

UTT/14/2003/FUL SAFFRON WALDEN

(Major)

PROPOSAL: Demolition of existing building, erection of mixed use building for flats, shops and office use with associated parking and landscaping.

LOCATION: Moores Garage, Thaxted Road, Saffron Walden.

APPLICANT: Ford Wells Developments Ltd.

AGENT: Brian Christian.

EXPIRY DATE: 14 October 2014 (extended to 31 October 2014).

CASE OFFICER: Mr C Theobald.

1. NOTATION

1.1 Within Development Limits.

2. DESCRIPTION OF SITE

2.1 The site lies on the eastern side of Thaxted Road in a prominent position at the junction with Shire Hill and comprises a former petrol filling station with associated shop sales footprint area and adjacent car wash facility on a triangular piece of level land consisting of 0.165 ha. Commercial operations ceased at the site earlier this year and the site has recently been boarded up. A vehicle workshop lies to the immediate south of the site on higher ground, whilst residential properties line Thaxted Road opposite to the west. A footpath link (Shire Hill Lane) runs along the rear of the site towards a housing estate situated to the north-east. Vegetation, including some trees, exists along the rear boundary of the site onto this path.

3. PROPOSAL

3.1 This proposal relates to the demolition and clearance of the existing petrol filling station and erection in its place of a mixed use three storey building for B1/flexible commercial/retail purposes on the ground floor with residential apartments over, including on-site parking and associated residential amenity areas and landscaping where it is stated in the application that the B1 element of the proposal is intended to be implemented for the applicant's development company headquarters.

3.2 The new building would have an irregular shaped footprint to fit the site boundaries with a height at main three storey level of 11.2 metres and height to the top of a partial fourth floor resident roof terrace of 14.6 metres. The building would have a contemporary design and appearance and would have continuous curtain glazing at ground floor level for the principle elevation (commercial) with external cladding above. The scheme would have 8 No. frontage surface car parking spaces to serve the B1/commercial element of the site use and would incorporate an underground car park with service ramp to provide parking for on-site residents comprising 24 No. parking spaces. The scheme would also have a communal private amenity space for residents comprising the roof terrace and an enclosed area positioned at the rear end of the building.

4. APPLICANT'S CASE

4.1 A Planning Statement and Design and Access Statement have been submitted with the application. The conclusions of the Planning Statement are as follows:

- The site represents brownfield land and there is therefore a presumption in favour of redevelopment in both national and local planning policy;
- The mixed use scheme as proposed is appropriate given the site's location at the entrance to an existing industrial estate (Shire Hill) with residential properties lying opposite;
- The retail element of the use will replace the established retail on the site (petrol sales etc) and the site is accessible both by foot and by bus and will not harm the vitality and viability of the town centre;
- Car parking, resident amenity space, site visibility, Lifetimes Homes and other elements of the use are compliant with local policy;
- The scale of the building and its contemporary design are appropriate in this site context that comprises relatively modern buildings with a mixture of styles and materials. The proposal will create a landmark building on this prominent corner site which will enhance the visual qualities of the area;
- The comments expressed in the Council's preliminary enquiry response have been addressed and the Council is urged to grant planning permission.

5. RELEVANT SITE HISTORY

5.1 None.

6. 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 E2 – Safeguarding Employment Land
- ULP Policy RS1 – Access to Retailing and Services
- ULP Policy RS2 – Town and Local Centres
- ULP Policy GEN1 – Access
- ULP Policy GEN2 – Design
- ULP Policy GEN3 – Flood Protection
- ULP Policy GEN4 – Good Neighbourliness
- ULP Policy GEN6 – Infrastructure Provision to Support Development
- ULP Policy GEN7 – Nature Conservation
- ULP Policy GEN8 – Vehicle Parking Standards
- ULP Policy ENV14 – Contaminated Land
- ULP Policy H9 – Affordable Housing
- ULP Policy H10 – Housing Mix
- ULP Policy SW1 – Saffron Walden Town Centre
- ULP Policy SW2 – Residential Development within Saffron Walden Built Up Area

6.3 Uttlesford District DRAFT Local Plan

- Policy SP1 – Presumption in favour of Sustainable Development
- Policy SP2 – Development within Development Limits
- Policy DES1 – Design
- Policy EMP1 – Employment Strategy
- Policy SP5 – Retail Strategy
- Policy SP6 – Meeting Housing Need
- Policy HO1 – Housing Density
- Policy HO2 – Housing Mix
- Policy HO7 – Affordable Housing
- Policy ENV3 – Contaminated Land
- Policy SP12 – Accessible Development
- Policy TA1 – Vehicles Parking Standards

7. TOWN COUNCIL COMMENTS

7.1 Comments as follows:

- The application contravened ULP Policy GEN2 (Design) in that it is incompatible with the layout and appearance of the surrounding buildings in that area and it will severely reduce the visual impact there.
- The application contravened ULP Policy GEN2 (Design) in that it would have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.
- The application contravened UL Policy GEN2 (Design) in that it is an abhorrent design with little consideration of the appearance of the Town taken in to consideration.

8. CONSULTATIONS

Environment Agency

- 8.1 Planning permission could be granted for the proposed development as submitted if conditions are included as set out in our response to protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with the NPPF and Environmental Agency Groundwater Protection: Principles and Practice (GP3). The proposed development lies within Flood Zone 2 as defined in table 1 of the Planning Practice Guidance and is therefore at risk of flooding. The planning application sits within the category of “lower risk” development and the Environment Agency’s Flood Risk Standing Advice (FRSA) should be adhered to where completed forms for this should be submitted as part of the planning application submission.

Natural England

- 8.2 Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes. We have not assessed this application and associated documents for impacts on protected species.

Anglian Water

- 8.3 Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

The foul drainage from this development is in the catchment of Saffron Walden Water Recycling Centre that at present has available capacity for these flows. The sewerage

system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable as it is unclear how much flow is proposed to be disposed to the public sewer. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency. We request a condition requiring a drainage strategy covering the issue(s) to be agreed.

Trade Effluent: Not applicable.

Suggested Planning Conditions:

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding.

Affinity Water

- 8.4 The proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Debden Road Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd. The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the 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. For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

ECC Highways

- 8.5 No objections.

ECC Minerals and Waste

- 8.6 No observations.

ECC Education

- 8.7 Contributions are necessary on this site for both primary and secondary school education provision. For information purposes only, should the final development result in the unit mix stated, the primary school contribution would be £16,250 and the secondary school contribution would be £16,457, which would be index linked to April 2014 costs.

ECC Ecology

- 8.8 The applicant has answered 'no' to all questions on the biodiversity questionnaire and the aerial view shows the site to be dominated by buildings and hard standing. It is unlikely to support any protected or notable species. The trees along the rear boundary should be protected in accordance with the Arboricultural Implications Assessment (dated July 2014) and BS 5837 Trees in relation to design, demolition and construction:

UDC Economic Development Officer

- 8.9 Being on the entrance to the Saffron Walden Industrial Estate this site is important not only in terms of employment, but also its visual impact. The design and appearance of the building in the application presents a modern image and whilst somewhat different to the other buildings on the estate would create a positive statement at the entrance to the estate. The office space would be a welcome addition at this location and there is demand locally for modern office space. The end user of the planned retail space could potentially compete with town centre businesses and this would add to the existing commercial pressures faced by many town centre retail businesses. From this perspective a better option would be to allocate this space for office use.

UDC Environmental Health Officer

- 8.10 An initial assessment of contamination has been carried out by the applicant, which has identified sources of contamination which can be addressed by measures to render the site suitable for the proposed end use. However, the survey has been carried out prior to removal of the ten underground, and single above ground, fuel storage tanks and associated pipework. The ground beneath and around these facilities is at high risk of being contaminated. Sources beyond the site boundary also need to be addressed, due to the presence of an electricity substation and vehicle workshop adjacent to the southern boundary. The risk to all likely receptors presented by these areas of the site needs to be fully evaluated, and if remediation is identified as being necessary, it must be fully verified prior to commencement of the construction phase.
- 8.11 The site is located close to and adjacent to existing commercial activities which could impact on the amenity of future residents on the upper floors, both within the flats and at the outdoor amenity area. On the southern boundary is a vehicle workshop which will be a source of impact noise, vehicle engine testing, and other sounds associated with repairs. To the north east are premises on Shire Hill industrial estate, the closest of which is a technological industry which will be the source of compressor and fan noise, bulk gas deliveries and potentially other more general noise. Slightly more distant to the east is the UDC workshop and depot which is the source of jet washing and vehicle maintenance noise. The commercial noise sources will largely be limited to daytime Monday to Saturday hours, and night-time sleep disturbance is unlikely to be an issue. Mitigation measures may therefore be necessary to ensure the noise environment within the flats and in the amenity area is acceptable,
- 8.12 External lighting associated with the development may cause loss of residential amenity to residents along Thaxted Road.

UDC Housing Enabling Officer

- 8.12 This scheme is for 10 residential units on a busy main road with retail on the ground floor. This would attract the Council's 20% affordable housing policy equating to 2 units. My suggestion would be 2x1 bed flats for shared ownership.

9 REPRESENTATIONS

- 9.1 Notification period expired 14 August 2014. Advertisement expired 14 August 2014. Site notice expired 14 August 2014.

Summary of representations:

- Development should be two storeys in height to be compatible with remainder of the streetscene along Thaxted Road;
- Should not contain roof terrace where this could result in noise disturbance by residents
- No communal gardens provided
- Design and external materials do not compliment surrounding area
- Parking could be an issue
- Question need for further officer user space where there is vacant space on Shire Hill
- Impact on proposed retail unit on local roads and footpaths

10 APPRAISAL

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

- A Principle of development, including flood risk (ULP Policies S1, E2, RS1, RS2, SW1 and GEN3);
- B Design, housing mix and impact on residential amenity (ULP Policies GEN2 and GEN9);
- C Affordable Housing (ULP Policy H10);
- D Whether highway and access arrangements would be satisfactory (ULP Policies GEN1 and GEN8);
- E Impact on ecology (ULP Policy GEN7).

A Principle of development, including flood risk (ULP Policies S1, E2, RS1, RS2, SW1 and GEN3)

- 10.1 The existing petrol filling station at this prominent commercial location on the eastern side of town at the corner of Thaxted Road and Shire Hill has recently closed down and is presently boarded up where the likelihood of the resumption of petrol sales at the site under a different user remains unclear and uncertain. The Council is unable to influence the protection of this site as a petrol filling station if commercial imperatives are such that the site has become commercial unviable and it would be unreasonable for the Council to insist in the circumstances that the nature of the use is protected where the site is not protected land in the Council's current local plan and where it is not designated for employment retention or for any other purpose in the adopted local plan.

- 10.2 Furthermore, to delay redevelopment of the site could result in this brownfield site falling into neglect and becoming a local eyesore at this end of the town. The National Planning Policy Framework actively encourages the re-use/redevelopment of brownfield sites (previously developed land) and the proposed mixed use of the site as put forward in the current application would be consistent with this general policy approach. As such, no objections are raised in principle to the redevelopment of the

site subject to other relevant policy criteria being met where the site is situated within a sustainable location along a principal artery road leading into the town centre from the south (B184 Thaxted Road) along which an approved residential development on former brownfield land is currently in the advanced stage of construction (Goddards Yard) and where mixed use development, including a comprehensive development scheme is proposed further along Thaxted Road to the south.

- 10.3 The proposal has been subject to a preliminary enquiry where a mixed use scheme was put forward along the lines as now submitted. The site does not fall within the defined town centre for Saffron Walden. As such, the retail element of the proposal needs to be subject to consideration of a sequential test and, if necessary, a retail impact assessment. The sequential test guides main town centre uses towards town centre locations first then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations area available, to out of town locations with preference for accessible sites which are well connected to the town centre. The test supports the viability and vitality of town centres by placing existing town centres foremost in both plan making and decision making. A retail impact assessment assesses whether there could be likely significant adverse impacts of locating main town centre retail development outside of town centres. Paragraph 27 of the NPPF states that a planning application should be refused where it *“fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors”*. The retail impact assessment applies only above a floorspace default threshold of 2,500sqm as set by the NPPF unless locally set. The Council has a locally set threshold of 1,000sqm, although the proposal would have a retail floorspace significantly less than this lower figure (stated at 280sqm). As such, the proposal would not be required to be subject to a retail impact assessment.
- 10.4 The proposal provides for a B1 office space user and a commercial/retail space user on the ground floor with two floors of residential apartments above where details of the future commercial user have been left intentionally open-ended to allow for future flexible use of the site, although it is stated in the application that the user would be a non-food retailer. It is considered from this that the commercial element of the proposal would not therefore have a significant impact on town centre vibrancy and vitality given the limited retail floorspace involved. This leaves other potential uses to be considered of the site where it is considered that bulky A1 comparison goods where this has been suggested by the applicant in pre-application discussions, A2 (Financial or Professional Services) or an additional B1 office user would be acceptable use elements of the new building at this location where these uses would similarly not compete with town centre uses. As such, it is considered that the applicant does not have to demonstrate the sequential test with the application and that this mixed use scheme would be acceptable for the site, although a B2 general industrial use or B8 storage and distribution use of the ground floor of the building is not considered to be appropriate at this prominent corner location and also given that apartments are proposed for the building on the first and second floors over and in view of the residential properties which lie opposite the site in this mixed use area. It should be noted that the Council's Economic Development Officer has expressed a preference for office use over retail at this site in his consultation response.
- 10.5 In terms of flood risk, the majority of the site is categorised as Flood Zone 1 with only a small part of the site being categorised as Flood Zone 2 where this is affected by an adjacent stream. As such, the Environment Agency in its consultation response has stated that the proposal represents “Low Risk” development where the applicant has completed the Environment Agency's Standing Advice form showing how in mitigation the development could be protected from flood in an extreme event.

B Design (ULP Policy GEN2)

- 10.6 The proposed building as presented purposely adopts a modern contemporary design in the retro style incorporating a main flat roof with partial roof terrace where this terrace would be used for the benefit of residents of the apartments on the first and second floors. External cladding and panelling would be used for the building on all elevations rather than brick. It is stated by the applicant in support of the proposal that the building is intended by its modern design, scale, and appearance to represent a new “landmark” building at this prominent corner location to provide an interface and juxtaposition between Thaxted Road and the entrance up to Shire Hill where the opportunity exists for such a design approach to be taken rather than adopting a more traditional and vernacular design. As such, the scheme as presented represents a bold design statement as to what could be achieved in terms of the redevelopment of this physically constrained and irregular shaped site where it is contended that there are no obvious design cues along this section of Thaxted Road, which consists mainly of older style linear housing. Accordingly, the applicant has chosen to adopt a “clean slate” design approach to the site rather than to devise a scheme which would potentially otherwise have reduced streetscene impact. In terms of promoting Shire Hill for business growth, the Council’s Economic Development Officer has expressed the view that *“The design and appearance of the building in the application presents a modern image and, whilst somewhat different to the other buildings on the estate, would create a positive statement at the entrance to the estate”*. It is considered that these comments carry weight in the applicant’s favour.
- 10.7 Whilst it is appreciated that the design of the building has generated resistance by the Town Council and some local residents, this should not be viewed as being a valid planning reason to refuse the application where the building would as the applicant has asserted represent a landmark building of interest at this commercial location within what is a rather run-down and tired end of the town and it is considered in all of the circumstances that the design is acceptable under ULP Policy GEN2.
- 10.8 In terms of massing and scale, cross-section drawings have been provided with the application to show how the building would impact on surrounding built form. The west side of Thaxted Road contains dwellings of mainly two storey, whilst the southern side of the site contains commercial buildings. Shire Hill is situated to the rear of the site on rising ground. It is considered from this that the building at mainly three storeys height would sit comfortably within its surroundings without having an overbearing effect on the occupants of adjacent residential properties. The building would contain apartment windows to all elevations, although those existing properties most affected would be those living in the residential properties lying immediately opposite the site. The building would sit back into the site by some 13 metres, whilst the frontage separation distance across Thaxted Road to those dwellings would be such that significant overlooking from the apartments would not occur.
- 10.9 The proposal would include a community amenity space in the form of a roof terrace equating to 190 sqm, which would be enclosed by a glass balustrade. In addition, a grassed area situated at ground level in the rear SE corner of the site of some 275 sqm would also be provided, which would have a southerly aspect and would be of sufficient size to be usable. This would give a combined private amenity area of 465 sqm, or 46.5sqm per apartment, which would exceed the 25sqm minimum private amenity space for flats as recommended by the Essex Design Guide, whilst the Lord Butler Leisure Centre is within walking distance of the site. The residential element of the scheme would provide a lift as well as a staircase and would in this respect comply with the Council’s latest Housing Strategy and the SPD for Accessible Homes and Playspace.

10.10 The residential element of this mixed use scheme would contain 10 No. two bedroomed apartments spread across two floors. Whilst no single bed units are shown to be provided, it is considered that this bedroom specification would be acceptable for the scheme, particularly being mindful of the Council's SHMA process where it would be difficult to insist on a mix between one and two bedroomed apartments for this full market housing scheme. No objections are therefore raised under ULP Policy H10.

C Affordable Housing (ULP Policy H9)

10.11 The development would be liable to developers' contributions for affording housing provision where this would represent 20% of the total number of residential units being provided, namely 20% of ten units, i.e. 2 affordable units. The Council's Housing Enabling Officer has expressed a preference for 2 x1 No. bed on-site provision for flats for shared ownership rather than two bedroomed units. However, it is considered in this instance that financial contributions by way of a unilateral undertaking should be the preferred approach rather than providing on-site provision bearing in mind that only two of the total of ten units would be affordable units and thus making on-site provision an unviable proposition. The applicant has agreed in principle to this undertaking where this undertaking should also cover the financial contribution towards primary and secondary education as calculated and advised by ECC Education in its consultation response.

D Whether highway and access arrangements would be satisfactory (ULP Policies GEN1 and GEN8)

10.12 Vehicular access into the site would be in the form of dual access points off of Thaxted Road. ECC Highways have not raised any highway objections to this proposed access arrangement or to the underground car park which would be provided under the building. Whilst the proposed mix use of the site can be viewed as being more intensive than the former use as a petrol filling station in terms of its composite elements, comparison of daily vehicle movements generated to and from the site between the former and proposed cannot be properly measured and in any event site lines along Thaxted Road outside the site are good where the site is within restricted speed limits. No objections are therefore raised under ULP Policy GEN1.

10.13 Parking at the site would take the form of both surface and below ground parking as previously described. The above ground parking for the B1/commercial elements of the mixed use scheme would be sufficient in terms of floorspace ratio where 8 No. parking spaces, including a disabled space would be provided and where this parking requirement is to be treated as a maximum standard. The 24 No. underground parking spaces to be provided for the ten apartments, including two disabled spaces would comply and exceed the minimum residential parking standard of 1 No. space per dwelling. Internal manoeuvrability space around the parking rows where an isle width of 6 metres width is shown would also be satisfactory. Whilst the surface parking bays would be at the preferred bay size of 5.5 x 2.9 metres, the underground parking bays would be reduced at 5.0 x 2.5 metres with the exception of the disabled parking bays. However, ECC Highways have not objected to this reduction in car bay size for the underground car park where it is considered that an exception can be made in this instance where the parking bay sizes would still meet the *minimum* standard and where an increase to 5.5 x 2.9 metres would compromise isle width. The proposed parking arrangements would therefore comply with ULP Policy GEN8.

E Impact on ecology (ULP Policy GEN7)

10.14 The site contains limited habitat potential for wildlife, including protected species where the only possible habitat being provided is a line of trees that line the rear boundary of the site with the adjacent footpath. A bat survey submitted with the application found no evidence of bats on the site where this was not to be expected by the survey findings. No objections are therefore raised to the proposal under ULP Policy GEN7 where there are limited opportunities for ecology enhancement at the site given the nature of the proposal.

11 CONCLUSION

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

- A The development proposal as a mixed use scheme would be acceptable in principle at this brownfield site where the proposal would represent a sustainable form of development along a main road artery leading into the town centre. The proposal is not subject to a retail impact assessment as it would be below the floorspace threshold, whilst it is considered that the scale of the proposal where the commercial/retail element of the proposal does not include a food retailer would not compete with town centre uses and materially affect town centre vibrancy or vitality.
- B The design of the new building would be acceptable, whilst the scale, massing and positioning of the building would not cause significant amenity loss to existing residential properties along Thaxted Road. Housing mix would be acceptable
- C The applicant has agreed to enter into a unilateral undertaking to pay financial contributions towards off-site affordable housing and education provision.
- D Proposed access and parking arrangements would be satisfactory.
- E The proposal would not be detrimental to ecology.

RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO A LEGAL AGREEMENT BY WAY OF SUBMISSION OF A UNILATERAL UNDERTAKING

- (I) The applicant be informed that the committee would be mindful to refuse planning permission for the reasons set out in paragraph (III) unless within 6 months of being invited to do so the freehold owner enters into a binding agreement to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive – Legal, in which case he shall be authorised to conclude such an agreement to secure the following:**
 - (i) Payment of financial contributions towards affordable housing**
 - (ii) Payment of contributions towards primary and secondary education provision as per the formula for calculating education contributions**
 - (iii) Pay the Council’s reasonable costs**
- (II) In the event of such an agreement being made, the Assistant Director Planning and Building Control shall be authorised to grant planning 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) No financial contributions received for affordable housing**

(ii) No financial contributions received towards education provision

Conditions/Reasons

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. The building hereby permitted shall not be used for Class A1 food retailing, B2 or B8 uses of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking, re-enacting or amending that Order with or without modification) without further approval being sought and gained from the local planning authority.

REASON: To ensure that the development as a flexible mixed use scheme does not diminish the vibrancy and vitality of existing town centre food retail uses, in the interests of the protection of residential amenity and to ensure that the development is compatible with the character of the surrounding area in accordance with ULP Policies RS2, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

3. Further details of external finishes of the building hereby permitted shall be submitted to and approved in writing prior to the commencement of development hereby permitted. Subsequently, these approved finishes shall be incorporated into the development as built.

REASON: To ensure that the building is properly assimilated into the streetscene by reason of its design, appearance and external materials in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

4. Before development commences 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) proposed finished levels
- b) means of enclosure
- c) hard surfacing, other hard landscape features and materials
- 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, particularly along the site frontage and also for the proposed private amenity area to the rear of the building hereby permitted, 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)

5. 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).

6. Prior to the commencement of development details of the method of construction proposed in order for the dwellings to meet the standards set out BS 8233:2014 for external noise and indoor ambient noise levels shall be submitted to and approved in writing by the Local Planning Authority. The dwellings shall be constructed in accordance with the approved details.

REASON: In the interests of the protection of the residential amenities of the future occupants of the apartments of the building hereby permitted in accordance with ULP Policies GEN2 and GEN5 of the Uttlesford Local Plan (adopted 2005).

7. The proposed development shall not be occupied until such time as the vehicle parking area 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 area 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 of the Uttlesford Local Plan (adopted 2005).

8. The powered two wheeler/cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the development and retained at all times.

REASON: To ensure appropriate powered two wheeler and bicycle parking is provided in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

9. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport approved by Essex County Council to include six one day travel vouchers for use with the relevant local transport operator.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

10. The development hereby permitted shall incorporate all measures set out in the accessibility statement which accompanied the application.

REASON: To ensure that the premises can be readily used by people with physical disabilities in accordance with national and local planning policies in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

11. No external floodlighting or other illumination shall be installed on any phase until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of the height of the

lighting posts, intensity of the lights (specified in Lux levels), spread of light including approximate spillage to the rear of the lighting posts or disturbance through glare and the time when such lights would be illuminated. The development shall be carried out in accordance with the approved details.

REASON: In the interests of residential amenity in accordance with ULP Policy GEN5 of the Uttlesford Local Plan (adopted 2005).

12. No development (with the exception of demolition works and removal of fuel storage tanks in order to facilitate the site investigation) shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site, and must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
human health, the water environment, property (existing or proposed), service lines and pipes, adjoining land and any other receptors identified as relevant.

If found to be necessary as a result of Part 1, a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The scheme must include all works to be undertaken, proposed remediation objectives, an appraisal of remedial options, a timetable of works and site management procedures.

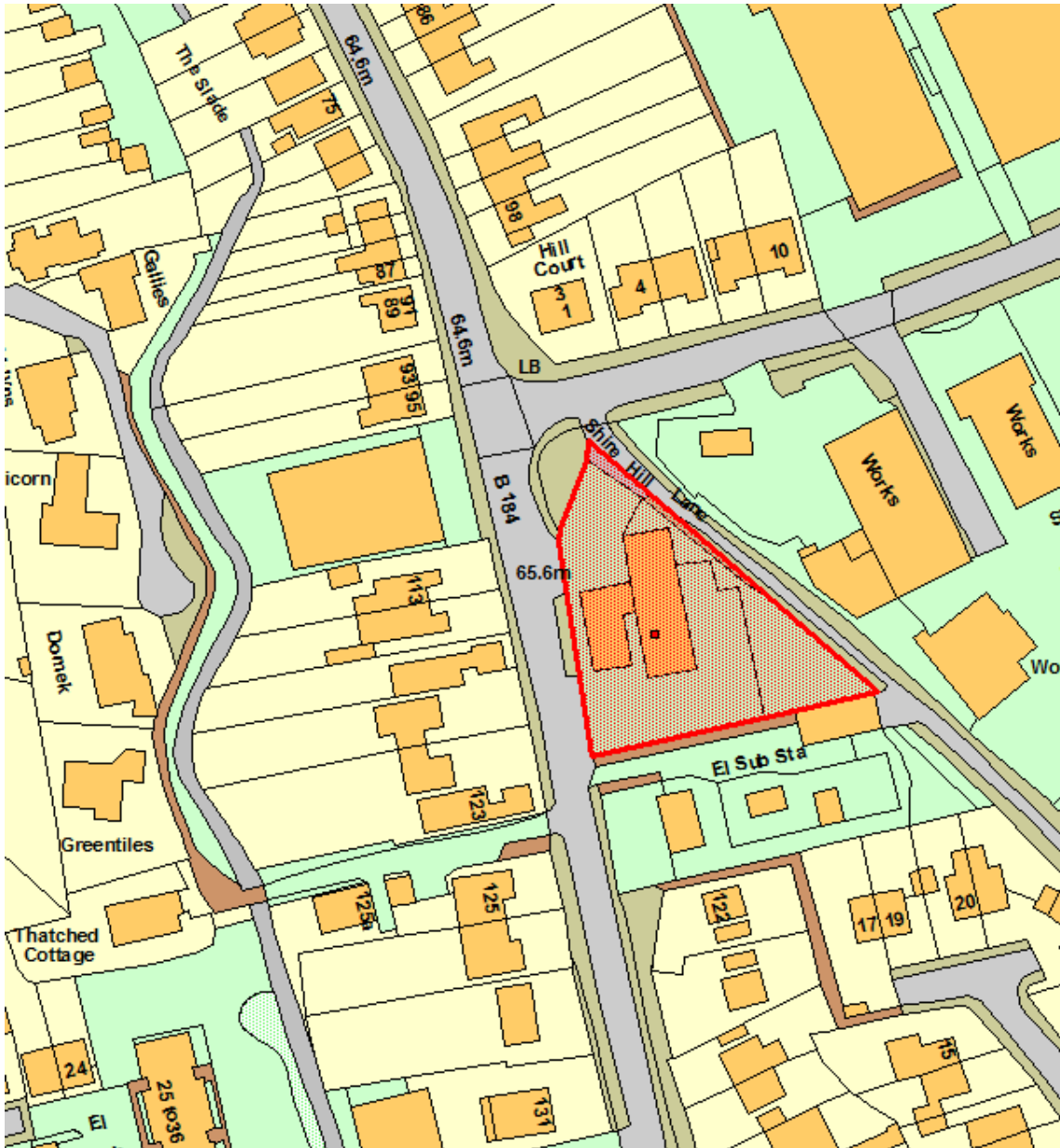
The remediation scheme for each phase shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report demonstrating that the remediation objectives have been achieved must be submitted to and approved by the Local Planning Authority.

In the event that contamination that was not previously identified is found at any time after the development of any phase has begun, development must be halted on that part of the site affected by the unexpected contamination. The contamination must be reported in writing within 3 days to the Local Planning Authority. An assessment must be undertaken in accordance with the requirements of paragraph 1, 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. 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 paragraph 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 adopted Uttlesford Local Plan.

Application No. : UTT/14/2003/FUL

Address: Moores Garage, Thaxted Road
Saffron Walden



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationary Office© Crown Copyright 2000. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Organisation: Uttlesford District Council

Department: Planning

Date: 2 October 2014

SLA Number: 100018688