

UTT/21/0333/OP (Stebbing)

PROPOSAL: Outline application with all matters reserved except for access to demolish all buildings and remove commercial uses (car sales and airport parking etc.) and construct residential development of up to 9 dwellings.

LOCATION: Sabre House, Dunmow Road, Stebbing, CM6 3LF.

APPLICANT: Mr K Newnham.

AGENT: Sue Bell.

EXPIRY DATE: 30 March 2021 (extension of time agreed to 13 August 2021).

CASE OFFICER: Clive Theobald.

1. NOTATION

1.1 Outside Development Limits / General Aerodrome Direction.

2. DESCRIPTION OF SITE

2.1 The site is located on the north side of the B1256 Dunmow Road, equidistant between Great Dunmow and Braintree, and comprises an enclosed commercial yard with a stated area of 0.44 ha and also an older style frontage bungalow (Sabre House) situated to the western side. A single storey building used as a car sales office stands behind a frontage hardstanding apron behind the main vehicular entrance, whilst two other buildings stand behind this which are used for workshop and office purposes. The site also contains three smaller outbuildings. The frontage hardstanding apron is used for car sales, whilst an extension of the apron to the rear leading down the eastern side of the frontage building is used for airport parking where this use has resumed following the Covid pandemic. Open undeveloped land exists beyond this parking area to the rear of the site extending to Stebbing Green.

2.2 The site frontage is enclosed by 2m high close boarded fencing between the vehicular access points, whilst the site is screened along both of its flank boundaries by mature hedging and trees with arable land beyond on either side. The site is open to bare grassland beyond its rear boundary, although further vegetation screening exists to the north of this.

3. PROPOSAL

3.1 This renewal outline application without change seeks planning permission in principle for the demolition of all existing structures on the site, including the existing bungalow, the cessation of all commercial uses and the erection of up to 9 dwellings with associated parking with the matter of Access to be considered at outline stage.

3.2 An indicative site layout has been submitted with the application which shows how nine dwellings could be accommodated on the site and which shows a mix between detached dwellings positioned around the perimeter of the site and a terrace of three dwellings positioned within the centre of the site with improved vehicular access. An indicative streetscene drawing has also been submitted which shows mixed house types at 1½ storey scale.

- 3.3 The indicative site layout is shown with the following bedroom sizes, garage spaces and private amenity areas:

Plot	Bedrooms	Garage spaces	Amenity area
Plot 1	5	4	250 sqm
Plot 2	4	4	150 sqm
Plot 3	4	4	190 sqm
Plot 4	3/4	3	110 sqm
Plot 5	3	2	100 sqm
Plot 6	2	2	70 sqm
Plot 7	3	2	100 sqm
Plot 8	3/4	3	200 sqm
Plot 9	4	3	120 sqm

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The proposal has been considered against the criteria set out under Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 relating to “Infrastructure Projects” (Section 10 (b) – Urban development project) and is not EIA development.

5. APPLICANT’S CASE

- 5.1 The application is accompanied by an updated Planning Statement incorporating Design and Access Statement which makes the following comments at paragraph 2.07 relating to temporary planning application procedures reflecting the Covid pandemic in respect of the current outline renewal submission submitted on 2 February 2021;

“It is notable that the government has extended the period for planning permissions. The MHCLG 22 July 2020, Extension of certain planning permissions states that under section 93A of the Town and Country Planning Act 1990, unimplemented planning permissions with time limits for implementation which were due to lapse between 19 August 2020 (when the provisions came into force) and 31 December 2020 are extended to 1 May 2021. This happens automatically, with no requirement to obtain Additional Environmental Approval. Therefore, although permission ref: UTT/17/2480/OP would have expired in 28 November 2020, the expiry date has been extended to 1 May 2021”.

- 5.2 The updated statement concludes as follows:

“The site is brownfield containing buildings which in part is unrestricted in its use and confirmed as lawful by an LDC. The lack of planning control through the absence of planning conditions makes this prevailing use not environmentally appropriate nor logically the best location for such uses. The proposal for residential redevelopment has been proven to accord with the definition of sustainable development in 2017 where the approval remains extant. The most compelling current argument in favour of the development is the lack of housing land, where this site can contribute to housing units in the area in a reasonably accessible location where such development would not be uncharacteristic of that of a rural area. As there is proven to be no other harms, especially as the 2017 approval for dwellings on the site is extant, Para 11d) is invoked and permission should be

granted again for the 9 no. houses as the adverse impacts of granting planning permission do not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole”.

6. RELEVANT SITE HISTORY

6.1 The site has a detailed planning history primarily relating to commercial use leading back to when the site was a petrol filling station and café with associated bungalow (Unity garage/café) until its closure in the 1990's and its partial redevelopment for B1/B2 uses, its subsequent use by Sabre Sports (engineering firm) and now the current mixed commercial uses of the site comprising airport parking and car sales.

6.2 The most relevant planning applications to the current application proposal are as follows:

- UTT/0418/04/FUL: Erection of two storey detached dwelling and garage (Sabre House) – Approved 01.10.2004 (subject to occupancy condition) – works commenced on this approved development (garage concrete base).
- UTT/1080/05/FUL: Removal of restrictive condition to allow use of commercial buildings for any B1 use other than by Sabre Sports – Approved.
- UTT/0988/11/CLE: Certificate of lawfulness for existing airport related parking (Sabre House) – Approved.
- UTT/17/0365/FUL: Retention of change of use of land and associated office building to car sales (Nationwide Car Buyers - NWCB Ltd) with retention of access to airport parking to the rear of the site – Approved 12 April 2017.
- UTT/17/2480/OP: Outline application with all matters reserved except for access to demolish all buildings and remove commercial uses (car sales and airport parking etc.) and construct residential development of up to 9 dwellings – Approved 28 November 2017. Permission not implemented.

6.3 The committee report for approved application UTT/17/2480/OP above drew the following conclusions in respect of the planning merits of the submitted “up to” nine dwelling proposal:

- The principle of housing development at this previously developed site located outside development limits is considered acceptable given the site's good transport access links, notwithstanding the lack of a bus service along this section of the B1256, and as the NPPF encourages the use of brownfield sites for housing purposes. Housing development would make more efficient use of the land and would lead to an environmental gain for the site whereby the proposal on balance would represent a presumption in favour of sustainable development.
- The development would utilise existing vehicular access points from the B1256 and would have a 5.5m wide internal service road which are considered acceptable in highway terms.
- The indicative site layout scheme shows that a housing development of up to 9 no. dwellings could be successfully accommodated at the site, although the number of dwellings shown for the scheme may need to be reduced in number at reserved matters stage to overcome potential intra-amenity issues

such as back-to-back distances.

- The housing mix comprising a mixture of 2, 3, 4 and 4+ bed housing units shown spread across the development is considered to be acceptable in principle.
- The submitted scheme does not trigger the need for affordable housing.
- There would be no issues arising for protected/priority species given the low habitat value of the site.
- Further investigations are recommended to identify contamination risks to future users of the site and where necessary remedial measures to ensure that the site is suitable for the end user.

7. POLICIES

Uttlesford Local Plan (2005)

ULP Policy S7 – The Countryside
ULP Policy H1 – Housing Development
ULP Policy H9 – Affordable Housing
ULP Policy H10 – Housing Mix
ULP Policy ENV4 - Archaeology
ULP Policy ENV10 – Noise Sensitive Development
ULP Policy ENV14 – Contaminated Land
ULP Policy GEN1 – Access
ULP Policy GEN2 – Design
ULP Policy GEN3 – Flood Risk
ULP Policy GEN7 – Nature Conservation
ULP Policy GEN8 – Vehicle Parking Standards

Supplementary Planning Documents/Guidance

SPD “Accessible Homes and Playspace”

National Policies

National Planning Policy Framework (NPPF) (amended February 2019)

Other Material Considerations

Essex Design Guide
ECC Parking Standards – Design and Good Practice (September 2009)
Uttlesford District Council Parking Standards (February 2013)

Draft Stebbing Neighbourhood Plan - The draft NP has gone through its first consultation stage (Reg 14) and is now at its second stage for public consultation (Reg 16) whereby this consultation process commenced on 19 July 2021 and will end on 13 September 2021. After this Reg 16 consultation, the LPA will then submit the NP and any representations received to an Independent Examiner for independent review (Reg 17 stage). When the LPA receives the Examiner’s Report, it will decide what action to take on the report, i.e. either to accept or reject the Examiner’s recommendations.

8. PARISH COUNCIL COMMENTS

- 8.1
- Stebbing Parish Council object to this planning application and consider it should not be granted automatic permission following the 2017 approved application.
 - Referring to the Stebbing draft Neighbourhood Plan, this proposal is outside village development limits and not within walking distance of the village centre. It has limited access to amenities for daily use thereby needing use of a car for every journey.
 - We consider the development to be too close to the B1256 and within close proximity of the A120 giving rise to concern for noise and air pollution.
 - The site is situated on a very busy and fast stretch of road. Exiting the site onto a fast carriageway could prove fatal.
 - We also have concern there could be land contamination on the site following its history as a brownfield site.

9. CONSULTATIONS

Highways England

- 9.1 We have reviewed the details and information provided. Due to the nature/location of the above planning application, there is unlikely to be any adverse effect upon the Strategic Road Network. Consequently, our previous recommendation of No Objection remains unchanged.

ECC Archaeology

- 9.2 Recommendation: An Archaeological Programme of Trial Trenching followed by Open Area Excavation.

ECC Ecology

- 9.3 No objections subject to biodiversity mitigation and enhancement conditions.

Environmental Health

- 9.4 I have reviewed the details and information provided within the application and note that the application is a renewal of planning permission UTT/17/2480/OP. Consequently, our previous recommendations remain unchanged and I attach a copy of these with recommended conditions.

10. REPRESENTATIONS

- 10.1 1 representation received. Neighbour notification period expires 04.03.2021. Advertisement (N/a). Site Notice expires 04.03.2021.
- The application should be rejected as many of our previous objections to the earlier application still exist.
 - The increase from one approved dwelling plus one commercial building to nine dwellings would constitute a significant and unwarranted increase in development of the site.
 - The site is in close proximity to Stebbing Green, one of very few significant public access greens in this part of Uttlesford which needs careful protection from possible encroachment.

- There would be significant problems with exiting from this proposed development site.
- No local services or facilities currently exist within several miles to serve the development.
- The developers may be wishing to extend such a scheme in the future.

11. APPRAISAL

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

- A Principle of development (NPPF, ULP Policies E2, H1, S7 and GEN3);
- B Access (ULP Policy GEN1);
- C Design (indicative scheme) (ULP Policies GEN2, GEN8 and ENV10);
- D Housing Mix (ULP Policy H10);
- E Affordable Housing (ULP Policy H9);
- F Impact on protected/priority species (ULP Policy GEN7);
- G Contaminated Land (ULP Policy ENV14).

A Principle of development (NPPF, ULP Policies H1, S7 and GEN3)

- 11.1 The NPPF has at its core a presumption in favour of sustainable development and identifies three dimensions of sustainability, namely economic, social and environmental, which, when considered together will demonstrate by their roles the extent to which development proposals may be described as representing sustainable development. Other relevant sections of the Framework include the need to deliver a wide choice of housing and the need to make the most effective use of brownfield land within sustainable locations.
- 11.2 The site comprises previously developed land (brownfield) by reason of its former and current commercial uses containing a number of modern workshop and other buildings so related. In addition, the land is being used for airport parking under the grant of a lawful use certificate for the rear section of the site and also for car sales granted planning permission in 2017 for the front section of the site. As such, the uses which are being conducted at the site have lawful planning status.
- 11.3 The site sits on a plateau before the Stebbing Brook valley further to the west. The site has a rather utilitarian appearance, although is reasonably screened from the front and sides and from further to the rear. Whilst the site provides for some employment, the site is not a protected employment site within the adopted local plan given its rural location and the nature of B1/B2 uses conducted. Indeed, the airport parking use would not be an activity which would be condoned by the Council at this off-airport location, whilst the car sales use was subsequently granted planning permission by the Council when it was considered that there was no discernible difference on the ground between the two uses, whilst the frontage building housing the car sales office already existed at the site. As such, the loss of the present commercial uses at the site would not be contrary to ULP Policy E2 whereby this employment loss would not be significant and where in any event the Council would not be able to control the actions of the applicant over his tenants as a landlord.
- 11.4 In terms of assessment against the three strands of sustainable development, the proposal would provide employment for the duration of the construction of the development (economic). With regard to the social strand, the site is not on a bus route whereby the hourly Stansted Airport to Colchester bus service (133) runs through Felsted village on the "Felsted loop" instead, as does the No.16

Wethersfield to Chelmsford route. As such, the residents of the development would not be able to rely upon public transport within walking distance of bus stops. That said, the site is situated on the B1256 running parallel with the A120 with convenient vehicular access by car to both Great Dunmow and Braintree and also Stebbing and Felsted villages, whilst the provision of housing on the site would support local services, such as Stebbing primary school and the village shop. In terms of environmental impacts, the site has a commercial appearance that can be described as being rather unsightly and out of context with its immediate rural environs, whilst the bungalow on the site which is understood to be connected with the site's historical use is now ageing and is "of its time".

- 11.5 As such, it is considered that there would be environmental gains associated with the proposed demolition of the existing buildings and cessation of the current surface car parking uses at the site and their replacement with a sensitively designed and scaled housing scheme at low density for which renewal of outline planning permission is sought in principle, where it should be noted that the dwelling previously approved at the rear of the site under the extant 2004 planning approval can be completed at any time following a previous lawful commencement of the development.
- 11.6 Policy S7 of the adopted Local Plan states that the countryside will be protected for its own sake and that planning permission will only be given for development that needs to take place there or is appropriate to a rural area, adding that there will be strict control on new building. As such, the submitted proposal is contrary to this policy. However, the Ann Skippers NPPF Compatibility Report has assessed that Policy S7 as a protective local policy is partially consistent with the more proactive stance taken towards development in rural areas within the NPPF providing that such development can be shown to be sustainable. In this context, it is argued that Policy S7 would have more policy weight were it the case that the site was a greenfield site. However, as previously mentioned, this is not the case and the force to be applied to Policy S7 must be weighed against the NPPF's encouragement of redevelopment of brownfield sites, particularly in light of the government's current renewed drive for brownfield land to be developed for housing purposes before greenfield, and in view of the Council's vulnerability of not currently being able to demonstrate a five year housing supply where the Council's figure currently stands at 3.11 years as at April 2020.
- 11.7 The site is included within Flood Zone 1 as shown on the government's fluvial flood risk map, which represents the lowest risk of flooding. As such, the site is not within an area vulnerable to flooding whereby it is not necessary for the application to be accompanied by a Flood Risk Assessment (FRA). Accordingly, the proposal is not contrary to ULP Policy GEN3.
- 11.8 Given the above evaluation of the planning merits for this renewal application without change, it is considered that the redevelopment of this brownfield site containing prevailing lawful car related uses for alternative housing purposes as proposed continues to be acceptable in principle when assessed against national planning policy and relevant local plan policy representing a tilted balance in favour of the presumption of sustainable development when the economic and housing benefits are balanced against any adverse environmental and other effects, which are considered not to be significant, taking into account the brownfield status of the land (Paragraph 11 (d) of the Framework).
- 11.9 Due consideration has been given to the current status of the emerging Stebbing Neighbourhood Plan which requires housing sites within the parish to be identified

and allocated. Whilst it is acknowledged that the housing scheme the subject of the current renewal application would not be one of the housing allocation sites, the Plan has limited weight and status at the present time whereby it is currently at Reg. 16 stage submitted to UDC for public consultation which is due to end on 13 September 2021 having not yet reached independent review stage to test its soundness and robustness.

B Access (ULP Policy GEN1)

- 11.10 Access falls to be considered with the current renewal outline application without change. In terms of existing highway arrangements, there is evidence of three vehicular entrance points into the site, to include the bungalow which stands onto the site's western flank boundary stemming from when the site was a petrol filling station and cafe, although only one access point is now used.
- 11.11 The submitted outline scheme shows the retention of the currently used vehicular access point leading into the site from the B1256 with improved bellmouth, with the other access points, including the one leading to the bungalow (to be demolished) being sealed off.
- 11.12 Highways England have been consulted on the application who have not raised any highway objections to the proposal on strategic highway grounds in relation to the adjacent A120. The indicative site layout shows a 5.5m shared internal access road with rear turning head. It has been demonstrated that the site has good visibility from the proposed access points in each direction along the B1256, notwithstanding that the national speed limit applies to the site. In terms of comparative trip analysis, whilst the application is not accompanied by a traffic survey or trip analysis assessment, the accompanying planning supporting statement argues that the daily/weekly traffic movements at the site as a result of the proposed housing development are likely to be lower than the present commercial movements at the site, particularly when the car sales use and airport parking use (both fluctuating activities) are taken into account.
- 11.13 ECC Highways have been consulted on the application who have not raised any highway objections to the proposal subject to the imposition of normal highway conditions where they have commented in their formal highway response that the 9 no. dwellings proposed compared to the lawful uses of the site is expected to have an inconsequential net impact on the highway network. No highway objections are therefore raised under ULP Policy GEN1.

C Design (indicative scheme) (ULP Policies GEN2, GEN8 and ENV10)

- 11.14 Matters concerning design are reserved matters and do not fall to be considered for the current renewal outline application. Furthermore, and importantly, it should be noted that the application proposal is submitted for a quantum of up to nine dwellings, rather than a prescribed number whereby any subsequent reserved matters application should Members be mindful to approve the current proposal in principle can be for a reduced number of dwellings. As such, any assessment at this outline stage would be to show whether the site in indicative form is capable of accommodating up to nine dwellings against adopted parking standards and advisory garden amenity standards where the indicative site layout shows this maximum number for consideration.
- 11.15 The indicative site layout shows a mix of dwelling sizes comprising detached and terraced house types, whilst the indicative streetscene layout shows a mix of

dwelling types where the dwellings are shown at varying 1½ storey heights, although it should be emphasised that this is illustrative of the kind of development which could be provided at the site. All of the dwelling amenity areas are shown at 100sqm or 70sqm for the smaller house type which would comply with minimum rear garden amenity standards as set out within the Essex Design Guide. All of the dwellings (3 and 4 bed) are nominally shown with parking standard compliant on-plot parking space provision, whilst all of the garages are nominally shown with parking standard compliant 7m x 3m bay size and all of the hardstandings are nominally shown at standard compliant 5.5m x 2.9m bay size.

- 11.16 One weakness of the indicative scheme is that rear boundary distances for some of the dwellings fall short of the Essex Design Guide recommended 15m minimum rear boundary distances (for example between Plot 1 and Plot 8 (13m) and between Plots 5, 6 and 7 and Plot 8 (12m) suggesting that nine dwellings for this site may possibly be excessive unless the indicated layout was subsequently changed. However, as mentioned, this application seeks the principle of residential development whereby a reserved matters application would specifically address issues concerning layout, scale and appearance, whilst landscaping measures to reduce the visual impacts of the proposed development within the site's rural context would be addressed at reserved matters stage also. Noise impacts from the B1256 and nearby A120 can be addressed through pre-commencement noise conditions as recommended by the Council's EHO for the application as was the case for approved application UTT/17/2480/OP. No design objections are therefore raised at this outline stage under ULP Policies GEN2, GEN8 and ENV10.

D Housing Mix (ULP Policy H10)

- 11.17 The indicative housing layout is shown with a mixture of 2, 3, 4 and 4+ bed housing units shown spread across the development. This is considered to be an appropriate housing mix for the site at this rural location in terms of lower cost affordable market housing and higher cost family market housing where it would be expected and anticipated that some uplift in value of the site should planning permission be granted for housing in principle would be required to be offset against the cost of decontamination and remediation of the site given its previous use as a petrol filling station. No objections are therefore raised under ULP Policy H10 or the latest published SMHA at this outline stage.

E Affordable Housing (ULP Policy H9)

- 11.18 The development would comprise a maximum of 9 no. dwellings for the site which has a site area of 0.44 ha and therefore less than 0.5 ha (the extant 2004 approval for a dwelling to be built at the rear of the site as shown on the site layout is not included within the site proposal and which would remain). As such, the development would not be subject to any affordable housing requirements under ULP Policy H9 where there has not been any change in central government policy advice or local plan policy to alter the planning assessment of this issue since the granting of UTT/17/2480/OP, whilst the site's location would not it is argued be an appropriate site in any event for on-site affordable housing to be considered. No objections can therefore be reasonably raised to the proposal under ULP Policy H9.

F Impact on protected species (ULP Policy GEN7)

- 11.19 The site contains an older style bungalow, which is still occupied, relatively modern used workshop/office buildings and extensive areas of enclosed hardstanding. An updated ecology report has been submitted by the applicant (Essex Mammal

Surveys, January 2021) which found that the site holds limited ecological value for protected and priority species, including bats, given its mostly built over nature whereby the report has concluded that no further species surveys are required.

- 11.20 ECC Place Services have reviewed the submitted updated ecology report and have concurred with its findings advising that they are satisfied that there is sufficient ecological information available for determination. They have further advised that there is an opportunity to provide ecological net gains for the site given the general absence of ecology habitats and have conditioned these ecology enhancements. No objections are therefore raised under ULP Policy GEN7. It should be noted that the site does not fall within the Zone of Influence for the adopted Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).

G Contaminated Land (ULP Policy ENV14)

- 11.21 There is a potential for the site to be contaminated in view of the site's brownfield status with historical commercial use as a petrol filling station (former Unity Garage). The applicant has re-submitted a Phase I Geo-environmental Assessment, the conclusions and recommendations of which have been previously accepted by the Council subject to further investigations as recommended in the report being required to identify the risks to future users of the site and where necessary remedial measures to ensure that the site is suitable for the end user in accordance with model conditions to be imposed on any planning permission granted. No objections are therefore raised on this basis as before under ULP Policy ENV14.

12. CONCLUSION

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

- A The principle of housing development for up to 9 no. dwellings at this commercial brownfield site located outside development limits remains acceptable whereby the proposal would make more efficient use of the land leading to environmental improvements at the site and its immediate environs subject to a sensitively designed and scaled housing scheme being submitted for subsequent approval at reserved matters stage. As such, the proposal would represent a presumption in favour of sustainable development where the housing benefits of the proposal are weighted in favour of the limited environmental harms as identified with approved application UTT/17/2480/OP.
- B No strategic highway or highway safety objections have been raised to the proposal by Highways England or the local highways authority respectively.
- C The indicative site layout scheme submitted for illustrative purposes shows that a housing development of up to 9 no. dwellings could be successfully accommodated at the site, although the number of dwellings shown may need to be reduced in number at any reserved matters stage to overcome potential intra-residential amenity issues.
- D The housing mix for this rural site location comprising a mix of 2, 3, 4 and 4+ bed housing units shown spread across the development is considered acceptable.
- E The submitted scheme does not trigger the need for affordable housing requirements given the size of the site (less than 0.5 ha) and the number of dwellings proposed (up to nine) where this remains the case from approved application UTT/17/2480/OP.

- F ECC Ecology has advised that the development would not be harmful to protected or priority species given current unfavourable site conditions and low habitat value.
- G The conclusions and recommendations of the applicant's submitted Phase I Geoenvironmental Assessment have been accepted by the Council subject to further investigations as recommended in the report being required to identify the risks to future users of the site and where necessary remedial measures to ensure that the site is suitable for the end user in accordance with model procedures for management of land contamination.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

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

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

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

3. The development hereby permitted shall be begun no later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

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

4. Prior to occupation of any dwelling, the provision of an access formed at right angles to B1256 Dunmow Road, to include, but not limited to: minimum 6 metre carriage-way width with appropriate radii (minimum of 10 metres). Such vehicular visibility splays shall be retained free of any obstruction at all times.

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

5. Any redundant access width shall be suitably and permanently closed to the satisfaction of the Local Planning Authority in consultation with the Highway Authority incorporating the reinstatement to full height of the highway verge/ kerbing immediately the proposed new access is brought into use.

REASON: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

6. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 12 metres from the back edge of the carriageway.

REASON: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

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

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

8. All of the dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with Policy GEN2 (c) of the Uttlesford Local Plan (adopted 2005) and the adopted SPD "Accessible Homes and Playspace".

9. Prior to dwelling occupation, all of the dwellings shall be provided with electric vehicle charging points. The charging points shall be fully wired and connected, ready for first use and retained for occupant use thereafter.

REASON: To encourage/support cleaner vehicle usage in accordance with the NPPF and Policies ENV13 and GEN2 of the Uttlesford Local Plan (adopted 2005).

10. No development or preliminary groundworks shall commence at the site until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work. No development or preliminary groundworks shall commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork as detailed in the mitigation strategy which has been signed off by the local planning authority through its historic environment advisors. The applicant shall submit to the local planning authority a post-excavation assessment (to be submitted within three 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.

REASON: To enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted

2005).

Pre-commencement condition justification: To ensure that any underground heritage assets are able to be identified and recorded in the public interest prior to the development commencing.

11. No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with ULP Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

Pre-commencement condition justification: To ensure that the resulting development is not prejudicial to human health, the environment or protected waters.

12. The remediation scheme shall be implemented in accordance with the approved timetable of works. Within two months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

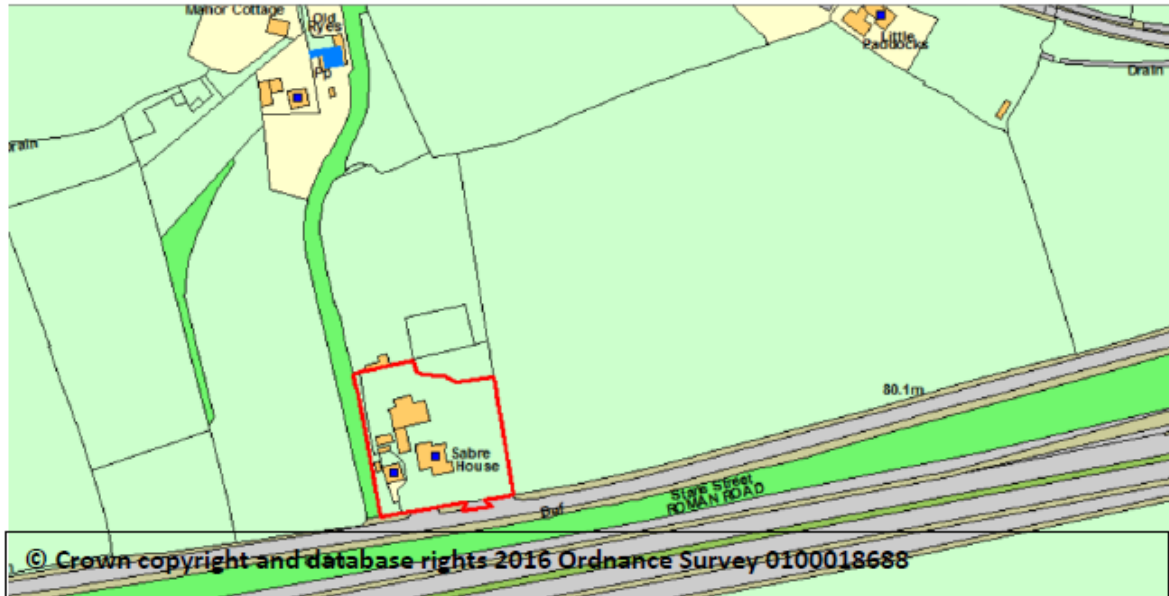
13. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within [2] days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An assessment must be undertaken in accordance with the requirements of condition 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 in accordance with the requirements of condition ENV 2. 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 condition ENV3.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

14. The reserved matters submission shall be accompanied by a scheme of sound insulation, measures which shall be approved in writing by the Local Planning Authority. The scheme must demonstrate that suitable internal noise levels can be

achieved as set out in BS 8233: 2014. The measures must be implemented prior to occupation of any dwelling hereby permitted.

REASON: The site lies next to a main road where appropriate noise mitigation and sound proofing to noise sensitive development is required to prevent loss of amenity for future occupants in accordance with ENV10 of the Uttlesford Local Plan (adopted 2005).



Organisation: Uttlesford District Council

Department: Planning

Date: 20th JULY 2021