

UTT/13/1776/FUL (Manuden)

MAJOR APPLICATION

PROPOSAL: Variation of condition 2 of planning permission UTT/0692/12/FUL (Community/Sports Hall, car parking and 14no. dwellings) for revisions to plot 3 (3 Langlands) and the addition of three underground storage tanks adjacent to the village hall

LOCATION: Land at the Street, Manuden, Bishops Stortford, Hertfordshire

APPLICANT: West Whittle Properties Ltd

AGENT: Mr George Ford

EXPIRY DATE: 01 October 2013

CASE OFFICER: Maria Tourvas

1. NOTATION

- 1.1 Outside development limits, adjacent to Grade II Listed Building (88 The Street), small part of contamination on site, TPO

2. DESCRIPTION OF SITE

- 2.1 The site is adjacent to the settlement boundary on land classed as countryside. The southern part of the site accommodates two grassed sports pitches, the existing changing room and associated buildings, a formal children's play area and a group of trees to the south-west. Dwellings border the site along part of the south and south-west boundaries; the northern part of the site comprised an agricultural field, which is currently being development following planning permission being granted for Erection of village hall/changing rooms, multi-use games area, sports pitches, car parking and 14 no. dwellings with access road off Clavering Road. Access is from The Street.

3. PROPOSAL

- 3.1 The applicant seeks planning consent for the variation of condition 2 attached to planning permission UTT/0692/12/FUL to allow an amendment to Plot 3 to create a basement under the dwelling and the addition of three underground storage tanks adjacent to the village hall. Condition 2 states –

The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule, unless otherwise varied by the following conditions below.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

- 3.2 The proposed underground storage tanks would help to provide low pressure gas to the development, including the village hall and would be located adjacent to the village hall.

- 3.3 The tanks would be located underground with only the lips visible which would be flush with ground level. Trees cannot be planted over the lips but grass and shrubs can.
- 3.4 With regards to the proposed basement to Plot 3, it would be the full width and length of the property and would contain a swimming pool, a billiards room, a gym, plant room and a storage room.

4. APPLICANT'S CASE

- 4.1 The purchaser of Plot 3 wishes for a basement to be constructed as part of the development. With regards to the gas storage, this would help with the provision of gas for the development and for the village hall.

5. RELEVANT SITE HISTORY

- 5.1 Reference UTT/1731/00/OP established the principle of a new community and sports centre, formation of parking, new access and multi-use games area on the playing field.
- 5.2 Planning permission was resolved to be granted at the 30 June 2010 Planning Committee meeting for "Outline planning application for a village hall/changing rooms, multi-use games area, sports pitches, car parking, fourteen dwellings with access road off Clavering Road, with all other matters reserved" (UTT/1443/09/OP) subject to a Section 106 Agreement which still remains to be signed.
- 5.3 Planning permission was granted in 12 February 2013 for the "Erection of village hall/changing rooms, multi-use games area, sports pitches, car parking and 14 no. dwellings with access road off Clavering Road" (UTT/0692/12/FUL), which was subject to a Section 106 Agreement. This application went before the 22 August 2012 Planning Committee meeting.
- 5.4 A non-material amendment to UTT/0692/12/FUL (UTT/13/0373/NMA) for the reposition garage to plot 3, reposition dwellings plot 6 and 9 was granted in March 2013.

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

Policy S7 - Countryside
Policy GEN2 - Design
Policy GEN4 - Good Neighbourliness
Policy GEN6 - Infrastructure Provision to Support Development
Policy GEN7 - Nature Conservation
Policy GEN8 - Vehicle Parking Standards
Policy ENV2 - Development Affecting Listed Buildings
Policy ENV3 - Open Spaces and Trees

ECC Parking Standards (September 2009)

7. PARISH/TOWN COUNCIL COMMENTS

- 7.1 No objections to the development received.

8. REPRESENTATIONS

- 8.1 The application was advertised by site notice and by direct neighbour notification. No comments or representations were received.

9. APPRAISAL

- A Whether the proposed development is acceptable in terms of design (ULP Policy GEN2 Design);
- B The impact of the proposal in terms of residential amenity and visual impact (ULP Policies GEN2 Design, & GEN4 Good neighbourliness) and SPD Accessible Homes & Playspace);
- C The parking arrangements (ULP Policies GEN1 Access and GEN8 Vehicle Parking standards);
- D Other material considerations

A Whether the proposed development is acceptable in terms of design (ULP Policy GEN2 Design

- 9.1 The site lies beyond the Development Limits on land classed as countryside where policies are generally restrictive, under Local Plan Policy S7. The principle of the main development has already been agreed under the previous planning application as outlined in Section 5 and therefore this is not for consideration under this application. Under this application whether the proposed development is acceptable in terms of design would need to be considered.
- 9.2 Policy GEN2 states that the proposal must be compatible with the scale, form, layout and appearance of the surrounding buildings; in addition the SPD requires that all development should respect the scale, height and proportions of the original house.
- 9.3 The proposed basement development to Plot 3, whilst increasing the size of the dwelling would not give rise to any adverse impacts on the host property in terms of style and design as the majority of the proposed alterations to the original scheme would be under ground.
- 9.4 With regards to the three undergrounds storage tanks, it is considered that due to their sympathetic siting, adjacent to the village all, and again, because they would be located underground, the proposed development would not have an adverse impact on the character of the area.
- 9.5 Both elements of the scheme are considered to be acceptable from a design perspective and both accord with ULP Policy GEN2.

B The impact of the proposal in terms of residential amenity and visual impact (ULP Policy GEN2 and GEN4);

- 9.6 By reasons of the scope of the proposed variations to the original scheme, including the subject of this application, Plot 3 and the proposed site for the underground storage tanks, there would be no additional impact from any overlooking, overshadowing or loss of outlook as result of the proposed amendments.
- 9.7 The proposed dwelling would not be any higher, no additional windows would be added so the alterations to the scheme would not have an adverse impact on the

amenity of the neighbouring residents. This would accord with Local Plan Policies GEN2 and GEN4.

- 9.8 The proposed tanks would be located underground with only the small lids visible at the surface. Grass and shrubs can be planted over these lids to further reduce their impact. This would accord with Local Plan Policies GEN2 and GEN4.

C The Parking arrangements GEN8 and ECC Parking Standards (2009);

- 9.9 The current approved scheme indicates that Plot 3 has a parking provision for 3 spaces for the original 4 bedroom unit. This accorded with Local Plan Policy GEN8 and ECC Parking Standards (2009) at the time of assessing the application. The number of bedrooms would not be altered. It is therefore considered that the number of car parking spaces should have to be increased.

- 9.10 It is therefore considered that the proposed development would accord with ULP Policy GEN8.

D Other material planning considerations

- 9.11 As any variation of the original planning consent would result in a new consent being issued the previously sign Section106 Agreement under planning application UTT/0692/12/FUL relating to the following:
1. Provision of the 4 affordable housing;
 2. Restriction to prevent market homes without provision of community elements;
 3. Post completion financial assessment and identification of excess funding and its retention for reinvestment in the development (or similar);
 4. Payment towards early years and childcare provision as stated within Essex Developers' Contribution Guidance 2010 after the first £100, 000 of profit goes to the New Charity set up to manage the village/sport hall and pitches. Payment contribution towards education to be agreed particularly if the total end profit is below £160,307.

These heads of terms would need to be transferred over to this application should planning permission be resolved to be granted.

10. CONCLUSION

Therefore the application is considered to be acceptable and generally in accordance with Local Plan Policies subject to the transfer of all the original conditions, updated and a legal agreement as per UTT/0692/12/FUL.

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

- A The proposed development will not have an adverse impact on the character of the site or the surrounding area in accordance with ULP Policy GEN2
- B The proposed development will not have an adverse impact on the residential amenity of the neighbouring properties in accordance with ULP Policy GEN2 and GEN4.
- C The proposed development would not have an adverse impact on car parking or the highway network in accordance with ULP Policy GEN8

RECOMMENDATION - CONDITIONAL APPROVAL SUBJECT TO S106 LEGAL OBLIGATION

(I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph II unless by 27 September 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 agreement to secure the following:

- (i) Provision of the 4 affordable housing;
- (ii) Restriction to prevent market homes without provision of community elements;
- (iii) Post completion financial assessment and identification of excess funding and its retention for reinvestment in the development (or similar);
- (iv) Payment towards early years and childcare provision as stated within Essex Developers' Contribution Guidance 2010 after the first £100,000 of profit goes to the New Charity set up to manage the village/sport hall and pitches. Payment contribution towards education to be agreed particularly if the total end profit is below £160,307;
- (v) Pay Councils reasonable costs

(II) In the event of such an agreement being made, the Assistant Director 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 Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:

- (i) Provision of the 4 affordable housing;
- (ii) Restriction to prevent market homes without provision of community elements;
- (iii) Post completion financial assessment and identification of excess funding and its retention for reinvestment in the development (or similar);
- (iv) Payment towards early years and childcare provision as stated within Essex Developers' Contribution Guidance 2010 after the first £100,000 of profit goes to the New Charity set up to manage the village/sport hall and pitches. Payment contribution towards education to be agreed particularly if the total end profit is below £160,307.

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 the erection of the development hereby approved (not including footings and foundations) full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [for example]:-
- i. proposed finished levels or contours;
 - ii. means of enclosure;
 - iii. car parking layouts;
 - iv. other vehicle and pedestrian access and circulation areas;
 - v. hard surfacing materials;

- vi. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
- vii. proposed and existing functional services above and below ground (e.g. drainage power,
- viii. communications cables, pipelines etc. indicating lines, manholes, supports.);
- ix. retained historic landscape features and proposals for restoration, where relevant.

Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

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).

- 3 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- 4 No development shall take place until details of earthworks have been submitted to and approved in writing by the local planning authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the site and area in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 5 No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted to and approved in writing by the local planning authority. The scheme shall include:
- (a) All tree work shall be carried out in accordance with British Standard BS3998 - Recommendations for Tree Work.
 - (b) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner within [1-5 years] from [the date of the occupation of the building for its permitted use], other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.
 - (c) If any retained tree is cut down, uprooted or destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and planted, in accordance with condition (3), at such time as may be specified in writing by the local planning authority,.
 - (d) No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.
 - (e) No equipment, machinery or structure shall be attached to or supported by a retained tree.

(f) No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.

(g) No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

The development shall be carried out in accordance with the approved details.

REASON: To ensure the protection of trees within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- 6 Prior to the commencement of the development hereby approved (not including footings and foundations) samples of the 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. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 7 Prior to the commencement of development a scheme of sound insulation shall be submitted to and approved by the local planning authority. Thereafter the development shall be implemented in accordance with the approved details, until that time the building shall not be used for entertainment purposes.

REASON: In the interest of protecting residential amenity in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005)

- 8 No development of the playing fields hereby permitted shall commence until the following documents have been submitted to and approved in writing by the local planning authority (after consultation with Sport England);

A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could affect playing field quality; and

Based on the results of the assessment to be carried out above, a detailed scheme which ensures that the playing field will be provided to an acceptable quality. The scheme shall include a written specification of soils structure, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.

The approved scheme shall be carried out in full accordance with timeframe agreed with the local planning authority (after consultation with Sport England). The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.

REASON: To ensure that the playing field is prepared to an adequate standard and is fit for purpose, in accordance with Policies GEN2, LC1, LC3 and LC4 of the Uttlesford Local Plan (adopted 2005).

- 9 Before the first occupation or use of any building or facility hereby approved the following shall be provided on the site and shall thereafter remain as such:
a) The vehicle access shall be constructed at right angles to the existing carriageway. The width of the access at its junction with the highway boundary shall not be less than 5 metres and retained at that width for 15 metres within the site. The first 15

metres of the new access road as measured from the channel of the main road is to remain straight.

b) Clear to ground visibility splays of 2.4 metres by 110 metres are to be provided to the south of the access;

c) The access shall be laid to a gradient not exceeding 4% for the first 6 metres from the highway boundary and not exceeding 8% thereafter;

d) All independent footpaths should be provided a minimum of 2 metres wide and lit;

REASON: To ensure that vehicles can enter and leave the highway in a safe and controlled manner, to provide 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 and to protect public safety, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- 10 Before development commences details of the estate roads and footpaths, including layout, levels, gradients, surfacing and means of surface water drainage, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with these approved details before the first use or occupation of any building or facility hereby approved and shall thereafter remain as approved.

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

- 11 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. The shared surface 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 up stands 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 within three months from the occupation of such dwelling.

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

- 12 Before development commences cross-sections of the site and adjoining land, including details of existing levels around the building(s) hereby permitted and any changes in level proposed, together with the proposed floor levels within the building(s), 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: To protect the amenities of neighbours and in order to minimise the visual impact of the development in the street scene, in accordance with Policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 13 No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. 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: 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 ground water and/or surface waters; include a timetable for its implementation; and 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, in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 14 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 in writing 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 thereafter.

REASON: To meet the requirements for recycling, to prevent the unsightly storage of refuse containers and in the interests of amenity and sustainability, in accordance with Policies GEN1, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 15 Before the development hereby permitted commences, an accessibility statement/drawing shall be submitted to and approved in writing by the local planning authority. The details submitted shall set out measures to ensure that the building is accessible to all sectors of the community. The 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 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.

- 16 The existing building shall be demolished and all the materials arising from such demolition shall be completely removed from the site prior to the first occupation of any dwelling hereby approved.

REASON: In the interests of visual amenity, in accordance with Policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 17 No development, or preliminary groundworks, of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant, and approved in writing by the Local Planning Authority.

REASON: The Essex Historic Environment Record shows that the proposed development site lies immediately adjacent to a number of known sites (HER 4697, 19461). Large scale trenching has taken place for the Priors Green site which found extensive archaeological deposits of prehistoric to medieval date. The development also fronts onto the Roman road from Braughing to Colchester (HER 4697). It is likely that deposits of multi-period date will be identified in the development area.

- 18 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, in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

- 19 The development as designed, specified and built shall achieve a 'Code for Sustainable Homes' rating of 'Level 3'. The applicant will provide the planning authority with a Code for Sustainable Homes 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 Code for Sustainable Homes 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 to meet the requirements contained in adopted SPD Energy Efficiency and Renewable Energy Adopted October 2007 and in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 20 The Village Hall as designed, specified and built shall achieve the equivalent of a BREEAM 'very good' rating, namely the building emissions rate (BER) achieved shall be at least 25% lower than the target emissions rate (TER) as calculated by the Building Regulations 2006 Part L2A SBEM methodology, and will incorporate other water saving and environmental features agreed with the planning authority.

The applicant will provide the planning authority with a design SBEM rating of the proposed development carried out by an accredited assessor before work commences on-site, as well as details of water saving and other environmental features. Within four weeks following its completion, the applicant will provide a SBEM rating of the as-built building and details of water saving and other environmental features incorporated.

REASON: In the interests of the promotion of sustainable forms of development and construction, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 21 Before development commences a timetable for the provision of the playing field hereby approved and a management plan shall be submitted to and approved in writing by the Local Planning Authority. These details shall demonstrate that the proposed playing field shall be available for use within 2 years of the commencement of the proposed residential development unless otherwise agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with these approved details.

REASON: To ensure that the replacement playing field is implemented within an acceptable timescale in order to ensure the continuity of playing field provision, in accordance with Policies GEN2, GEN1, LC1, LC3 and LC4 of the Uttlesford Local Plan (adopted 2005).

- 22 No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principle and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run off generated up to and including the 100 year critical storm will not

exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON: To prevent the increase risk of flooding, both on and off the site in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 23 Before development commences (including demolition) wheel cleaning apparatus must be provided within the application site in accordance with details to be submitted to and approved in writing by the local planning authority, and which shall be operated and maintained as approved during construction of the development hereby approved.

REASON: In order to ensure that the wheels of the vehicles are cleaned before leaving the site in the interests of highway safety, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- 24 Before development commences details of the floodlighting to include design, illumination and any necessary shielding and lighting design, noise control and security measures shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with these approved details and shall thereafter remain as such unless otherwise agreed in writing by the Local Planning Authority. Once approved the floodlighting shall not be operated except between the hours of 0900 and 2200 unless otherwise agreed in writing by the Local Planning Authority.

REASON In the interests of residential and visual amenity, in accordance with Policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005)

- 25 The community/sports centre and multi-use games area uses hereby permitted shall not be carried on except between the hours of 08.00 and 24.00 unless otherwise agreed in writing by the Local Planning Authority.

REASON In the interests of residential and visual amenity in accordance with Policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005)

- 26 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, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 27 If at any time during the course of construction of the development hereby approved, a species of animal or plant (which include bats and great crested newt) that is protected under the Conservation (Natural Habitats &c) Regulations 1994) is discovered, all construction or other site work shall cease until a licence to disturb any protected species has been granted by Natural England.

REASON: To comply with the requirements of the Habitats Regulations and to protect species of conservation concern, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

Protected species' are those species of plants and animals that are afforded legal protection, for example under the European Union Birds Directive and Habitats

Directive (these "European Protected Species" are the highest priority for protection), or under Schedules 1, 5 and 8 of the Wildlife & Countryside Act 1981 (as amended), and the Protection of Badgers Act 1992. Developments which compromise the protection afforded European Protected Species will almost invariably require a licence from Natural England. This applies to Bats (all species) Great Crested Newt, Otter, and Dormouse.

- 28 The development shall not commence until details of any proposed external lighting scheme and security measures to reduce the potential for crime have been submitted to and approved by the Local Planning Authority.

REASON: To protect the amenities of the locality by avoiding light pollution and reducing the potential for crime related activity in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005)