



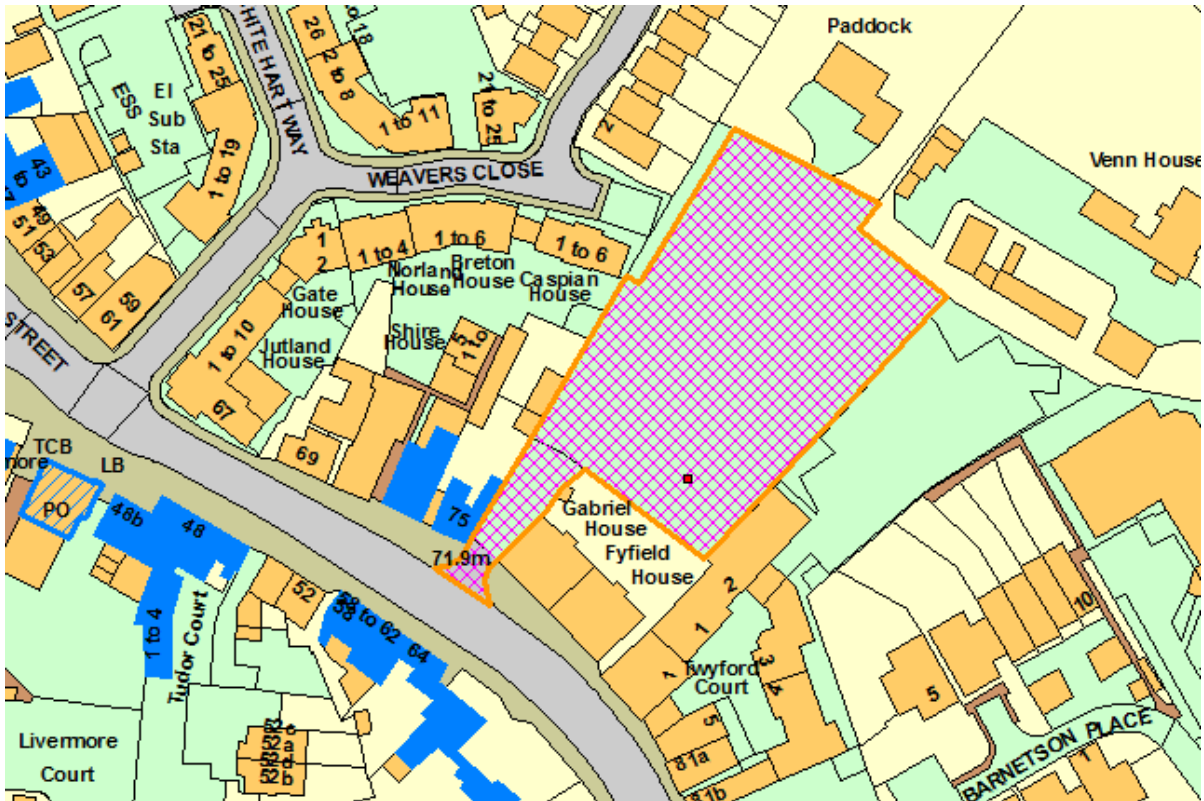
ITEM NUMBER: 14

PLANNING COMMITTEE DATE: 7 June 2023

REFERENCE NUMBER: UTT/23/0638/FUL

LOCATION: Stane House
77 High Street
Dunmow

SITE LOCATION PLAN:



© Crown copyright and database rights 2021 Ordnance Survey 0100018688
Organisation: Uttlesford District Council Date: 18.05.2023

PROPOSAL: Alterations to building to provide 1no. additional 2-bed Retirement Living (Category II Sheltered Housing) apartment on the lower ground floor further to UTT/19/1437/FUL

APPLICANT: McCarthy and Stone

AGENT: Mr R Butler

EXPIRY DATE: 9 June 2023

EOT Expiry Date

CASE OFFICER: Mrs Madeleine Jones

NOTATION: Within Development Limits. Tree preservation. Groundwater Protection Zone. Conservation Area. Within 500m of Pollution Control Site. Archaeological Site. Listed building adjacent to site access.

REASON THIS APPLICATION IS ON THE AGENDA: MAJOR

1. EXECUTIVE SUMMARY

- 1.1** The site is located within development limits where development within the existing built-up areas, if compatible with the character of the settlement, will be permitted.
- 1.2** The proposal is for an additional unit at lower ground floor level to the existing Retirement Living (Category II Sheltered Housing) apartments for the elderly making a total of 30 units.
- 1.3** The 29 units already approved under UTT/19/1437/FUL have been completed and 3 of the units are occupied.
- 1.4** No external changes to the building are required as part of this proposal.

2. **RECOMMENDATION**

That the Director of Planning be authorised to **GRANT** permission for the development subject to those items set out in section 17 of this report -

- A) Deed of Variation and
- B) Conditions

And

If the freehold owner shall fail to enter into such an agreement, the Director of Planning shall be authorised to **REFUSE** permission following the expiration of a 6-month period from the date of Planning Committee.

3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 The site is located to the southeast edge of the town centre, on the north-eastern side of the High Street to the rear of 77 High Street, adjacent to the Great Dunmow conservation Area
- 3.2 The site is 0.26 hectares, is irregular in shape and comprises recently completed 29 no. Retirement Living (Category II Sheltered Housing) apartments with associated communal facilities, car parking and landscaping.
- 3.3 Access to the site is via a shared driveway from the High Street, between number 75 and 77.
- 3.4 There is a Grade II listed building located adjacent to the southwest of the site and further listed buildings located on the opposite side of the High Street.
- 3.5 To all boundaries of the site are residential properties. A car park serving Twyford Court is to the east of the site.
- 3.6 The site levels fall from the south of the site to the north.
- 3.7 The site has 23 parking spaces and indoor storage and charging points provided for electric mobility scooters

4. **PROPOSAL**

- 4.1 The proposal is for an additional unit at lower ground floor level to the existing Retirement Living (Category II Sheltered Housing) apartments for the elderly making a total of 30 units.

- 4.2 The development would consist of a 1 x 2 bedroom apartment
- 4.3 The 29 units already approved under UTT/19/1437/FUL have been completed and 3 of the units are occupied.
- 4.4 Access is via the High Street, utilising the existing access and will lead into a 6m wide internal access road.

5. ENVIRONMENTAL IMPACT ASSESSMENT

- 5.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

6. RELEVANT SITE HISTORY

6.1

Reference	Proposal	Decision
UTT/19/1437/FUL	Demolition of existing buildings and erection of 29 no. Retirement Living (Category II Sheltered Housing) apartments for the elderly with associated communal facilities, car parking and landscaping	Approved subject to conditions and s106
UTT/21/2490/NMA	Non-material amendment to add a planning condition (Approved Plans) to planning permission ref UTT/19/1437/FUL to be constructed in accordance with approved plans.	Approved

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

- 7.1 N/A

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Highway Authority

- 8.1.1 No objections subject to all highway related conditions from UTT/19/1437/FUL are applied to the UTT/23/0638/FUL consent should permission be granted.

8.4 Local Flood Authority

8.4.1 The proposal does not pose a significant flood risk and there is little opportunity to deliver new SuDs features. The bioretention areas from UTT/19/1437/FUL should be retained.

9. GREAT DUNMOW TOWN COUNCIL COMMENTS

9.1 Support the application.

10. CONSULTEE RESPONSES

10.1 UDC Environmental Health

10.1.1 No response received

10.2 Aerodrome Safeguarding

10.2.1 No objections.

10.3 Place Services (Ecology)

10.3.1 No objections.

11. REPRESENTATIONS

11.1 No representations have been received. Expiry 14th April 2023.

12. MATERIAL CONSIDERATIONS

12.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

12.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

(a)The provisions of the development plan, so far as material to the application,:

(aza) a post-examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

12.3 Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area

12.4 The Development Plan

12.4.1 Essex Minerals Local Plan (adopted July 2014)
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
Uttlesford District Local Plan (adopted 2005)
Felsted Neighbourhood Plan (made Feb 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)
Thaxted Neighbourhood Plan (made February 2019)
Stebbing Neighbourhood Plan (made 19 July 2022)
Saffron Walden Neighbourhood Plan (made 11 October 2022)
Great and Little Chesterford Neighbourhood Plan (made 2nd February 2023)
Ashdon Neighbourhood Plan (made 6 December 2022)

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (2021)

13.2 Uttlesford District Plan 2005

S1 – Development Limits
GEN1- Access
GEN2 – Design
GEN3 -Flood Protection
GEN4 - Good Neighbourliness
GEN6 - Infrastructure Provision
GEN7 - Nature Conservation
GEN8 - Vehicle Parking Standards
H9 - Affordable Housing
H10 - Housing Mix
ENV1 - Design of Development within Conservation Areas
ENV3 - Open Space and Trees
ENV4 - Ancient monuments and Sites of Archaeological Importance
ENV12 – Protection of Water Resources
ENV14 - Contaminated Land
GD1 - Town Centre

13.3 Great Dunmow Neighbourhood Plan (made 2016)

Policy DS1 - Town Development Area
Policy DS8 – Buildings for Life
Policy DS15 – Local Housing Needs
Policy LSC1 – Landscape Setting and Character
Policy NE4 – Screening
Policy DS14 – Integration of Affordable Housing
Policy LSC- A - The Historic Environment
Policy HSTC- E Town Centre Development.

13.4 Supplementary Planning Document or Guidance

Uttlesford Local Residential Parking Standards (2013)
Essex County Council Parking Standards (2009)
Supplementary Planning Document- Accessible homes and play space homes
Essex Design Guide
Uttlesford Interim Climate Change Policy (2021)

14. CONSIDERATIONS AND ASSESSMENT

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

- 14.2**
- A) Principle of development;**
 - B) Access;**
 - C) Design and impact on adjacent Listed Buildings and character of the Conservation Area.**
 - D) Vehicle Parking Standards;**
 - E) Housing Mix;**
 - F) Affordable housing;**
 - G) Impact on health provision;**
 - H) Impact on protected species;**
 - I) Flood risk and drainage;**
 - J) Contaminated Land;**
 - K) Climate change**

14.3 A) Principle of development

14.3.1 The site is located within the Development Limits of Great Dunmow where adopted Uttlesford Local Plan 2005 Policy S1 applies. This specifies that development within the existing built-up areas, if compatible with the character of the settlement will be permitted.

14.3.2 Additionally, Great Dunmow Neighbourhood Plan Policy DS1; TDA; Town Development Area is material to the consideration of this application. This policy defines the town Development Area for the purpose of:

- Directing future housing growth in line with allocations set out in the plan,
- Protecting the rural setting of Great Dunmow, and
- Containing the spread of the town by promoting infill within existing built-up areas.

14.3.3 This site is located within the town Development area of the Great Dunmow Neighbourhood Plan.

14.3.4 Paragraph 11 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites. In this regard, the most recent housing trajectory identifies that the Council has a 4.89-year land supply. As such the Council cannot demonstrate a five-year supply of deliverable housing sites.

14.3.5 As such subject to complying with other National and Local planning policies the principle of the development is acceptable.

14.4 B) Access

14.4.1 Policy GEN1 seeks to ensure development proposals would not adversely affect the local highway network and encourage sustainable transport options.

14.4.2 The proposed development would utilise the existing access onto the High Street and will utilise the existing bellmouth access and lead into a 6m wide internal access road. The access dimensions ensure that two – way vehicle movements in and out of the site can occur.

14.4.3 Essex County Council Highways Officers have no objections to the proposal subject to conditions.

14.4.4 In view of the above it is considered that the proposal would comply with the aims of Policy GEN1 and the NPPF.

14.5 Design and impact on adjacent Listed Buildings and character of the Conservation Area

14.5.1 Policy GEN2 of the adopted Local Plan sets out the design criteria for new development. In addition, section 12 of the NPPF sets out the national policy for achieving well-designed places and the need to achieve good design.

14.5.2 The site is located adjacent to the Great Dunmow Conservation Area and there are listed buildings located either side of the access and also opposite the access road.

- 14.5.3** The subject building has, however been completed and some of the units occupied. There are no alterations required to the external appearance of the building and therefore the proposal would not have any material impact on the character and setting of the Conservation Area or the nearby Listed buildings.
- 14.5.4** The proposal would also not have any detrimental impact on neighbours amenity due to the proposed nature of the works proposed to create the additional unit.
- 14.5.5** The scale and design of the proposal are considered to be acceptable in this location and would comply with Policies GEN2, ENV1 and ENV2 of the Local Plan.

14.6 D) Vehicle Parking Standards

- 14.6.1** ULP Policy GEN8 specifies that development will not be permitted if the number, design, and layout of vehicle parking places proposed are not appropriate for the location.
- 14.6.2** In 2009 (residential element updated in February 2013), the Council adopted the Essex County Council Parking Standards, which can be viewed on the Council's website www.uttlesford.gov.uk/planning under supplementary planning documents.
- 14.6.3** The required parking provision requirement for C3 (retirement developments) use is a minimum of 1 space per dwelling and 0.25 spaces per dwelling for visitor parking. Each bay size should be 5.5m x 2.9m, (the width should be increased by 1m if the parking space is adjacent to a solid surface). Disabled parking bays should 6.5m x 3.9m when parallel to the access and 6.5m x 3.9m when perpendicular to the access 6.5m x 3.9m; the minimum size for a parking space is 5m x 2.5m which should only be used in exceptional circumstances.
- 14.6.4** The existing building has 29 apartments and 23 parking spaces, and storage and charging points provided for electric mobility scooters. This is below the recommended parking standards. A further two bedroomed apartment would require a further parking space to be provided.
- 14.6.5** A Transport Assessment (TA) accompanied the previous application, which concluded that the sites proximity to the existing pedestrian network and local amenities presents an excellent opportunity to encourage the use of sustainable transport from the development site.

The TA justifies the under provision of parking spaces based on research carried out by McCarthy and Stone, which found that 34% of residents give up their car in the same year as entry into the retirement development and 14% of residents give up their car in the year after entry to the development. The research identified than an average car parking

provision of 0.45 spaces per apartment for residents is required with a further 0.1 space per apartment for visitors. The overall requirement for 0.55 spaces per apartment therefore equates to 16 spaces overall. An updated transport statement states that the consented scheme provided 23 parking spaces for 29 units, at 0.79 spaces per unit. The additional unit would result in the ratio negligibly reducing to 0.76 spaces per unit. This remains far in excess of the parking requirements based on research into parking demand at existing McCarthy Stone developments of 0.55 spaces per unit. It is therefore considered that the level of car parking would remain suitable to accommodate the total 30 units.

- 14.6.6** The closest analogue to the proposed 'Retirement Living' apartments within ECC's guidance is 'Retirement Developments (e.g. warden assisted independent living accommodation)'. However, the standards also note that reductions may be considered if a development in an urban area has good links to sustainable transport, as is clearly the case here.
- 14.6.7** A further material consideration is the proximity of local car parks to the site which would provide opportunities for visitors to park nearby in the event on-site parking provision is not sufficient.
- 14.6.8** Cycle parking provision would also remain the same as the consented scheme.
- 14.6.9** The proposed additional unit would result in a negligible difference to trip generation, car parking demand and cycle parking demand. The consented access arrangements would remain suitable to serve the scheme, including for emergency and servicing vehicles.

14.7 E) Housing Mix

- 14.7.1** Policy H10 states that all development on sites of 0.1 hectares and above or of 3 or more dwellings will be required to include a significant proportion of market housing comprising small properties. All developments on a site of three or more homes must include an element of small two and three bed homes, which must represent a significant proportion of the total.
- 14.7.2** The consented scheme provided 11 x 1 bedroom and 18 x 2 bedroom apartments. This application would provide a further 2 bedroomed unit.
- 14.7.3** The Great Dunmow Neighbourhood Plan states that "*Uttlesford does not currently have the type of accommodation that older people in Uttlesford are looking for*". Policy DS15 states that at least 5% of dwellings on all schemes of over 20 units should be 1 or 2 bedroom dwellings suitable for the elderly.
- 14.7.4** National Planning Policy Guidance has identified the need to provide housing for older people is critical given the projected increase in the number of households aged 65 and over accounts for over half of all new

households, and the benefits that accrue from downsizing in the local housing market.

14.7.5 Great Dunmow Town Council are in support of the application and the housing mix is considered to be acceptable in this location due to the nature of the apartments.

14.8 F Affordable housing

14.8.1 A commuted sum in lieu of provision of on-site affordable housing was agreed and secured by a s106 agreement on the 29 unit scheme. This will need to be secured to this application by way of a deed of variation.

14.9 G Impact on health provision

14.9.1 Policy GEN6 of the Local Plan seeks to ensure development proposals meet the infrastructure requirements arising from the impacts of the proposals. This policy is generally consistent with the NPPF and is given full weight.

14.9.2 As part of the previously consented application a developer contribution was required to mitigate the impact of the proposal. West Essex CCG calculated the level of contribution required, to be a total of £8,850. As this results in an additional unit, it is considered that a further amount of £305.17 is required towards health provision.

14.9.3 The proposal subject to securing a deed of variation for the transfer of s106 agreement and additional NHS contribution would comply with Policy GEN6.

14.10 H Impact on biodiversity

14.10.1 Policy GEN7 of the Local Plan seeks to protect biodiversity, protected species and habitats.

14.10.2 The proposal does not include any works to the external area of the building and therefore would have no likely impact upon ecology.

14.10.3 The proposal complies with Policy GEN7.

14.11 I) Flood risk and drainage

14.11.1 Policy GEN3 requires development outside flood risk areas to not increase the risk of flooding through surface water run-off. The NPPF requires development to be steered towards areas with the lowest probability of flooding. In addition, it should be ensured that flood risk is not increased elsewhere.

14.11.2 The proposal would not pose a significant flood risk due to the nature of the proposed works and would therefore comply with Policy GEN3.

14.12 J) Contaminated Land

14.12.1 The site is located within the Groundwater Source Protection Zone 1. Policy ENV12 states that development that would be liable to cause contamination of groundwater will not be permitted.

14.12.2 The consented application submitted a Phase 1 Desk study and Phase II Site investigation, and these identified the presence of contamination in both soils and groundwater on site, at levels above the site-specific assessment criteria developed for the site. As such these pose potential risks to both human health and groundwater which will need to be remediated. As such conditions were attached to the previous application and have been subsequently discharged. Therefore, the development is in accordance with Local Plan Policy ENV14.

14.13 K) Climate change

14.13.1 Since the previous application the Interim Climate Change Planning Policy has been adopted.

14.13.2 As the building works and parking provision have been completed there are limited ways in which improvements can be achieved. The consented application required 10% of all parking spaces shall be provided with electric vehicle charging points. All other parking spaces shall be fully wired, ready to use and retained thereafter.

14.13.3 Buggy/scooter parking provision has also been provided with electric charging points.

14.13.4 The main building would have been built to current Building Regulations which adopt a higher level of building requirements that are climate change focused. The scheme is therefore in accordance with Interim Climate Change Planning Policy.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

15.1.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

15.1.2 The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

(2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

15.1.3 Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

15.2 Human Rights

15.2.1 There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

16. CONCLUSION

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

16.2 The principle of residential development is considered acceptable.

16.3 The means of access to the site is acceptable and that the proposals would not result in harmful impacts on the strategic highway network.

16.4 The design, scale and layout is considered to be appropriate for this location.

16.5 Adequate parking provision would be provided.

16.6 The affordable housing financial contribution in lieu of provision is acceptable.

16.7 The proposal would not result in any material detrimental overlooking, overshadowing or overbearing impact on neighbours amenity.

16.8 The proposal therefore subject to compliance with the Section 106 agreement requirements would comply with Policy GEN6 in respect of health provision.

16.9 There would not be any adverse impacts on biodiversity or ecology.

16.10 There would be no increase in flood risk.

16.11 The contamination remediation was secured under UTT/21/2506/FUL condition 9 and discharged under UTT/23/0964/DOC.

16.12 Condition 24 attached to UTT/19/1437/FUL Required 10% of all parking spaces shall be provided with electric vehicle charging points. All other parking spaces points shall be fully wired, ready to use and retained thereafter. The main building would have been built to current Building Regulations which adopt a higher level of building requirements that are climate changes focused. The scheme is therefore in accordance with Interim Climate Change Planning Policy.

17. Deed of Variation Transferring S106 Obligation over from Planning application UTT/19/1437/FUL

17.1 HEADS OF TERMS

- i. 40% Affordable Housing,
- ii. NHS Contribution plus additional contribution,
- iii. Pay the Council's reasonable costs,
- iv. Pay the monitoring fee

17.2 Conditions;

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of decision of planning application UTT/19/1437/FUL (16th March 2021).

REASON: To comply with the requirements of Section 73 and 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

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

3. No persons under 60 years of age shall occupy any of the apartments hereby permitted except any partner of such a person who is over 55 years of age, guests or wardens.

REASON: to minimise the need for onsite parking in the interest of highway safety and to reduce the demand in respect of onsite amenity space in accordance with ULP policies GEN2 and GEN8.

4. The application shall be in accordance with the maintenance plan detailing the maintenance arrangements including who is responsible for

different elements of the surface water drainage system and the maintenance activities/frequencies, submitted to and agreed, in writing, by the Local Planning Authority under UTT/22/2843/DOC discharging condition 20 attached to UTT/19/1437/FUL, dated 15.11.2022. Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. In accordance with ULP policy GEN3.

5. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan.

These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk in accordance with ULP policy GEN3.

6. Improvements to the site access, to include but not be limited to the following:
 - i. Measures to improve pedestrian crossing facilities at the site access,
 - ii. Measure to improve access to and from the site from the footway.
 - iii. Signage from the site access with B1008 High Street along the access and vice versa to notify vehicles of pedestrians on the shared surface and public highway.
 - iv. Measures to control the speed of vehicles emerging to/from the site.

Shall be carried out in accordance with details submitted to and approved in writing by the Local Planning Authority under UTT/21/1857/DOC dated 24.08.2021 and thereafter retained.

REASON: In the interests of highway safety and accessibility. In accordance with ULP policy GEN1.

7. Prior to occupation of the unit hereby permitted, 10% of all parking spaces approved under planning application UTT/19/1437/FUL shall be provided with electric vehicle charging points. All other parking spaces points shall be fully wired, ready to use and retained thereafter.

REASON: to encourage/support cleaner vehicle usage in accordance with policy ENV13 of the Uttlesford Local Plan (adopted 2005).

8. The Buggy/Scooter parking spaces shown in the Ground Floor Plan, drawing no. NL2545_01_03_AC_008 approved under planning permission UTT/19/1437/FUL shall be provided. The approved facility shall be secure, convenient, covered and provided prior to occupation of the units hereby permitted and thereafter retained at all times.

REASON: To ensure appropriate buggy parking is provided in the interest of amenity, in accordance with ULP policy GEN1.

9. The contamination remediation strategy submitted and approved under Condition 7 of planning permission UTT/19/1437/FUL shall be implemented in accordance with UTT/21/1857/DOC dated 24.08.2021.

REASON: To protect human health and the environment and to minimise and prevent pollution of the land and the water environment in accordance with national planning policy guidance set out in section 11 of the National Planning Policy Framework in accordance with ULP Policy ENV14.

10. External lighting details submitted and approved under Condition 10 of planning permission UTT/19/1437/FUL shall be implemented in accordance with UTT/21/3412/DOC dated 5.01.2022.

Reason: To protect the amenity of neighbouring occupiers from obtrusive or spill over light impacts in accordance with ULP Policy GEN2.

11. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Greenlink Ecology Ltd, January 2018) and Bat Survey Report (Greenlink Ecology Ltd, May 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON: To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and ULP Policy GEN7.

12. The Biodiversity Enhancement Strategy for Protected and Priority species submitted and approved under Condition 18 of planning permission UTT/19/1437/FUL shall be implemented in accordance with details approved under UTT/21/3412/DOC dated 5.01.2022 and thereafter and shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) in accordance with ULP Policy GEN7.