

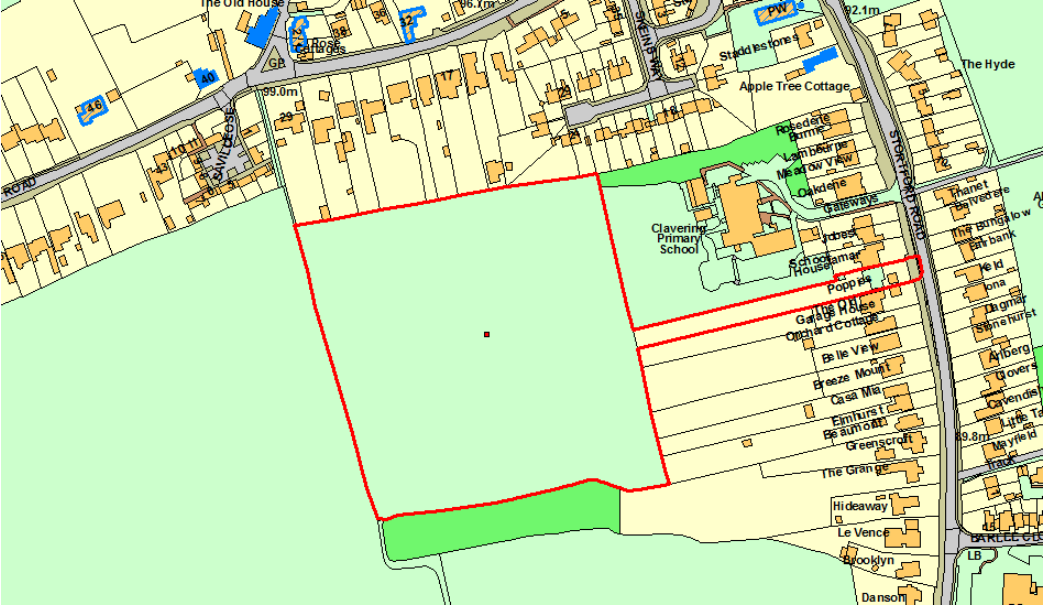
ITEM NUMBER: 12

PLANNING COMMITTEE DATE: 7 February 2024

REFERENCE NUMBER: UTT/23/2538/FUL

LOCATION: Land To The West of Stortford Road, Clavering

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 12/1/2024

PROPOSAL: S73 application to vary condition 20 (Widening of footway) of UTT/20/2639/OP (Demolition of Poppies and erection of up to 31 no. dwellings) in order to remove reference to widening of existing footway and replace with provision of new internal footpath to school

APPLICANT: Pelham Structures Ltd

AGENT: Pelham Structures Ltd (Mrs S Greaves)

EXPIRY DATE: 10th January 2024

EOT Expiry Date 12th February 2024

CASE OFFICER: Chris Tyler

NOTATION: Outside Development Limits

REASON THIS APPLICATION IS ON THE AGENDA: Major Planning Application

1. EXECUTIVE SUMMARY

- 1.1** The proposal includes the variation of condition 20 attached to UTT/20/2639/OP. The variation of this condition enables the revision of the pedestrian access, including introduction of new pedestrian access, location of crossing point and resurfacing of the existing foot way.
- 1.2** The variation of condition 20 is considered acceptable and will provide an appropriate access in terms it will meet all the needs of the potential users. The proposed works will not result in any harmful impact to the character and appearance of the original approved scheme. Furthermore, the proposed revisions will not result in any harmful impact to the amenity of the occupants of neighbouring properties.
- 1.3** The proposed variation of condition 20 is acceptable and in accordance with ULP Policies S7, GEN2, GEN4 and the NPPF.
- 1.4** In compliance with paragraph 9.7 of the previous S106 agreement or planning application UTT/20/2639/OP if the Council agrees in writing following an application under section 73 of the 1990 Act to vary or release

of any condition contained in the Permission or the existing deed shall be deemed to bind the varied permission and to apply in equal terms to the new permission, unless UDC indicate that the amendments require a separate deed of variation is required. It is considered this is not the case.

2. **RECOMMENDATION**

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

A) Conditions

3. **SITE LOCATION AND DESCRIPTION:**

3.1 The application site consists of residential development currently under construction located to the west of Stortford Road in Clavering. The site is accessed from Stortford Road via a new access constructed on the site of a previous dwelling (Poppies). To the east of the main site is Clavering Primary School and to the north of the site are the residential properties along Pelham Road.

3.2 To the west of the application site a public right of way joins the north of the site (Pelham Road) to the south of the Clavering.

4. **PROPOSAL**

4.1 This application seeks to vary condition 20 of UTT/20/2639/OP to allow for the revision of plot 16. The revision includes changes of design and floor space to accommodate accessible ground floor accommodation for then future occupier of the dwelling.

4.2 Approved Condition 20 states:

“Prior to first occupation the footway between the new access road and the school shall be widened to a minimum of 2m (as shown in principle in drawing number 473.HW01A (June2018)) and drop kerb crossing points provided across Clavering Road (as shown in principle in drawing number 473HW04A)

REASON: 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 ULP Policy GEN1”

Proposed Varied Condition:

The scheme of highway works in the vicinity of the site including:

- Footway between the new access road and the existing school access at Gateways shall be resurfaced.
- 2no. dropped kerb crossing points provided across Clavering Stortford Road (as shown in principle in drawing number 473HW18C).
- Provision of a 2m wide footway built to adoptable standards along the access road from Stortford Road to the new pedestrian access point to Clavering Primary School.

This shall be delivered prior to the first occupation of the approved development and not changed without prior written permission from the Local Planning Authority.

REASON: 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 ULP Policy GEN1.

4.4 The proposal includes the following changes to the approved plans:

Approved	Plan Number	Revised Plan	Plan Number
PROPOSED ACCESS DETAILS	473.HW01A	473.HW18C	FOOT PATH WORKS
		473 x 019B	PROPOSED LOCATION WORKS
PROPOSED SITE ACCESS DETAILS	473.HW04A		

4.5 The proposed changes to the condition will enable:

- Provision a new direct pedestrian access to the school,
- Change of location of crossing point,
- Resurface of existing foot path,
- To be provided prior to the first occupation of the development.

5. ENVIRONMENTAL IMPACT ASSESSMENT

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

6. RELEVANT SITE HISTORY

Reference	Proposal	Decision
UTT/20/2639/OP	Outline application with all matters reserved except for	Approved

	access for the demolition of "Poppies" and the erection of up to 31 no. dwellings and 38 no. visitor parking spaces for the adjacent school	
UTT/22/1103/DFO	Details following outline application UTT/20/2639/OP for the erection of 31 no. dwellings and 38 no. parking spaces - details of appearance, landscaping, layout and scale	Approved
UTT/23/0621/NMA	Non material amendment to UTT/22/1103/DFO - revisions to plans and elevations for plots 7 and 15.	Approved
UTT/23/0623/NMA	Non material amendment to UTT/22/1103/DFO - amendments to plans for garages, amendments to plot 2 (sunroom windows), plots 9 and 29 (roof materials), plot 10, 11, 30 and 31 (window and doors arrangements) plots 12 and 18 (cladding).	Approved
UTT/23/0999/NMA	Non material amendment to UTT/22/1103/DFO (following approval UTT/23/0621/NMA) - amendments to plot 7 and plot 15.	Approved
UTT/23/0574/FUL	Variation of Condition 1 (the development shall be carried out in accordance with the approved plans) of UTT/22/1103/DFO to allow for the revision of the site plan and the revision of the floor plans and elevations for plots 7 and 15 and other revisions to the layout of the development.	Approved

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 The Local Planning Authority is unaware of any consultation exercise carried out by the applicant for this current proposal.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 **Highway Authority**

8.1.1 No objections raised as per the proposed revised condition.

8.2 **Lead Local Flood Authority**

8.2.1 On reviewing the proposed amendment, we consider that it will have negligible impact on the site drainage, and we therefore do not wish to comment in this instance.

9. **PARISH COUNCIL COMMENTS**

9.1 The Parish Council seeks reassurance that

1. the moving of the existing school entry gates is approved by Clavering Primary School

2. Clavering Primary school is in agreement to the new enclosed footpath and new entry gate which is to be sited near to the access road for the new housing development.

3. any costs in relation to these works to the school entry points will be borne by the developer

4. the land where the footpath is to be placed is owned by the developer, as it has been understood that this is owned by Essex County Council and forms part of the Clavering Primary school site.

Clavering Parish Council take this opportunity to remind Uttlesford District Council Planning Department that it commented on the unsuitability of the road and footpath access to the development previously.

10. **CONSULTEE RESPONSES**

10.1 **UDC Housing Enabling Officer**

10.1.1 No objections or further recommendations.

10.2 **Thames Water**

10.2.1 Thank you for consulting Thames Water on this planning application. Having reviewed the details, we have no comments to make at this time. Should the details of the application change, we would welcome the opportunity to be re-consulted

10.3 **UDC Heritage Officer**

10.3.1 No Objections, the proposed change of condition will not have an impact on any designated heritage assets

10.4 **BAA – Aerodrome Safeguarding**

10.4.1 The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. We have no objection to this Variation.

10.5 UDC Environmental Health

10.5.1 The Environmental Protection Team have no objection to the proposed variation.

10.6 ECC Ecology

10.6.1 No objections subject to conditions.

11. REPRESENTATIONS

11.1 Site notice/s were displayed on site and 286 notifications letters were sent to nearby properties. The application was also advertised in the local press.

11.2 No comments received.

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:

(a) 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 The Development Plan

12.3.1 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)
Ashdon Neighbourhood Plan (made 6 December 2022)
Great & Little Chesterford Neighbourhood Plan (made 2 February 2023)

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (2021)

13.2 Uttlesford District Plan 2005

S7 – The countryside
GEN1- Access
GEN2- Design
GEN3 - Flood Protection
GEN4 - Good Neighbourliness
GEN5 - Light pollution
GEN6 - Infrastructure to support development
GEN7 - Nature Conservation
GEN8 - Vehicle Parking Standards
H9 - Affordable Housing
H10 - Housing Mix
ENV1- Design of development within the conservation area
ENV2- Development affecting Listed Buildings.
ENV3 - Open Space and Trees
ENV4 - Ancient Monument and sites of Archaeological Importance
ENV5 - Protection of Agricultural Land
ENV11- Noise generators
ENV13 - Exposure to poor air quality
ENV14 - Contaminated land

13.3 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) Character and Appearance**
B) Access
C) Amenity
D) Infrastructure

14.3 **A) Character and Appearance**

14.3.1 ULP Policy GEN2 considers the design of development and advises development will not be permitted unless is compatible with the scale, form, layout, appearance and materials of surrounding buildings

14.3.2 Paragraph 135 (b) of the NPPF advises planning decision should ensure developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

14.3.3 The proposed revision includes the introduction of an additional pedestrian access to Clavering Primary School with 2m fencing and gate into the school. This this is not considered to be out of place within the proposed location or an appearance that will have a detrimental impact to the character of the development and surrounding area.

14.3.4 As such it is considered the character and appearance of proposed development are acceptable and in accordance with ULP Policies S7, GEN2 and the NPPF.

14.4 **B) Access**

14.4.1 Local Plan Policy GEN1 seeks sustainable modes of transport which is reflected within the NPPF. Local plan policy GEN1 advised development will only be permitted if it meets the following criteria:

- a) Access to the main road network must be capable of carrying the traffic generated by the development safely,
- b) The traffic generated by the development must be capable of being accommodated on the surrounding transport networks,
- c) The design of the site must not compromise road safety and must take account of the needs of other users of their highway,
- d) It must be designed to meet the needs of people with disabilities,
- e) The development encourages movement by other means other than driving car.

14.4.2 Paragraph 104 of the NPPF (2023) states 'planning decisions should protect and enhance rights of ways and access including taking opportunities to provide better facilities.

- 14.4.3** The proposed foot path will provide a pedestrian link directly from the new parking area into the school. Part c and d of ULP Policy GEN1 considers the safety implications of proposed accesses within development. Also the Essex Design Guide and Urban Place Supplement Planning Document (2007) advises development should meet the needs of all users across their lifetime with ranging abilities
- 14.4.4** The design and location of the foot path will provide an appropriate access that will meet the need of all users, the access will also be conveniently located near parking spaces that ensure users will not have to walk along Stortford Road. Furthermore, the change in location of the crossing point is considered acceptable.
- 14.4.5** In terms of the existing foot path along Stortford Road, previously this was proposed to widen to 2m and resurfaced. Following the approval of, previous planning application it has been confirmed that due to the constraints of the site the widening of the cannot be delivered.
- 14.4.6** It is still the intension to resurface the existing foot path along Stortford Road, however, not to widened. The introduction of the new side access will help mitigate this matter and provide an alternative access to the school.
- 14.4.7** As such it is considered the foot path will meet all the needs of the potential users will be in accordance with ULP Policy GEN1.
- 14.5 C) Amenity.**
- 14.5.1** Paragraph 135 (f) of the NPPF advises planning decision should ensure developments include a high standard of amenity for existing and future users.
- 14.5.2** ULP Policy GEN2 considers the design of development and advises development will not be permitted if it results in an adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy.
- 14.5.3** ULP Policy GEN4 advises that development will not be permitted where noise would cause a material disturbance to occupiers to surrounding properties.
- 14.5.4** The proposed revisions include the introduction of new foot way access, although this will be located to the rear of the existing dwelling of Tamar, there is some distance between the access and rear garden area of the dwelling. The access will only increase in a pedestrian movement within the existing school site, it is not considered these will result in any significant intensification of use, noise or disturbance. The Council's Environmental Health Officer has been consulted in regard to the proposals; no objections or further recommendations have been raised.

14.5.5 In regard to amenity, it is considered the revisions of the approved scheme will not have any unacceptable impact to neighbouring residential amenity and would accord with ULP Policies GEN2, GEN4 and the NPPF.

14.6 D) Infrastructure

14.6.1 Policy GEN6 seeks Infrastructure provision to support development which is towards direct on-site provision by the developer as part of a scheme or in the immediate vicinity of the development.

14.6.2 Contributions should be CIL compliant and meet the provisions of National Planning Policy. In accordance with Paragraph 57 of the NPPF, Planning obligations must only be sought where they meet all of the following tests:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development

14.6.3 This application varies condition 20 of the previous planning approval for revision the pedestrian access. It is considered these details do not change the principle of the development or details of the original S106.

14.6.4 As such in compliance with paragraph 9.7 of the previous S106 agreement or planning application UTT/20/2639/OP that confirms if the Council agrees in writing following an application under section 73 of the 1990 Act to vary or release of any condition contained in the Permission or the existing deed shall be deemed to bind the varied permission and to apply in equal terms to the new permission.

14.6.5 Taking the above into account it is considered that the application provides sufficient infrastructure to support the proposed development. It is therefore concluded that the proposal accords with Policy GEN6.

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 variation of condition 20 is considered acceptable. The revisions that include the introduction of new foot path access and proposed works to the existing foot path along Stortford Road will provide an appropriate access in terms it will meet all the needs of the potential users.

- 16.2** The proposed works will not result in any harmful impact to the character and appearance of the original approved scheme. Furthermore, the proposed revisions will not result in any harmful impact to the amenity of the occupants of neighbouring properties.

- 16.3** The proposed variation of condition 20 is acceptable and in accordance with ULP Policies S7, GEN2, GEN1, GEN4 the NPPF.

17. CONDITIONS

- 1** Approval of the details of appearance, layout, landscaping and scale (hereafter called "the Reserved Matters") must be obtained from the local planning authority in writing before development commences and the development must be carried out as approved.

REASON: In accordance with Article 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) 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 must be made to the Local Planning Authority not later than the 21st December 2024.

REASON: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. carried out in accordance with the above details

- 3** The development hereby permitted must be begun no later than the expiration of two years from the date of approval of the last of the Reserved Matters to be approved.

REASON: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4** The development hereby approved shall be carried out in accordance with the sustainable drainage details submitted and approved under discharge of conditions application UTT/22/2393/DOC

REASON:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

To ensure the effective operation of SuDS features over the lifetime of the development.

To provide mitigation of any environmental harm which may be caused to the local water environment

Failure to provide the above required information 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 and in accordance with ULP Policy GEN3 and the NPPF.

- 5** Prior to the commencement of the development hereby approved a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall subsequently be implemented as approved.

The development hereby approved shall be carried out in accordance with the drainage details/ scheme of offsite drainage and flooding caused by surface water run-off and groundwater submitted and approved under discharge of conditions application UTT/22/2393/DOC

REASON: To ensure development does not increase flood risk elsewhere and does not contribute to water pollution, in accordance with ULP policy GEN3 and the NPPF

- 6** Prior to occupation of the development hereby approved 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, shall be 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 and in accordance with ULP policy GEN3 And the NPPF.

- 7** 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 and in accordance with ULP policy GEN3 and the NPPF.

- 8** Prior to the occupation of the development hereby approved one of the following shall be submitted has been agreed with the Local Planning Authority in consultation with Thames Water.

Details of confirming the capacity exists off site to serve the development

Development and infrastructure phasing plan

All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

The development will be constructed in strict accordance with the approved details unless written permission is given from the Local Planning Authority.

REASON: Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents, in accordance with ULP policy GEN3 and the NPPF

- 9** A minimum of a single electric vehicle charging point shall be installed at each of the houses. These shall be provided, fully wired and connected, ready to use before first occupation.

REASON: The requirement of the charging points are required to mitigate the harm for poor air quality due to the increase in vehicle movement and being within and in accordance with ULP policy ENV13 and paragraph 105 of the NPPF

- 10** In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the

Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

REASON: To ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990 and in accordance with ULP policy ENV14.

- 11** The dwellings hereby permitted must be built in accordance with Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure a high standard of accessibility, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005), the SPD entitled 'Accessible Homes and Playspace' and the Planning Practice Guidance.

- 12** No additional fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Local Planning Authority. The details shall ensure the lighting is designed in such a way to minimise any potential impacts to neighbouring properties. Additional lighting shall thereafter be erected, installed and operated in accordance with the approved details.

REASON: To minimise any potential impacts to neighbouring properties in accordance with Policy GEN4 of the Uttlesford Local Plan (adopted 2005).

- 13** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecology Report (A. R. Arbon, January 2021) and Bat Survey report (Essex Mammal Surveys, March 2021) 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 and enhance 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) and in accordance with ULP policy GEN7.

- 14** The development hereby approved shall be carried out in accordance with the Farmland Bird Mitigation Strategy details submitted and approved under discharge of conditions application UTT/22/2393/DOC

REASON: To allow the LPA to discharge its duties under the NERC Act 2006 (Priority habitats & species) and in accordance with ULP Policy GEN7

- 15** The development hereby approved shall be carried out in accordance with the biodiversity enhancement strategy submitted and approved under discharge of conditions application UTT/22/2393/DOC

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) and in accordance with ULP Policy GEN7.

- 16** Prior to the occupation of the development hereby approved a lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

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 approved details. 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, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with ULP Policy GEN7.

- 17** The development hereby approved shall be carried out in accordance with the construction management plan submitted and approved under discharge of conditions application UTT/22/2393/DOC.

REASON: To ensure that the construction of the development is in the interests of highway safety and control of environmental impacts in accordance with ULP Policies GEN1 and GEN4.

- 18** Prior to first occupation of the development the vehicular access shown in principle in drawing number 473.HW01A (June 2018) shall be constructed at right angles to the highway boundary and to the existing carriageway with associated visibility splays of 2.4 by 43m both directions. The width of the access at its junction with the highway shall

not be less than 5.5 metres with 2 x 2m wide footway and radii of 6m and a dropped kerb pedestrian crossing.

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 DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with ULP Policy GEN1.

- 19** The development hereby approved shall be carried out in accordance with the scheme of traffic calming submitted and approved under discharge of conditions application UTT/22/2393/DOC.

REASON: 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 ULP Policy GEN1.

20 Proposed Varied Condition:

The scheme of highway works in the vicinity of the site including:

- Footway between the new access road and the existing school access at Gateways shall be resurfaced.
- 2no. dropped kerb crossing points provided across Clavering Stortford Road (as shown in principle in drawing number 473HW18C).
- Provision of a 2m wide footway built to adoptable standards along the access road from Stortford Road to the new pedestrian access point to Clavering Primary School.

This shall be delivered prior to the first occupation of the approved development and not changed without prior written permission from the Local Planning Authority.

REASON: 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 ULP Policy GEN1.

- 21** Vehicle and cycle parking shall be provided in accordance with the Essex Parking Standards (2009) and UDC Residential Parking Standards (2013).

REASON: To 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 ULP Policy GEN1.

- 22** 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.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and in accordance with ULP policy GEN1

- 23** The development hereby approved shall be carried out in accordance with the field evaluation submitted and approved under discharge of conditions application UTT/22/2393/DOC.

REASON: The historic environmental record indicates that the proposed development site lies within an area known to contain highly sensitive heritage assets, the most significant being the Scheduled Monument of Clavering Castle (SM 14343).

Appendix 1- Highway Authority

This is considered acceptable.

Proposed Condition

The scheme of highway works in the vicinity of the site including:

- Footway between the new access road and the existing school access at Gateways shall be resurfaced.
- 2no. dropped kerb crossing points provided across Clavering Stortford Road (as shown in principle in drawing number 473HW18C).
- Provision of a 2m wide footway built to adoptable standards along the access road from Stortford Road to the new pedestrian access point to Clavering Primary School.

Shall be delivered prior to the first occupation of the approved development and not changed without prior written permission from the Local Planning Authority.

REASON: 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 ULP Policy GEN1.

Rachel McKeown

Strategic Development Engineer

Appendix 2- Lead Local Flood Authority

To: Planning <planning@uttlesford.gov.uk>

Subject: [External] >> SuDS consultation on application UTT/23/2538/FUL

Dear Sir/Madam

Thank you for consulting the SuDS team on the above application.

We consider that the proposed change of condition will have negligible impact on site drainage, and so we do not wish to comment in this instance.

Regards

Richard Atkins
Development and Flood Risk Officer