principle having regard to policy seeking protection of employment areas (NPPF, ULP SW6).
- B Whether an appropriate proportion of affordable housing would be provided (ULP Policy H9).
- C Whether the proposed housing would be acceptable in detail having regard to highway safety (NPPF and ULP Policies GEN1).
- D Whether the proposed development would sufficiently take account of site contamination and impact on air quality of the Air Quality Management Area (NPPF and ULP Policy ENV14).
- E Whether there would be harm to wildlife and protected species (NPPF and ULP Policy GEN7).

A Whether development of the land for housing is acceptable in principle having regard to policy seeking protection of employment areas (NPPF, ULP SW6).

- 10.1 The application site is subject to Policy SW6 as an employment area to be safeguarded from redevelopment or change of use to other land uses. Nevertheless, the NPPF (Para 22) advises that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities. Paragraph 49 goes onto state that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
- 10.2 Despite some live-work units coming forward, the site has stagnated over the previous plan period and employment use has not come forward. Planning permission was granted

for 8 blocks comprising 60 units of 'live/work' units under UTT/1382/01/FUL. 28 live work units have been constructed and these are the two blocks which front Thaxted Road. A further 32 units are outstanding and these are taken into the account in the current Housing Trajectory and five year land supply calculations. So, despite the designation as safeguarded employment land, because of the development which has taken place, and in view of the surrounding housing allocation, and NPPF advice, a pragmatic view is taken that this site is unlikely to ever come forward for employment and in principle residential use of the site is supported.

- 10.3 In the draft plan published for consultation in June 2012 the site was not specifically allocated. It was surrounded by, but excluded from Saffron Policy 1, which allocated an area of 79 hectares between Thaxted Road and Radwinter Road for 800 dwellings and associated facilities. Following consultation and further discussions officers are recommending that the application site be shown as a committed residential site, as set out in the Position Statement which the Council published in March 2013. The previous permission restricted the use of the site to live work units but, in view of the difficulties in securing mortgages on this type of property in the current economic conditions, it is considered that this would be unnecessarily restrictive on the availability of this housing to the market and the site should be released for non-live work housing. The principle of residential development is accepted.
- 10.4 Layout, scale, appearance and landscaping are reserved matters. Consequently, these matters of detail are not for consideration here. The applicant has submitted an illustrative drawing indicating a layout of 55 residential units. This does not demonstrate that appropriate parking and garden space would be provided or mix of housing. Nevertheless, it is an indicative drawing only and does not form part of the application. The fact that the application proposes 'upto' 55 dwellings will mean that a reserved matters applicant will need to demonstrate that detailed matters can be accommodated for the quantum of development proposed.

B Whether an appropriate proportion of affordable housing would be provided (ULP Policy H9).

- 10.5 The Council will seek to negotiate on a site to site basis an element of affordable housing of 40% of the total provision of housing on appropriate allocated and windfall sites, having regard to the up-to-date Housing Needs Survey, market and site considerations. The emerging policy framework would also require 40% affordable housing to be provided on this site. The quantum of 40% total provision is set by the policy as a compromise between the proportion justified by the scale of need and what the housing industry can reasonably be expected to provide. The percentage and type of affordable housing on any given site will be subject to negotiation to allow issues of site size, sustainability and economics of provision to be considered. Whilst the level of affordable housing sought on a site should have regard to the Council's target for housing provision, it should not make a development unviable.
- 10.6 The applicant has confirmed in writing that 40% of the total units be affordable housing. 40% is therefore the starting point for any application and therefore the application is in accordance with Policy H9.

C Whether the proposed housing would be acceptable in detail having regard to highway safety (NPPF and ULP Policies GEN1).

- 10.7 The applicant has requested that access details be considered in this outline planning application. It is proposed that the existing access from Thaxted Road which serves the Kilns would serve the development.

- 10.8 The applicant has submitted a Transport Statement analysing traffic generation from the site with the proposed development against traffic generation from the permitted use to establish the impact from the development on the local highway network.
- 10.9 The proposal would result in upto 83 units using the access onto Thaxted Road given 23 constructed live/work units. Traffic generation for the 37 live/work units not yet constructed would also have used this access. Traffic generation for the live/work scheme was assessed on the basis that the units would generate a similar number of movements to residential units as there was no independent data available on the likely traffic generation of live/work units. The Highway Authority consider that the net increase in trip generations resulting from this proposal would therefore be those movements attributed to the additional 23 residential units which would generate a negligible increase in traffic on the highway network at this location and will not have any capacity or safety issues as a result.
- 10.10 The applicant proposes to improve pedestrian linkage to nearby open space and Lord Butler leisure centre. A footpath already exists between the Kilns and Peaslands Road alongside Thaxted Road. A plan illustrating a traffic island with pedestrian refuge has been submitted to indicate how this might be achieved by provision of a pedestrian crossing at the junction of Thaxted with Peaslands Road. This has been made subject of a condition in accordance with the advice of the Highway Authority.

D Whether the proposed development would sufficiently take account of site contamination and impact on air quality of the Air Quality Management Area (NPPF and ULP Policy ENV14).

- 10.11 Policy ENV14 requires that where a site is known or strongly suspected to be contaminated, and this is causing or may cause significant harm or pollution of controlled waters (including groundwater), a site investigation, risk assessment, proposals and timetable for remediation will be required.
- 10.12 This was formerly an industrial site, scrap yard, cement works and lime kiln. The applicant has submitted a Phase I and II Geoenvironmental Assessment Report by MLM Environmental. This concludes that the site is low risk with respect to soil, groundwater contamination and ground gasses. The Environmental Health team advise that The Phase Two Risk Assessment will need to be reviewed in the light of current guidance and the part of the development which has already been carried out. They suggest conditions be attached to approval.
- 10.13 The NPPF (para 124) requires planning decision to ensure that new development in AQMA's is consistent with the local air quality action plan. The site lies just beyond the Saffron Walden Air Quality Management Area declared by UDC due to exceedances of the air quality objective for the annual mean NO₂ concentration at monitoring locations in the town, primarily due to traffic congestion. An air quality assessment is needed to accompany the application to assess the potential impact of the proposed development during construction and operational phases. An assessment should be made of the contribution to the emission levels in the town as a result of the development, also of the potential for statutory nuisance under the Environmental Protection Act 1990, and whether mitigation measures are required to address any impact identified. In the absence of this the application such assessment and any mitigation measures the proposal is considered unacceptable.

The applicant is undertaking an AQMA assessment and an update will be reported to members at Planning Committee.

E Whether there would be harm to wildlife and protected species (NPPF and ULP Policy GEN7).

- 10.14 The Council's ecologist has considered the submitted Preliminary Ecological Appraisal. Paragraph 5.15 of the Preliminary Ecological Appraisal states: "To be in a position to accurately assess the ecological value of the application site, and to specify appropriate mitigation measures and biodiversity enhancements to support the planning application, a number of species specific surveys will be required; the application site will have to be surveyed for invertebrates and common lizards."
- 10.15 The site has ecological value and qualifies as an Essex BAP brownfield habitat and also has potential to support priority and protected invertebrates and reptiles. There are records of legally protected common lizard and priority invertebrates from within 2km of the site. Reptile and invertebrate surveys are required to comply with Natural England Standing Advice and the NPPF. Policy GEN7 of the Uttlesford Local Plan adopted 2005 also states that a survey will be required where a site includes protected species or habits suitable for protected species. In absence of such information it is not clear what harm would occur to biodiversity features and it will not be possible to ensure that the development will cause no-net-loss to biodiversity. The proposed development is contrary to the National Planning Policy Framework and Policy GEN7 of the Uttlesford Local Plan adopted 2005.

The applicant is undertaking further survey work and an update will be reported to members at Planning Committee and the recommendation altered if necessary.

11.0 CONCLUSION

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

- 11.1 It is considered that the weight to be given to the requirement to provide a 5 year land supply and the housing provision which could be delivered by the proposal outweighs retention of the land for employment use. Therefore, in balancing planning merits, it is considered that planning permission should be granted for the development.

RECOMMENDATION – APPROVAL

- (I) **The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless 12 July 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:**
- (i) **payment of contributions towards Education provision**
 - (ii) **provision of 40% for affordable housing**
 - (iii) **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:**
- 1) **No contributions towards Education provision**
 - (ii) **No affordable 40% housing provision**

CONDITIONS:

1. Approval of the details of the layout, scale, landscaping and appearance (hereafter called 'the Reserved Matters') shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall be begun not later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. The applicant shall incorporate on-site renewable or low-carbon energy technologies to provide 10% of the annual energy needs of the approved development in-use.

The applicant will provide the planning authority with a design SAP or SBEM rating of the proposed development carried out by an accredited assessor before work commences on-site, as well as technical details and estimated annual energy production of the proposed renewable or low carbon technologies to be installed.

5. Within four weeks following its completion, the applicant will provide a SAP or SBEM rating of the as-built development and details of the renewable or low carbon technologies that were installed.

Reason: In the interests of the promotion of sustainable forms of development and construction to meet the requirements contained in adopted SPD Energy Efficiency and Renewable Energy Adopted October 2007.

6. The Reserved Matters application shall include an accessibility drawing. The details submitted shall set out measures to ensure that buildings are accessible to all sectors of the community. Buildings shall be designed as 'Lifetime Homes' and shall be adaptable for wheelchair use. All the measures that are approved shall be incorporated in the development before occupation.

Reason: To meet the requirements of Supplementary Planning Document – Accessible Homes and Playspace.

7. The Reserved Matters application shall contain details of the mix of house sizes for written approval. The mix shall provide a significant proportion of small two and three bedroom homes. The development shall be carried out in accordance with the approved mix unless otherwise agreed in writing by the local planning authority.

Reason: To meet the requirements of housing mix in Policy H10 of the Uttlesford Local Plan adopted 2005.

8. (a) No development shall take place until the submitted Phase II Geoenvironmental Assessment has been reviewed by a competent person in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11' and taking into account the existing development of part of the site. The reviewed report shall be submitted to and approved in writing of the local planning authority before development commences.

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).

(b) 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).

(c) The remediation scheme shall be implemented 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 the 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).

(d) 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 immediately 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.

9. An assessment must be undertaken in accordance with the requirements of part (a) of this condition, 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 part (b). 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 part (c).

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).

10. No development shall commence unless a crossing facility has been provided on Thaxted Road in the vicinity of the Peaslands Road junction in accordance with details which shall previously have been submitted to and approved in writing by the Local Planning Authority.

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

11. Before development commences details shall be submitted to and approved in writing by the Local Planning Authority indicating the provision of suitable access arrangements to the application site in connection with the construction of the development, turning and parking facilities for delivery/construction vehicles within the limits of the application site together with an adequate parking area for those employed in developing the site. Thereafter, the development shall be carried out in accordance with the approved details.

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

12. Before development commences 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 approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

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

13. Before any part of the development hereby permitted is first occupied, the Developer shall be responsible for the provision and implementation of a Residential Travel Plan including the initial commitments and amended and supplemented under the provisions of a yearly report. Such Residential Travel Plan shall include a commitment to provide a Travel Plan co-ordinator within the residential sales office to give advice to the new residents of the development.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005 and the NPPF.