

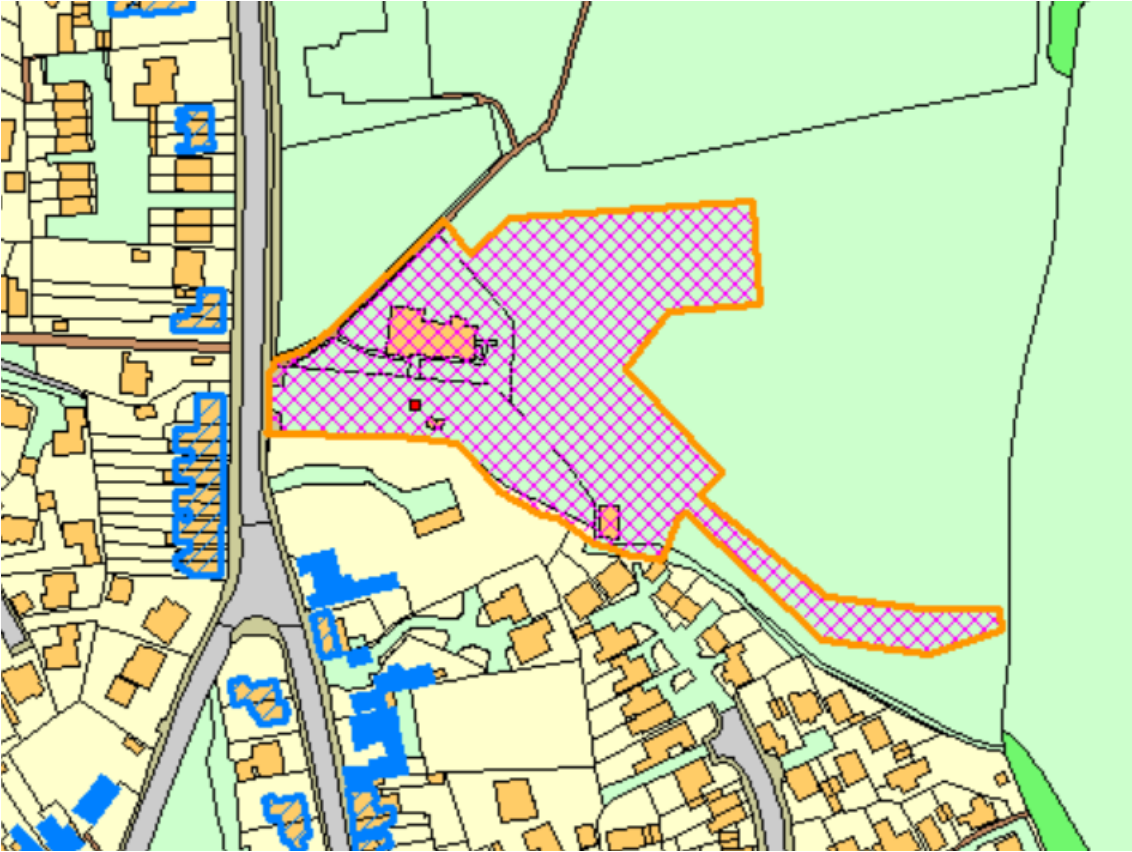
**ITEM NUMBER:** 11

**PLANNING COMMITTEE DATE:** 7 February 2024

**REFERENCE NUMBER:** UTT/23/2494/FUL

**LOCATION:** Car Park, Recreation Ground, The Causeway, Dunmow

**SITE LOCATION PLAN:**



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Organisation: Uttlesford District Council      Date: 23/01/2024

**PROPOSAL:** Redevelopment of existing car park to provide 70no. parking spaces and widening of existing crossover. Demolition of existing toilet block and construction of new block with bottle filling station. New storage facility with photovoltaic panels and new MUGA with surrounding hardstanding and landscaping.

**APPLICANT:** Great Dunmow Town Council

**AGENT:** Rebecca Kemm

**EXPIRY DATE:** 7 December 2023

**EOT EXPIRY DATE:** 9 February 2024

**CASE OFFICER:** Rachel Beale

**NOTATION:** Within Conservation Area. Within Development Limits. Tree Preservation Order (Horse Chestnut, Ash x 3) , Groundwater Protection zone

**REASON THIS APPLICATION IS ON THE AGENDA:** Called in by Cllr Davey

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## **1. EXECUTIVE SUMMARY**

**1.1** This scheme seeks planning permission for the redevelopment of the existing car park to provide 70no. parking spaces and widening of existing crossover. Demolition of existing toilet block and construction of new block with bottle filling station. New storage facility with photovoltaic panels and new MUGA with surrounding hardstanding and landscaping.

**1.2** A similar application was approved in April 2021 under application ref. UTT/20/2968/FUL, but the scheme could not be brought forward due to the surface water drain found to be running beneath the proposed location of the storage unit. A new solution was required to ensure that no drain would be built upon, and the relevant easements were adhered to.

**1.3** This application revises the previously approved application but largely, the principle remains the same. The key differences between the two applications are increased size of the proposed storage unit, more

parking spaces proposed and the introduction of a proposed MUGA (multi-use games area).

## **2. RECOMMENDATION**

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

## **3. SITE LOCATION AND DESCRIPTION:**

**3.1** The site is location to the east of the Causeway in Great Dunmow within the northern part of Great Dunmow.

**3.2** The site comprises a car park and a small, grassed area. The existing car park has 27 car parking bays and 4 disabled bays. There is also a toilet block. Adjacent to the north of the site is the Dourdan Pavilion.

## **4. PROPOSED DEVELOPMENT**

**4.1** Redevelopment of existing car park to provide 70no. parking spaces and widening of existing crossover.

**4.2** Demolition of existing toilet block and construction of new block with bottle filling station.

**4.3** New storage facility with photovoltaic panels and new MUGA with surrounding hardstanding and landscaping.

## **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** UTT/20/2968/FUL- Proposed demolition of existing public toilet block and construction of a new public toilet block containing 3 no. accessible toilets and 1 no. disabled access WC, a new storage unit for sports and maintenance equipment and extension to existing car park to accommodate 47 no. standard parking spaces and 4 no. disabled parking spaces – Approved.

## **7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

**7.1** No pre-app advice has been requested by the applicant.

## **8. SUMMARY OF STATUTORY CONSULTEE RESPONSES**

## **8.1 Highway Authority**

**8.1.1** From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions

## **8.2 Local Flood Authority**

**8.2.1** Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission, subject to conditions.

## **9. PARISH COUNCIL COMMENTS**

**9.1.1** The Town Council is the applicant.

## **10. CONSULTEE RESPONSES**

### **10.1 Sport England**

**10.1.1** Sport England raises no objection to this application as a statutory consultee which is considered to meet exceptions 2, 3 or 5 of our adopted Playing Fields Policy and paragraph 99 of the NPPF subject to a planning condition being imposed relating to a sports lighting scheme for the multi-use games area as set out in this response

### **10.2 UDC Environmental Health**

**10.2.1** No objection subject to condition.

### **10.3 Place Services (Conservation and Heritage)**

**10.3.1** In terms of the National Planning Policy Framework (NPPF, 2023), I do not, however, consider there to be harm to the significance of the Conservation Area or listed Brook House arising from this additional municipal development within their setting. In my opinion, the proposals will also preserve the special interest of the listed building in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The design of the proposed storage unit which includes solar panels to the roof slope, which will be visible in some views from the Conservation Area, is industrial in character and of poor quality, and likewise, the toilet block is also of a low design quality. Paragraph 206 of the NPPF requires that local planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. In my opinion, improvements could be made to the design of the storage unit and toilet block to better meet the requirements of paragraph 206. A condition is also recommended.

### **10.4 Place Services (Ecology)**

**10.4.1** No objection, subject to condition.

**10.5 Place Services Archaeology**

**10.5.1** No objections subject to conditions.

**10.6 Essex Police**

**10.6.1** No objections subject to details.

**10.7 Anglian Water**

**10.7.1** No objection subject to condition.

**11. REPRESENTATIONS**

**11.1** A site notice was displayed on site, the application was advertised in the local press and notifications letters were sent to nearby properties.

**11.2 Support**

**11.2.1** Need for the development.  
Car park improvements required.  
Improved facilities good for health.

**11.3 Object**

**11.3.1** Impact on the character of the area  
Impact on views  
Impact on open space  
Removal of green space  
Light pollution  
Impact on wildlife  
Blocking up footpaths  
Wrong location for MUGA  
Impacts from noise  
Waste of money  
Increase in anti-social behaviour  
Less space for existing events  
Storage building too big  
Hours of use  
Drainage concerns  
Unneeded development  
Overbearing and impacts on privacy  
Removal of trees  
Traffic increase  
No local demand  
Impact on local house prices

## **11.4 Comment**

**11.4.1** The above representations are addressed in the report.

## **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 January 2005)  
Felsted Neighbourhood Plan (made February 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 July 2022)  
Saffron Walden Neighbourhood Plan (made October 2022)  
Ashdon Neighbourhood Plan (made December 2022)  
Great & Little Chesterford Neighbourhood Plan (made February 2023)

**13. POLICY**

**13.1 National Policies**

13.1.1 National Planning Policy Framework (2023)

**13.2 Uttlesford District Plan 2005**

13.2.1 S1 – Main Urban Areas  
GEN1 – Access  
GEN2 – Design  
GEN3 – Flood Protection  
GEN4 – Good Neighbourliness  
GEN7 – Nature Conservation  
GEN8 – Vehicle Parking Standards  
ENV1 – Design of Development within Conservation Areas  
LC2 - Access to Leisure and Cultural Facilities  
ENV14 – Contaminated Land

**13.3 Neighbourhood Plan**

13.3.1 Great Dunmow Neighbourhood Plan

**13.4 Supplementary Planning Document or Guidance**

Uttlesford Local Residential Parking Standards (2013)  
Essex County Council Parking Standards (2009)  
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) Design, Scale, Impact on character and Conservation Area  
C) Impact on Neighbouring Amenity  
D) Access and Parking  
E) Biodiversity and Trees**

**14.3 A) Principle of Development**

14.3.1 The application is for a car park expansion, the demolition of an existing toilet block and construction of a replacement toilet block and the erection of a new storage unit.

14.3.2 Policy S1 states that development within the existing built-up areas, if compatible with the character of the settlement and in addition, for sites on the edge of the built-up area, its countryside setting will be permitted.



- 14.3.3** Within the Great Dunmow's Neighbourhood Plan, the Recreation Ground (GDTC) is described as a critical piece of open space for football clubs, children, dog walkers, the Great Dunmow annual carnival, the annual Guy Fawkes celebrations, and general recreation.
- 14.3.4** Policy: LSC4: Local Green Space of the GDNP states: *This Plan identifies the following areas of important open communal space within Great Dunmow. These are to be retained as essential community and character assets and are designated as Local Green Space in accordance with NPPF Paragraph 76. Development will only be allowed in very special circumstances where the benefit of the development clearly outweighs any harm and contributes to the function of that site.*
- 14.3.5** This development will meet the local priorities and needs of the community for a larger hardstanding car park that provides safe parking for the Pavilion, play areas and recreation ground, at a scale appropriate for Great Dunmow's growth.
- 14.3.6** The site will retain the large majority of its greenspace, whilst providing much improved toilet facilities for the community and a safe place to store equipment, such as for maintenance and sporting activities.
- 14.3.7** The existing toilet block is no longer fit for purpose and lack inclusivity. There is no allocated baby change in either the male or female sections, nor is there room for either to be fitted. There is no disabled toilet or even an accessible WC. Finally, the toilets are segregated with no unisex option.
- 14.3.8** The proposed storage block will allow for maintenance vehicles and supplies to be stored in a secure place, as well as providing better storage for sporting equipment used within the recreation ground frequently by local football teams etc. The storage facility is to have solar panels installed on the south-western roof slope. The panels will be used to supplement the power to the new facilities as well as the Dourdan Pavilion.
- 14.3.9** The proposed Multi-Use Games Area (MUGA) is in line with the existing use of the site and retains the openness of the space, providing better facilities for the community, allowing sport teams to have a lit games area for evenings and winter months, currently not available at the Recreation Ground. A well-lit area would encourage use at all times of year and provide further natural surveillance across the grounds which will help reduce the amount of anti-social behaviour in the park. The proposed MUGA is designed to Sport England specification for a 5-a-side football team.
- 14.3.10** The proposed toilet block and storage space are in line with the existing use of the site and in line with local and national policy in terms of the

principle of development. On that basis, subject to meeting design and other policy criteria, the proposal is considered acceptable in principle.

#### **14.4 B) Design, Scale, Impact on character and Conservation Area**

**14.4.1** Policy GEN2 states that development will not be permitted unless its design is compatible with the scale, form, layout, appearance and materials of surrounding buildings.

**14.4.2** s72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, seeks that LPAs assess proposals against matters of protecting or enhancing the character or appearance of the Conservation Area. The development proposals would preserve the character and appearance of the Conservation Area in accordance with ULP policy ENV1.

**14.4.3** Both the proposed toilet block and storage unit are relatively small in scale and have been redesigned following comments from the Conservation Officer to ensure they would be more appropriate in the context of the conservation area. Ther than comments in regard to the design, the Conservation Officer has no objection to the principle of the proposed development. The specific details of the materials will be secured by way of condition to ensure a high-quality construction. On that basis it is considered that the proposal would not impact on the character of the area to such a degree to warrant refusal of the scheme.

**14.4.4** Policy LC2 states that development proposals for sport facilities will be required to provide inclusive access to all sections of the community, regardless of disability, age or gender

**14.4.5** The new toilet block will replace the existing toilet block which is in poor condition. The new toilets will provide 3 accessible unisex toilets and 1 disabled wheelchair accessible toilet. The proposed building will be required to be designed and constructed in accordance with Part M of the Building Regulations and the Disability Discrimination Act 1995 (Equality Act 2010). All door opening widths, ironmongery / sanitary ware heights etc will be in accordance with Part M. The proposal would therefore meet the criteria of policy LC2.

#### **13.5 C) Impact on Neighbouring Amenity**

**13.5.1** Policy GEN2 states that development will not be permitted unless it would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

**13.5.2** The site is close to residential properties, however there is already an existing car park on the site, and it is not expected that the extension and intensification of the car park will result in any material detrimental impacts to neighbouring properties over and above that already exist to

a level that would warrant refusal of the proposal. The trees closest to the residential properties to the southeast of the site would remain

**13.5.3** Environmental Health have been consulted and have confirmed they have no principle objections but would like the details of the lighting to be secured by way of condition.

**13.5.4** The scale of the proposed toilet block and storage unit, and the distance of the proposed buildings from the residential dwellings ensure there would be no detrimental impact on residential amenity by way of loss of privacy, loss of daylight, overbearing impact or overshadowing.

**13.5.5** It is therefore concluded that, subject to condition, the proposed development accords with national policy and local policies GEN2 and GEN4 of the Uttlesford Local Plan (2005).

## **13.6 D) Access and Parking**

**13.6.1** The proposal includes the increase in parking provision to 70no. parking spaces and 4 accessible parking spaces. The proposal would also increase the size of the crossover and ensuring improved safety is achieved by securing the required visibility splays by cutting back planting at the entrance onto The Causeway. The proposed access remains as it was approved in the previous application.

**13.6.2** The extension to the new car park is required to be redesigned to suit current parking standards. Uttlesford require developments to follow the Vehicle Parking Standards used throughout Essex County Council. These standards have been implemented within the new parking layout to ensure that spaces and reversing distances provide a suitable amount of room to park and manoeuvre safely within the car park and out onto the access street.

**13.6.3** The proposal would meet the adopted parking standards for D2 use. It is considered that the road network is capable of carrying the traffic generated by the development and that the proposal will in fact meet increased demand, without compromising road safety. Essex County Council highway officers have no objection to the proposal subject to securing conditions. The proposal is therefore considered to accord with policies GEN1 and GEN8 of the Uttlesford Local Plan (2005).

## **13.7 E) Biodiversity and Trees**

**13.7.1** Policy GEN7 of the Local Plan states that development that would have a harmful effect on wildlife will not be permitted unless the need for the development outweighs the importance of the feature of nature conservation. Where the site includes protected species, measures to mitigate and/or compensate for the potential impacts of development must be secured.

**13.7.2** A Preliminary Ecological Appraisal and Arboricultural Report have been completed and form part of the planning pack as part of this application. The PEA indicates the local habitats on the site and the likelihood of protected species being present and what affects the proposed development is likely to have on this. The Arboricultural report indicates the significance of the trees on site and the root protection areas. The report also covers certain maintenance that is required to some and recommendations for certain trees to be removed.

**13.7.3** Essex County Council, Place Services, Ecology has confirmed in writing that it has no objection subject to securing biodiversity mitigation and enhancement measures, which if the application is approved can be secured by condition.

**13.7.4** At the time of writing the report, comments have not been received by the Council's Landscape Officer in regard to trees, though the Planning Officer concludes that the trees proposed to be removed are not of any significance nor would their removal have a detrimental impact on the character of the site and surrounding area.

**13.7.5** The proposal is considered acceptable, subject to conditions, with regard to Policy GEN7

## **16. CONCLUSION**

**16.1** The principle of the proposed development on this existing recreation area is considered acceptable

**16.2** The proposals would protect the openness of the site, the Conservation Area and the character and appearance of the surrounding settlement.

**16.3** The proposed development would enhance the existing site in terms of providing more appropriate toilet and storage facilities and increased parking spaces for this well used site. It would also enhance the recreational facilities of the site through the provision of the MUGA.

**16.4** Essex Highways, the Lead Local Flood Authority, Essex Place Services Ecology and Conservation, Sport England and Environmental Health support the proposed development.

**16.5** The proposal on balance is considered acceptable.

## **17. CONDITIONS**

### **17.1 Conditions**

**1.** The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

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

2. Prior to their first use on site, samples of the materials to be used on the external finishes (including hard landscaping) shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and permanently maintained as such.

REASON: To ensure compatibility with the character of the area, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

3. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Greenlight Environmental Consultancy Ltd, October 2023) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species), in accordance with Policy GEN7 of the Uttlesford Local Plan (2005).

4. Prior to occupation a Biodiversity Enhancement Strategy for bespoke biodiversity enhancement measures, submitted by a suitably qualified ecologist in line with the Preliminary Ecological Appraisal (Greenlight Environmental Consultancy Ltd, October 2023), shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
  - a) Purpose and conservation objectives for the proposed enhancement measures;
  - b) detailed designs or product descriptions to achieve stated objectives;
  - c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
  - d) persons responsible for implementing the enhancement measures; and
  - e) details of initial aftercare and long-term maintenance (where relevant).The works shall be implemented in accordance with the approved details 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 Policy GEN7 of the Uttlesford Local Plan (2005).

5. Prior to occupation, a "lighting design strategy for biodiversity" in accordance with GN: 08/23 (ILP) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species), in accordance with Policy GEN7 of the Uttlesford Local Plan (2005).

- 6** Prior to the commencement of the multi-use games area, a scheme setting out the following:
- a) assessment of spill light contours, horizontal and vertical luminance and glare
  - b) Type, design, lux levels height and location of lights
  - c) Measures to control glare and overspill light
  - d) Measures to ensure lights are switched off when not in use, has The fitting options shall aim to provide good lighting solutions, minimising spill light and glare. In the event that shielding of the pitch or the light source from sensitive receptors is required, this shall be incorporated into the proposed lighting scheme.
- Details shall be submitted to and approved in writing by the Local Planning Authority. After commencement of use of the multi-use games area, the sports lighting shall be operated in accordance with the approved scheme.

REASON: To balance illuminating the multi-use games area for maximum use and benefit to sport with the interest of amenity and sustainability and to accord with policies GEN2 and GEN4 of the Uttlesford Local Plan (2005).

- 7** No development shall take place until a Construction and Demolition Method Statement has been submitted to and approved in writing by the local planning authority. The statement shall specify the provisions to be made for the control of noise and dust emanating from the site and shall be consistent with the best practicable means as set out in the Uttlesford Code of Development Practice. The approved Statement shall be adhered to throughout the construction period.

REASON: In the interest of protecting residential amenity and to accord with policies GEN2 and GEN4 of the Uttlesford Local Plan (2005).

- 8** If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

REASON: To protect end users and to accord with policy EMV14 of the Uttlesford Local Plan (2005).

- 9** No development shall take place until details of security measures have been submitted to and approved in writing by the Local Planning Authority. Details shall include:
- 1) prevention of climbing onto the roofs the structures
  - 2) external lighting provision
  - 3) proposed CCTV
  - 4) intruder alarm (storage facility)
  - 5) maintenance and management of site (including proposed hours of the toilets being open)
  - 6) vandal resistant toiletware
  - 7) consideration of anti-graffiti coatings to built structures.

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

REASON: To ensure the development provides a safe and secure environment for both users of the site and local residents, in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan (2005).

- 10**
1. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
  2. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above.
  3. The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the 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.
- All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office.

REASON: The Essex Historic Environment Record identifies that the proposed development area contains potentially significant archaeological remains. A Roman road is recorded running north from the

Roman settlement at Great Dunmow towards Thaxted (EHER1185). The location of the road means that there is the potential for associated settlements or other occupation close to the road. A series of cropmarks known from aerial photography lie to the east of the development site are indicative of features associated with the adjacent river and its flood plain. To the north of Lime Tree Hill a series of Roman burial mounds are located indicating occupation of this period in the area. This is in accordance with Policy ENV4 of the Uttlesford Local Plan (2005).

- 11** Construction Management Plan: no development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
- a. vehicle routing,
  - b. the parking of vehicles of site operatives and visitors,
  - c. loading and unloading of plant and materials,
  - d. storage of plant and materials used in constructing the development,
  - e. wheel and underbody washing facilities.
  - f. before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense where caused by developer.

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 and Policy DM 1 of the Highway Authority's Development Management Policies February 2011, and in accordance with Policy GEN1 of the Uttlesford Local Plan (2005).

- 12** Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres to the north (as measured from and along the nearside edge of the carriageway) and 2.4 metres by 43 metres to the south, as measured from the nearside edge of the carriageway to the centre line of the road. Such vehicular visibility splays shall be retained free of any obstruction at all times.

REASON: to provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011, and in accordance with Policy GEN1 of the Uttlesford Local Plan (2005).

- 13** Secure, covered cycle parking facilities as shown indicatively on LAP drawing no. 9169-30 rev P3 to be provided prior to first occupation of the development and retained at all times.



REASON: to ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011, and in accordance with Policy GEN1 of the Uttlesford Local Plan (2005).

- 14** The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated circulation space shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the local planning authority, in consultation with the local highway authority.

REASON: to ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011, and in accordance with Policy GEN1 of the Uttlesford Local Plan (2005).

- 15** No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

REASON: to avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011, and in accordance with Policy GEN1 of the Uttlesford Local Plan (2005).

- 16** The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and the following mitigation measures detailed within the FRA:

- Limiting the discharge from the site to 1 l/s.
- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of climate change.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective treatment of surface water runoff to prevent pollution. In accordance with Policy GEN3 of the Uttlesford Local Plan (2005).

- 17** Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the

surface water drainage system and the maintenance activities/frequencies on each parcel, has been submitted to and agreed, in writing, by the Local Planning Authority. 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. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site. In accordance with Policy GEN3 of the Uttlesford Local Plan (2005).

- 18** 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 Policy GEN3 of the Uttlesford Local Plan (2005).

- 19** The development hereby permitted shall not be commenced until the existing pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.

REASON: To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site. Failure to carry out the required maintenance before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site. In accordance with Policy GEN3 of the Uttlesford Local Plan (2005).

- 20**      **Electric charging**

## **INFORMATIVES**

### **EH:**

Developers are referred to the Uttlesford District Council Environmental Code of Development Practice. To avoid/minimise the impact upon the amenity of adjoining residents; developers are advised to follow the General Principle, and advice contained therein.

### **HIGHWAYS:**

(i) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicant should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org)

(ii) Prior to any works taking place in public highway or areas to become public highway, the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design checks, safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims, a cash deposit or bond may be required.

(iii) Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway

(iv) There shall be no discharge of surface water onto the Highway..

#### **LLFA:**

We also have the following advisory comments:

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively.

The link can be found below. <https://www.essex.gov.uk/protecting-environment>

- Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. Planning applications with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures. Flood risk assessments: climate change allowances - GOV.UK ([www.gov.uk](http://www.gov.uk))

- Please note that where discharge is to a public sewer, consent from the relevant authority will be required. The links can be found below. <https://www.anglianwater.co.uk/developing/drainage-services/sustainable-drainage-systems/> <https://www.thameswater.co.uk/developers>

- Any works to a ditch may require a S23 Ordinary Watercourse Consent. Please see the below link for more information and how to apply.

<https://flood.essex.gov.uk/maintaining-or-changing-a-watercourse>

#### **ANGLIAN WATER:**

1. INFORMATIVE – Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water,

under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

2. INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

3. INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.