

Proposed conditions for UTT 23 0950 PINS

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 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 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;

- i. the parking of vehicles of site operatives and visitors,
- ii. loading and unloading of plant and materials,
- iii. storage of plant and materials used in constructing the development,
- iv. wheel and underbody washing facilities.
- v. Routing strategy for construction vehicles
- vi. 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 Uttlesford Local Plan policy GEN1.

4 Prior to the commencement of the development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include, but not be limited to, the following:

- a) The construction programme and phasing
- b) Hours of operation, delivery, and storage of materials
- c) Details of any highway works necessary to enable construction to take place
- d) Parking and loading arrangements.
- e) Details of hoarding
- f) Management of traffic to reduce congestion.

- g) Control of dust and dirt on the public highway
- h) Details of consultation and complaint management with local businesses and neighbours
- i) Waste management proposals
- j) Mechanisms to deal with environmental impacts such as noise and
- k) vibration, air quality and dust, light and odour.
- l) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures. All works shall be carried out in accordance with the approved CEMP thereafter.

REASON: In the interests of highway safety and the control of environmental Impacts in accordance with Uttlesford Local Plan Policy GEN1.

5 Prior to commencement a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) to include Flich Way LoWS, LNR and Country Park as well as the adjacent streams and Water Vole within them and Great Crested Newt.
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any Invasive non-native species present on site

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

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) and to comply with Uttlesford Local Plan Policy GEN7

6 No development shall take place until a Finalised Reptile Mitigation Strategy addressing the mitigation of reptiles has been submitted to and approved in writing by the local planning authority.

The Reptile Mitigation Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance of the Receptor area(s).
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The Finalised Reptile Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

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

7 No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Limiting discharge rates to 2.7l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event subject to agreement with the relevant third party. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

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. in accordance with Uttlesford Local Plan policy GEN3.

8 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.

REASON: The proposed development is located just north of the historic settlement of Tilekiln Green (EHER 15631). The proposed development is located just south of Stane Street a Roman Road which is known to have an Iron Age and a Roman phase (EHER 4697, 4702) and just north of the former Bishops Stortford to Braintree railway (EHER19629). The earliest record of brick and tile making in the parish was in 1553 when William Naylor owed an annual rent of 1,000 tiles. There are references to brickmakers and brickmaking in the late seventeenth and eighteenth centuries. Cropmarks indicate linear field boundaries in the surrounding areas (EHER 46554). There is therefore the potential for multi-period archaeological remains being impacted on by the proposed development. In accordance with Uttlesford Local Plan Policy ENV4.

9 No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the WSI defined in Part 1 and confirmed by the Local Authority archaeological advisors.

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10 No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the WSI defined in Part 1 and confirmed by the Local Authority archaeological advisors.

REASON: The proposed development is located just north of the historic settlement of Tilekiln Green (EHER 15631). The proposed development is located just south of Stane Street a Roman Road which is known to have an Iron Age and a Roman phase (EHER 4697, 4702) and just north of the former Bishops Stortford to Braintree railway (EHER19629). The earliest record of brick and tile making in the parish was in 1553 when William Naylor owed an annual rent of 1,000 tiles. There are references to brickmakers and brickmaking in the late seventeenth and eighteenth centuries. Cropmarks indicate linear field boundaries in the surrounding areas (EHER 46554). There is therefore the potential for multi-period archaeological remains being impacted on by the proposed development. In accordance with Uttlesford Local Plan Policy ENV4.

11 No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been approved in writing by the local planning authority.

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12 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.

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13 Prior to any works above slab level a Biodiversity Enhancement Strategy for protected and Priority species 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 to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) timetable for implementation;
- e) persons responsible for implementing the enhancement measures;
- f) details of initial aftercare and long-term maintenance (where relevant).
- g) The works shall be implemented in accordance with the approved details prior to occupation 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) and in accordance with Uttlesford Local Plan Policy GEN7.

14 No vehicles associated with passengers using Stansted Airport shall be parked on this site for more than 24 hours in any period of 14 days.

REASON: It is the policy of the Council that all parking required for Stansted Airport should be accommodated within the airport boundary, in order to protect the appearance of the countryside in accordance with Uttlesford Local Plan policy T3.

15. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Assessment (Ecology Solutions, January 2022) 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 to comply with Uttlesford Local Plan Policy GEN7

16 Access Prior to occupation of the development, the access, and highway works shown in principle on drawing number IT196/SK/01 REV K shall be provided, including:

i. Clear to ground visibility splays shown on the plans from the access onto Tile Kiln Road, and from Tile Kiln Road on to the B1256 and the forward visibility from the M11 junction to the west to the righthand turn lane onto Tile Kiln Road (as shown in principle in drawing number IT1896/SK/1001. Any signing within the splays to be relocated and vegetation to be removed. The vehicular visibility splays shall be retained free of any obstruction at all times thereafter.

ii. Realignment of junction of Tile Kiln Road including ghosted righthand turn

iii. Provision of footways minimum width 2m

iv. Provision of drop kerb crossing point to the east of the junction with

Tile Kiln Road and a drop kerb crossing with island to the west.

v. Signing of the Low bridge

vi. Landscaping of newly made verge and stopping up of any redundant

vii. carriageway once works are completed to the satisfaction of the highway authority and area to be stopped up agreed.

All necessary works including the safety audits any relocation or provision of signage, lighting, utilities, drainage, associated resurfacing or works to the existing carriageway to facilitate widening to be carried out entirely at the developer's expense.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with 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 ULP policy GEN1

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

REASON: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with Uttlesford Local Plan Policy GEN1.

18 The site shall not be occupied until such time as the vehicle parking area indicated on the approved plans including 107 car parking spaces of which 6 to be disabled, 20 EV car charging spaces and in addition 13 EV HGV charging spaces has been hard surfaced, sealed, marked out in parking bays and charging bays active. The vehicle parking areas and associated turning areas 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 in writing with the Local Planning 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 Uttlesford Local Plan policy GEN1

19 Prior to occupation a minimum of 20 cycle and 7 motorcycle parking spaces as shown in principle on the submitted plans shall be provided. Such facilities shall be secure and covered 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 Uttlesford Local Plan policy GEN1.

20 Traffic routing management scheme: Prior to occupation signing to be provided within the site to direct all traffic to the north and ban the righthand turn. Owner of the site to be required to sign Traffic Routing Management Agreement to ensure HGVs use the agreed routine to the strategic network and that all staff and contractors are provided with this information. Compliance to the right-hand turn ban to be monitored by CCTV and the data to be retained for 6 months and made available to the Planning Authority on request.

REASON: To ensure that drivers are aware of the appropriate route for vehicles to use avoiding the low bridge 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 Uttlesford Local Plan policies GEN1 and GEN2

21 Prior to first occupation of the proposed development, the Developer shall submit a workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. It shall be accompanied by a monitoring fee of £6,132 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the 5-year period.)

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 The condition is required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

22 Prior to beneficial use a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed to include retained and proposed planting.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall thereafter be implemented in full accordance with the approved details. prior to the beneficial use of the development.

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) and in accordance with Uttlesford Local Plan Policy GEN7.

23 Prior to beneficial use a finalised lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify the light spill impact as a result of the proposed lighting (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using the retained and proposed tree planting at the boundaries of the site. 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) and in accordance with Uttlesford Local Plan Policy GEN7.

24 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, 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 Uttlesford Local Plan policy GEN3.

25 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 Uttlesford Local Plan policy GEN3.

26 The Bird Hazard Management Plan 8723.BHMP2022.vf dated February 2022 shall be implemented as approved upon completion of the development and shall remain in force for the life of the development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority in consultation with the aerodrome safeguarding authority for Stansted Airport.

REASON: Flight safety - It is necessary to manage the site in order to mitigate bird hazard and avoid endangering the safe movements of aircraft and the operation of Stansted Airport through the attractiveness of birds. Airport. in accordance with Uttlesford Local Plan Policy GEN2

27 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.

REASON: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted airport in accordance with Uttlesford Local Plan Policy GEN2

28 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no reflective materials other than clear or obscure glass shall be added to any buildings, including Solar PV panels, without the express consent of the local planning authority in consultation with the aerodrome safeguarding authority for Stansted Airport.

REASON: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport in accordance with Uttlesford Local Plan Policy GEN2

29 The rating level of noise emitted by EV charging points on the site shall not exceed 51dB at any noise sensitive premises between 07:00 and 23:00 and 45dB between 23:00 and 07:00 hours. The measurement and assessment shall be made according to BS 4142:2014+A1:2019.

REASON: in the interests of residential amenity in accordance with Uttlesford Local Plan GEN2

30 The use open logistics facility sui generis use hereby permitted shall be carried out only in association with Wren Kitchens business and not for a general B8 facility.

REASON: Alternative B8 uses could generate different levels of traffic not suitable for this location and may be contrary to Local Plan policies GEN1 and GEN2.

31 Prior to commencement of the development the location and specification of the acoustic barrier shall be submitted and approved in writing to the Local Planning Authority. Subsequently, these works shall be carried out as approved.

REASON: In order to protect residential amenity in accordance with Uttlesford Local Plan Policy GEN2.

32. There shall be a buffer zone between the Flitch Way Wildlife Corridor and the proposed development of 10m wide for the length of the boundary between the site and the wildlife corridor approximately 230m. This should be landscaped sensitively, with minimal management and intervention to , and reflect the specific habitat of this section of the Flitch Way, the buffer zone should be secured with secure boundary fencing. Prior to occupation, full details shall be submitted and approved in writing to the Local Planning authority, subsequently, these works shall be carried out as approved.

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) and in accordance with Uttlesford Local Plan Policy GEN7.

Condition 32 was recommended in the late list for the committee meeting on the 8th February 2023

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