

UTT/14/3506/DFO NEWPORT

(MAJOR)

PROPOSAL: Details following outline application UTT/12/5198/OP for the construction of 21 dwellings, including 8 affordable housing (following demolition of existing building) including access, parking, garaging, drainage and all ancillary works

LOCATION: Carnation Nurseries, Cambridge Road, Newport.

APPLICANT: Bloor Homes Eastern.

EXPIRY DATE: 20 February 2014.

CASE OFFICER: Clive Theobald.

1. NOTATION

1.1 Outside Development Limits.

2. DESCRIPTION OF SITE

2.1 The site comprises a redundant nursery extending to 0.67ha located on the eastern side of Cambridge Road behind a line of frontage dwellings to the north of The Coach & Horses PH. The site slopes down from the road to the River Cam, which forms its eastern rear boundary, whilst vehicular access into the site and an adjacent nursery located to the immediate north is gained from Cambridge Road at its northern end adjacent to Carnation Bungalow. The site includes a large former packing shed situated onto the rear boundary associated with the previous nursery use now used for separate business purposes and also an adjacent frontage property known as Cedardale which stands at the southern end of the site. The glasshouses on the site have now been demolished, whilst a gym which was previously run from the converted packing shed ("Get Up "n" Go") vacated the site in December 2014 following the end of its extended tenancy and now occupies a former commercial unit at Britannia Works, Clavering following the grant of planning permission by the Council for change of use of that premises on 19 December 2014.

3. PROPOSAL

3.1 This revised reserved matters application seeks approval for the erection of 21 dwellings comprising 13 open market dwellings and 8 affordable housing units, new vehicular access from Cambridge Road, parking, garaging, drainage and ancillary works involving the demolition of Cedardale where matters relating to layout, scale, appearance and landscaping fall to be considered and where access was agreed at outline stage under application UTT/12/5198/OP.

3.2 The development would comprise mainly two storey dwellings and a small amount of two and a half storey units spread across the development and would incorporate a mixture of house types and styles and a combination of mainly on-site garaging and hardstanding spaces. The proposed dwellings would face onto a single access road from Cambridge Road, whilst a small parking court would be formed at the end of the access road adjacent to the affordable housing.

3.3 The revised changes result from detailed application UTT/14/2234/DFO, which was refused planning permission by Members of the Planning Committee on 15 October 2014 contrary to officer recommendation on the grounds that the layout, scale and design of the proposed layout was considered unacceptable by reason of its sub-standard parking layout resulting in the potential for on-street parking to the detriment of pedestrian and highway safety. The changes made for the revised application seeking to overcome Members' concerns have been the subject of a pre-application meeting held between the applicant and officers and are as follows:

- The overall density of the site layout has been reduced from 23 dwellings down to 21 dwellings where this has resulted in the loss of one open market dwelling and one affordable unit;
- The six visitor parking spaces originally shown at the entrance to the site off Cambridge Road have now been positioned throughout the site and away from the junction;
- The rear garden to Plot 9 has been reduced in size to increase amenity space;
- Revised parking arrangements have been made to various dwellings across the site;
- Some dwellings have been positioned further back from carriageways to create greener frontages and allow more room for tree planting.

4. APPLICANT'S CASE

4.1 The application is accompanied by an updated Planning Statement and Design and Access Statement reflecting the layout revisions as described. The statement addresses the site and its surroundings, the planning submission, planning policy, design, accessibility and landscaping. The Addendum section of the statement (November 2014) concludes by stating *"Bloor Homes believes that with the above changes the revised application will deliver a robust and successful solution for the future of this site and the wider community of Newport"*.

4.2 The application is further accompanied by the following documents:

- Planning Supporting Statement
- Design and Access Statement
- Extended Phase 1 Habitat Survey/Water Vole Survey/Bat Emergence Survey
- Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan
- Landscaping Proposal
- Contamination Report
- Remediation Strategy and Verification Plan
- Written Scheme of Investigation for an Archaeological Evaluation and Watching Brief
- Energy Statement

5. RELEVANT SITE HISTORY

5.1 Outline planning permission granted in 2013 for the principle of residential development at Carnation Nurseries for up to 23 dwellings and estate road involving the demolition of existing buildings, including a single dwelling (Cedardale) and with all matters reserved except access. The officer report for that application addressed the issue of flood risk given the location of the site within a Flood Risk 2/3 area adjacent to the River Cam following consultations with the Environment Agency and also the loss of employment at the site with regard to the converted packing building relating to the former nursery.

The officer report also addressed the issue of site remediation given the previous nursery use of the site.

5.2 Subsequent Reserved Matters application for the erection of 23 dwellings, including 9 affordable units, parking, garaging, new estate road, drainage and ancillary works at Carnation Nurseries involving demolition of Cedardale refused by the Council in October 2014 for the following reason:

1. "The proposed development by reason of its layout, scale and design is unacceptable by reason of its substandard parking layout resulting in on-street parking to the detriment of the pedestrian and highway safety, contrary to Policies GEN8 and GEN2 of the Uttlesford Local Plan (adopted 2005) and the NPPF".

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- ULP Policy GEN2 – Design
 - ULP Policy GEN7 – Nature Conservation
 - ULP Policy GEN8 - Vehicle Parking Standards
 - ULP Policy H9 - Affordable housing
 - ULP Policy H10 – Housing Mix
 - ULP Policy ENV3
- SPD on Accessible Homes and Playspace.

7. PARISH COUNCIL COMMENTS

7.1 Object for the following reasons:

- The proposed development would be outside development limits and within the flood plain. We note the site is being raised by filling.
- The access to Cambridge Road is safe, but 21 houses will add to the additional traffic from the developments in Saffron Walden.
- Existing businesses are currently working there and this would result in the loss of a commercial area.
- There are no details of drainage or soakaways. We assume surface water drainage will be to the River Cam. Please confirm and send us copies of drawings pre-fixed "S" on drawing 2812103.
- We would remind you that this is a further addition to the already overloaded sewage system.
- The distance to the primary school and village amenities is considered unreasonable and we can foresee parents taking their children by car which would add to the current problems in Bury Water Lane and School Lane which we have repeatedly said are not fit for purpose.
- UDC plan for 50 "windfall" houses per year. Newport seems to have had a very large share of these.
- Concerns regarding tandem parking arrangements.

8. CONSULTATIONS

Natural England

- 8.1 Natural England has previously commented on this proposal and made comments to the local authority in July 2014 (UTT/14/2234/DFO). The advice provided in its previous response applies equally to this revised application, although it raised no objections to the original proposal. Should the proposal be amended in a way which significantly affects its impact on the natural environment, then Natural England should be consulted again in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006.

Anglian Water

8.2 Section 1 – Assets Affected

- 1.1 There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted. “Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.”

Section 2 – Wastewater Treatment

- 2.1 The foul drainage from this development is in the catchment of Newport Water Recycling Centre that will have available capacity for these flows.

Section 3 – Foul Sewerage Network

- 3.1 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.

Section 4 – Surface Water Disposal

- 4.1 The preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to sewer seen as the last option. Building Regulations (Part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.
- 4.2 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. 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.

Section 5 – Trade Effluent

5.1 Not applicable.

Section 6 – Suggested Planning Conditions

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

Surface Water Disposal (Section 4)

Condition:

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

8.3 The proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Uttlesford Bridge 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 carried out 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".

BAA Safeguarding

8.4 The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria.

ECC Highways

8.5 The impact of the proposal as shown in principle on Drawing No E247-SL-001F is acceptable to the Highway Authority from a highway and transportation perspective subject to highway conditions

ECC Ecology

8.6 I note our response in relation to UTT/12/5198/OP requested a more detailed ecological survey was undertaken at the site leading to the imposition of condition 7. Further to this recommendation, an updated Extended Phase 1 Habitat Survey (EP1), Bat Survey and Water Vole Survey have been undertaken by SES. The Bat Survey identifies activity by common and soprano pipistrelles to the west of the site, but no roosts have been identified on the site. Sensitive lighting is recommended as well as night scented plantings and bat boxes. These can be conditioned.

The Water Vole Survey has found no evidence of use by water vole or any other mammal close to the site. A mammal hole has been identified 40m to the north of the site, but a motion controlled camera erected observed no usage.

The EP1 noted presence of giant hogweed (a schedule 9 invasive species) along the banks of the river and recommends that a specialist contractor is employed to eradicate it. This should be covered by condition. In light of the above, I have no further objections or comments subject to the imposition of appropriate conditions.

Environmental Health Officer

- 8.7 A satisfactory investigation and remediation strategy has been submitted by the developer, but not yet approved. I would repeat my comments for previous application UTT/14/2234/DFO, namely that a site investigation report has previously confirmed the presence of contaminants on this site. Remediation of contamination potentially harmful to human health is the subject of condition 14 imposed under UTT/12/5198/OP. A site remediation strategy and verification strategy have been submitted by the developer for the current revised application, but have not yet been approved by the planning authority. Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 6 of the condition as previously recommended by the Environmental Health Officer have been complied with.

9 REPRESENTATIONS

- 9.1 Notification period expired 25 December 2014. Advertisement expired 28 August 2014. Site notice expired 28 August 2014.

3 representations of objection received, including one from "Save Newport Village" (summary):

- Site susceptible to flooding - flooding occurrence at the rear of the site in 2014.
- Sewerage/surface water drainage system already poor and will not cope with extra capacity
- Still insufficient visitor parking (5 spaces for 21 dwellings). Site still includes tandem parking
- Site not conducive to traditional foundations for dwellings.

Comments on representations

- 9.2 The comments expressed by the Parish Council relating to the principle of residential development at this redundant nursery site were addressed at outline application stage under UTT/12/5198/OP and do not therefore fall to be considered for this current, revised reserved matters application which relates to detailed design, clarification on housing mix and extent of affordable housing, revised parking arrangements and further ecology assessment where the only reason for refusal resulting from the previous reserved matters application submitted under UTT/14/2234/DFO related to the issue of parking which by reason of its sub-standard visitor parking arrangements and excessive tandem resident parking compromised the site layout as presented. Excessive tandem parking has now been removed from the site layout as discussed further below. Anglian Water has confirmed during consultation that the foul drainage from this development is in the catchment of Newport Water Recycling Centre that will have available capacity for these flows and that the sewerage system in the area at present has available capacity for these flows. As previously mentioned, the issue of existing businesses at the site has been substantially resolved whereby the largest

business user, “Get-up-“n”-Go” has now vacated the site and found a suitable alternative site within the district following the grant of permission by the Council. Visitor parking space standards would be met (see further below).

- 9.3 The comments by the Parish Council and other third parties relating to flood risk at the site and to adjacent land are noted. However, it is the case that the Environment Agency was consulted on the proposal at outline stage when the principle of development was considered, who had initially raised a flood risk objection, but later withdrew this objection following the submission of further technical information by the developer showing how the development would not be vulnerable to flood risk and how measures would be undertaken to reduce flood risk to adjoining land. The applicant would be required by condition 9 imposed under outline permission UTT/12/5198/OP to submit a surface water drainage scheme for approval prior to commencement of development based upon sustainable drainage principles (SUDS) where the drainage scheme would need to accommodate a 1 in 100 year critical rainstorm event inclusive of climate change allowances and for these approved details to be subsequently implemented prior to development – Reason: To prevent the increased risk of flooding. It should be noted also that all dwellings for the current reserved matters application have finished floor levels above the minimum AOD level of 54.2 metres as required by the Environment Agency at Condition 8 of the outline approval.
- 9.4 Following concern expressed by one or two committee members at the October 2014 meeting for UTT/14/2234/DFO regarding flooding, the applicant has clarified some of the queries raised relating to flood risk and will be providing further technical details to demonstrate that flood risk would be minimised and will be providing an update to Members in advance of the forthcoming committee meeting for the current application in this respect.

10 APPRAISAL

The issues to consider in the determination of this reserved matters application are:

- A Layout, Scale, Appearance and Landscaping (ULP Policies GEN2 and ENV3);
- B Housing Mix and Affordable Housing (ULP Policies H9 and H10);
- C Impact on residential amenity (ULP Policy GEN2);
- D Whether parking arrangements would be satisfactory (ULP Policy GEN8);
- E Impact on ecology (ULP Policy GEN3).

A **Layout, Scale, Appearance and Landscaping (ULP Policy GEN2).**

- 10.1 The proposed site layout submitted for this revised reserved matters application is similar to the indicative layout approved at outline stage under UTT/125198/OP, but with plot variances to take into account detailed design and similar to the layout for UTT/14/2234/DFO. Vehicular access into the site would be in the same position from Cambridge Road involving the demolition of the dwelling, Cedardale, where access was agreed at outline stage in consultation with Essex County Council Highways. The site layout would have a density of 31.8 dwellings per hectare.
- 10.2 The scheme as submitted has attention to detail to the design, appearance, scale and external materials of the proposed dwellings to ensure the scheme reflects the Essex vernacular as set out in the Essex Design Guide where it should be noted that the general design concept has not altered from the previous DFO application submission. The dwellings have been designed to incorporate aspects of traditional building features which are considered to be compatible with the character of the local area. For example, whilst the predominant material used would be brick, the external facades to

the dwellings would be broken up with the use of render and contrasting roof tiles. Additionally, elevations would be further enhanced across the site through features such as bay windows, decorative door canopies, chimneys, cottage style window casements and doors. The proposed dwellings for both the market and the affordable housing units have been designed in a variety of styles with a number of different house types all with private gardens. As such, and, crucially, the design quality is shown to be the same across the whole site whereby the affordable housing units would not be distinguishable from the market housing units.

10.3 The proposed dwellings have been designed to take into account Lifetime Homes Standards, whilst one of the affordable housing units (Plot 15 – ground floor 2 bedroomed flat) would be the nominated fully wheelchair accessible unit. The Council’s Access & Equalities Officer commented for the previous DFO application that compliance with the Lifetime Homes requirements as set out in the Council’s SPD on Accessible Homes and Playspace would be met, although queried which would be the nominated fully wheelchair accessible unit. This has now been identified. In terms of rear garden amenity, all of the dwellings and the FOG unit (Flat over Garage) would meet or exceed the amenity standards set out in the Essex Design Guide, including the affordable dwellings. The rear garden serving Plot 9 has been increased in size to reflect the concerns expressed by Members from the previous committee meeting for UTT/14/2234/DFO, albeit that it should be noted that technically this size was previously policy complaint in terms of the design guide standards. Details have been shown of refuse collection points from the development whereby a refuse collection strategy has been devised and which is considered acceptable. As such, the site layout and the design of the proposed dwellings would comply with ULP Policy GEN2 and relevant supplementary planning guidance.

10.4 In terms of landscaping, the key principles of the submitted landscape strategy for the proposed scheme as indicated on the submitted drawings would be to create active frontages that respect the character of the surrounding areas and to clearly delineate shared and private space. New planting has been shown which would contribute to the legibility of the scheme and define further the sense of place through identity and character which would generally comprise trees and hedge planting. It should be noted that the revised scheme has where possible positioned dwellings further back from the hardstandings and carriageways at the previous request of officers to create greener frontages and to allow more room for tree planting. The landscaping scheme is therefore considered acceptable and complies with ULP Policies GEN2 and ENV3.

B Housing Mix and Affordable Housing (ULP Policies H9 and H10).

10.5 In terms of creating mixed communities, ULP Policy H10 requires all developments on sites of 0.1 hectares and above or of 3 or more dwellings to provide a significant proportion of market housing comprising small properties. The proposal provides a mix of both market and affordable housing as set out in the table below.

House types	Market Housing	Affordable Housing	Total
2 bed FOG	0	1	1
2 bed flat	0	2	2
2 bed house	0	3	3
3 bed house	6	2	8
4 bed house	5	0	5
5 bed house	2	0	2
Total	13 (61.9%)	8 (38.1%)	21

- 10.6 The proposal would provide for a variety of house types ranging in size from 2-bed to 5-bed dwellings. This provides for a variety of properties across the scheme to suite different household types, including individuals and couples and well as families, albeit that the scheme has an emphasis on providing family sized housing with around 70% of the proposed new homes being three bedroomed or more. The market housing proposed within the development would be a mixture of 3, 4 and 5 bedroomed properties, albeit that it would exclude 2-bedroomed units. The Council's stance has been that "significant" will equate to approximately 50% of the dwellings. The proposal provides just under 50% (around 46%) of the market units as 3-bedroomed properties and accordingly would be generally in compliance with the Council's housing mix requirements. The proposal would therefore comply with ULP Policy H10.
- 10.7 The S106 Agreement relating to the outline planning permission for residential development at this nursery site specified that 40% of the total number of housing units shall be affordable housing whereby the tenure would be split between 70% affordable rent and 30% shared ownership and where it was a requirement of that agreement that the affordable housing units be positioned within two separate groups and not contiguous and that each group would not comprise more than four affordable units,. The affordable housing indicated on the submitted plans amounts to 8 units (40% total) of a number and type which complies with the specifications of the S106 Agreement where the affordable housing would relate to Plots 8-15 at the rear end of the development as a single cluster. The breakdown is specifically as follows:
- 3 No. 2 bedroomed 4 person houses,
 - 2 No. 3 bedroomed 5 person houses,
 - 1 No. 2 bedroomed 4 person flat over car ports,
 - 2 No. 2 bedroomed 3 person maisonettes
- 10.8 Members will recall that concurrent with the submission of the earlier reserved matters application that they considered by way of a separately presented officer report at the October 2014 meeting a request by the applicant to obtain a committee resolution to vary the S106 agreement to allow for a percentage of the affordable housing units to be provided and offered to the Council to form part of its housing stock as "gifted units" and a request to allow all of the affordable housing to be provided in a single cluster. Members agreed to the developer request at their meeting and the option variation is currently awaited in terms of S106 Agreement variation.

C Impact on residential amenity (ULP Policy GEN2).

- 10.9 The proposed layout for the development takes into account the position and orientation of the existing adjacent properties, whilst the scheme complies with the distances set out in the Essex Design Guide to prevent any significant overlooking and loss of privacy to the occupiers of existing properties, namely along the east side of Cambridge Road. There is also sufficient distance between existing and proposed dwellings to prevent material detrimental overshadowing and overbearing impacts from occurring. The proposal would therefore comply with the requirements of ULP Policy GEN2 in this respect.

D Parking arrangements (ULP Policy GEN8).

- 10.10 The revised application reduces the number of dwellings down from 23 to 21, which has provided for a more relaxed site layout by reducing slightly the layout density. The principal layout change from the previously refused application has been the removal of the need to create visitor parking at the site entrance to the development which was a

key concern of Members at their October committee meeting. The 6 No. visitor parking spaces originally shown in tandem form at this entrance point have now been positioned throughout the site and away from the junction with Cambridge Road, albeit that this has now been reduced to 5 No. spaces. The removal of these front visitor parking spaces more centrally within the site will thus now avoid any potential conflict with other vehicles entering or leaving the site and will also increase the likelihood of them being used for their intended purpose rather than possibly for ad-hoc street parking where this concern was also raised by Members. A resultant effect of this layout change is that it has also afforded the opportunity for on-plot parking arrangements to be rationalised, which it is considered would make the street scene less car dominant and create an improved sense of place, whilst the front entrance to the site can be soft landscaped as shown on the revised site layout drawing.

Plot No.	Parking Spaces	Garage	Car Port	Total
1	2	0		2
2	2	0		2
3	2	0		2
4	2	0		2
5	1	2		3
6	2	0	1	3
7	2	0	1	3
8	1	0	1	2
9	1	0	1	2
10	1	0	1	2
11	2	0		2
12	2	0		2
13	2	0		2
14	2	0		2
15	2	0		2
16	0	0	2	2
17	2	1		3
18	2	1		3
19	2	1		3
20	2	0		2
21	2	1		3
Total	36	6	7	49

10.11 Parking for each dwelling unit would be either in the form of on-plot garage/hardstanding provision or on parking bays sited immediately adjacent to the dwellings in question with a small informal parking area at the rear end of the site. All of the dwellings for the proposed development as with the previous application would meet both ECC Highways and UDC parking standards in terms of the number of allocated garage/hardstanding spaces per dwelling and in terms of bay sizes, albeit that some on-plot tandem parking would remain. Furthermore the 5 No. visitor spaces to be provided would also be compliant with parking standards where 0.25 of a parking space is required to be provided per dwelling ($21 \times 0.25 = 5.25$). As such, the proposal would now comply with ULP Policies GEN2 and GEN8.

E Ecology.

10.12 A further report of ecology findings and additional desk top information has been submitted by the applicant to show the extent by which the development could impact

upon protected species at the site, including water voles, particularly given the site's location immediately adjacent to the River Cam. This was because the ecology information submitted with the outline application was found to be deficient. However, the enhanced ecology survey information now received demonstrates that the impact of the development upon protected species at the site would be low given the site's low habitat value where this view has been confirmed by ECC Ecology. As such, the proposal now complies with ULP Policy GEN7.

11. CONCLUSION

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

- A The layout, scale, appearance and landscaping of the site would be acceptable.
- B The house type mix proposed for the development both for the market and affordable housing elements would be acceptable.
- C The development through its design would have an insignificant impact on adjacent residential amenity.
- D Parking arrangements would now be satisfactory and would meet adopted car parking standards where previous Member concerns relating to visitor parking and resident parking have been addressed where the reduction in the number of units proposed from 23 to 21 units has provided an improved parking layout.
- E The development would not have a harmful impact on nature conservation following submission of further ecology surveys which ECC Ecology has inspected.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

1. No development shall take place, including any ground works or demolition until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and underbody washing facilities

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

2. The submitted remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works. Any changes to these components require the express written consent of the local planning authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to 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. Furthermore, to protect and prevent the pollution of controlled waters (particularly the River Cam, the Nodular Chalk Formation, the Chalk Rock Member and the New Pit Chalk Formation which are protected waterbodies under the EU WFD) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, the Cam and Ely Ouse River Basin Management Plan, and Environment Agency Groundwater Protection (GP3:2012) position statements Part A A5 and Part J J5 to J7 inclusive.

3. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to 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. Furthermore, to protect and prevent the pollution of controlled waters (particularly the River Cam, the Nodular Chalk Formation, the Chalk Rock Member and the New Pit Chalk Formation which are protected waterbodies under the EU WFD) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, the Cam and Ely Ouse River Basin Management Plan, and Environment Agency Groundwater Protection (GP3:2012) position statements Part A A5 and Part J J5 to J7 inclusive.

4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to 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. Furthermore, to protect and prevent the pollution of controlled waters (particularly the River Cam, the Nodular Chalk Formation, the Chalk Rock Member and the New Pit Chalk Formation which are protected waterbodies under the EU WFD) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, the Cam and Ely Ouse

River Basin Management Plan, and Environment Agency Groundwater Protection (GP3:2012) position statements Part A A5 and Part J J5 to J7 inclusive.

5. Infiltration systems should only be used where it can be demonstrated that they will not pose a risk to groundwater quality. A scheme for surface water disposal needs to be submitted to and approved by the local planning authority. The scheme shall be implemented as approved.

REASON: To protect and prevent the pollution of controlled waters (particularly the River Cam, the Nodular Chalk Formation, the Chalk Rock Member and the New Pit Chalk Formation which are protected waterbodies under the EU WFD) in line with the National Planning Policy Framework (paragraph 109) and the Environment Agency's Groundwater Protection (GP3:2012) position statements Part G G1 to G13 inclusive. The water environment is potentially vulnerable and there is an increased risk of pollution from inappropriately located and/or designed infiltration sustainable drainage systems (Suds), such as soakaways, unsealed porous paving systems or infiltration basins.

6. Using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON: To protect and prevent the pollution of controlled waters in line with Environment Agency Groundwater Protection (GP3:2012) position statement Part N, N7 and N8. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. In accordance with Policy ENV12 of the Uttlesford Local Plan adopted 2005.

7. The applicant shall submit to the local planning authority a post-excavation archaeological assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report in accordance with ULP Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

REASON: The archaeological work would comprise a phased approach with initial trial trenching to be undertaken as soon as possible followed by open area archaeological excavation of all deposits threatened by the development. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office. The trial trenching should be undertaken prior to any detailed application being approved in accordance with ULP Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

8. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal Giant Hogweed on site. The measures shall be carried out strictly in accordance with the approved scheme.

REASON: To ensure that an adequate means of eradicating or containing the spread of the plant is considered and thereafter implemented to prevent further spread of the plant which would have a negative impact on biodiversity and existing or proposed landscape features in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

9. No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Local Planning Authority. The details shall ensure the lighting throughout the site is designed in such a way to minimise any potential impacts upon nocturnally mobile animals. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

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

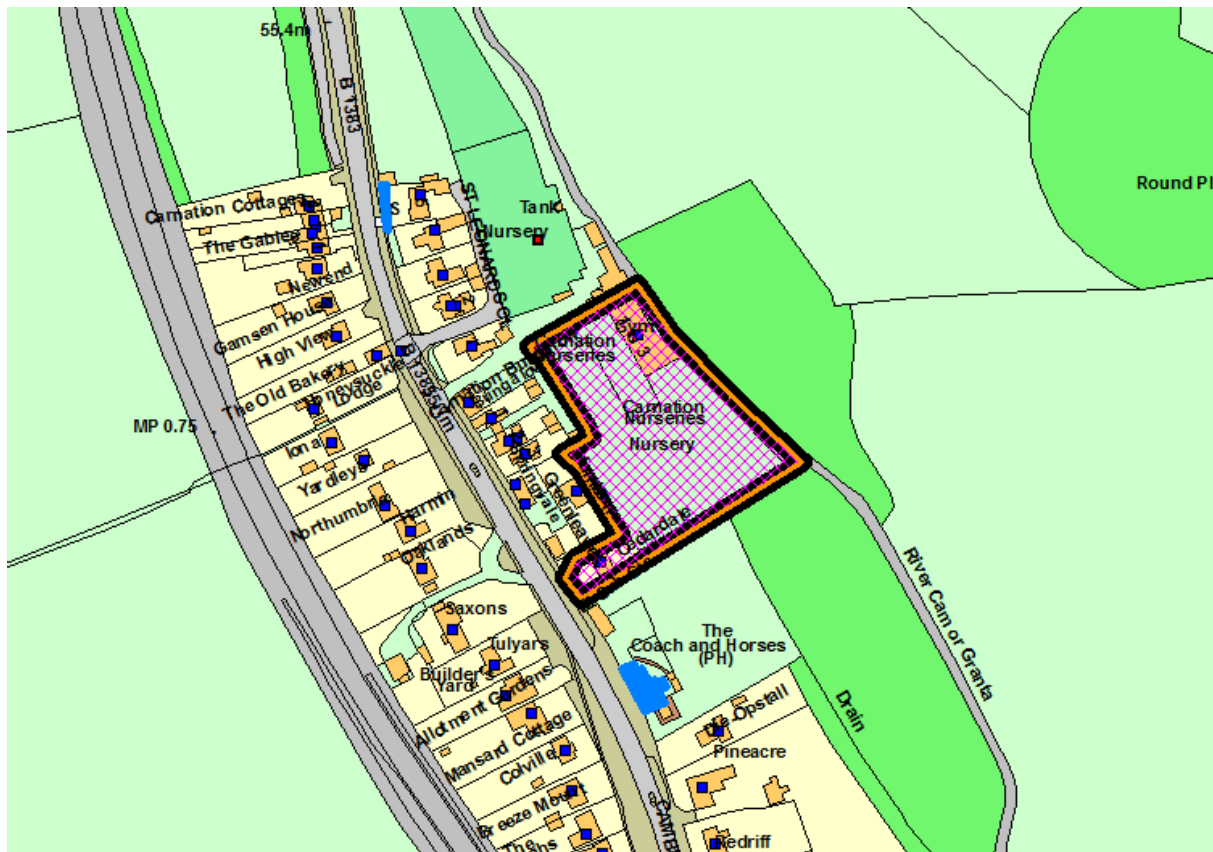
REASON: To ensure that the dwellings can be readily used by people with physical disabilities in accordance with national policy and in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the Council's adopted SPD "Accessible Homes and Playspace".

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A to F of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order shall take place without the prior written permission of the local planning authority.

REASON: To prevent the site becoming overdeveloped and in the interests of the amenity of the occupiers of adjoining dwellings/buildings in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

Application no.: UTT/14/3506/DFO

Address: Carnation Nurseries, Cambridge Road, Newport



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Organisation: Uttlesford District Council
 Department: Planning
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