

DRAFT LIST OF SUGGESTED CONDITIONS - V1 - 11.07.23

COMPLIANCE CONDITIONS

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

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.

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

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. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Assessment (Ecology Solutions, October 2021), Ecology Update and Walkover Survey (Ecology Solutions, September 2022) and Bat Survey Report (Ecology Solutions, November 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 Policy GEN7 of the Adopted Local Plan and the National Planning Policy Framework.

4. 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.

5. 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, including solar PV panels, shall be added to the building without the express consent of the local planning authority. An aviation perspective Glint & Glare assessment may be needed.

Reason: Flight safety - to prevent ocular hazard and distraction to pilots using STN.

PRIOR TO COMMENCEMENT CONDITIONS

6. No development shall take place until a Reptile Mitigation Strategy addressing the mitigation targeting 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 for monitoring and remedial measures.
- i) Details for disposal of any wastes arising from works.

The 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 Policy GEN7 of the Adopted Local Plan and the National Planning Policy Framework.

7. Prior to commencement, A Great Crested Newt Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newt during the construction phase.

The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

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 in accordance with Policy GEN7 of the Adopted Local Plan and the National Planning Policy Framework.

8. Prior to the works being carried out details shall be submitted to and approved in writing by the Local Planning Authority, relating to the improvement of Jacks Lane (restricted byway 48/25) from Burgattes Road to the point where it joins the proposed footway/cycleway link forming part of the residential estate shown on drawing General Arrangement drawing WH202.WST.P1.ZZ.DR.PL.10.01 to make it suitable for regular all weather use by pedestrians, cyclists and people with mobility impairment shall be approved by the Local Planning Authority. Such scheme shall include but not be limited to full depth construction, surfacing, lighting, drainage, signage, ditch crossing and measures to prevent use by motor vehicles. The scheme shall be subject to appropriate ecological assessment and mitigation and maintenance plan. No construction of any dwelling shall take place until the approved scheme is delivered and approved maintenance plan is in place.

9. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

PRIOR TO ABOVE GROUND SLAB CONDITIONS

10. No development above slab level shall commence until the external materials of construction for the development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

REASON: In the interests of the appearance of the development and to accord with Policy GEN2 of the Uttlesford Local Plan 2005.

PRIOR TO OCCUPATION CONDITIONS

11. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- 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 will be implemented in accordance with the approved details.

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 Policy GEN7 of the Adopted Local Plan and the National Planning Policy Framework.

12. Prior to occupation of the development, the access as shown in principle on submitted drawing 2007045-SK37 Revision A shall be provided to include the following:
- The provision of a suitable bellmouth access with appropriate radii to accommodate the swept path of vehicles regularly using the site access.
 - Clear to ground visibility splays with dimensions of 2.4 metres by 43 metres to both the north and south along Smiths Green. Such vehicular visibility splays shall retained free of any obstruction at all times thereafter.
 - Clear to ground visibility splays with dimensions of 2.4 metres by 43 metres to both the north and south along Smiths Green at its junction with the shared use cycleway. Such vehicular visibility splays shall retained free of any obstruction at all times thereafter.
13. Development shall not be occupied until such time as their associated vehicle parking areas indicated on the approved plans, have been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area 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.
14. Development shall not be occupied until such time as secure, covered, convenient cycle parking has been provided in accordance with the Essex Parking Standards, such parking shall be connected to the proposed cycleways by cycleway connections.
15. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local transport operator.

OTHER CONDITIONS

16. (a) The development shall be carried out in accordance with the Written Scheme of Investigation for Archaeological Evaluation by RPS (January 2023) Version 3.
- (b) Following the completion of the works set out in the Written Scheme of Investigation, A mitigation strategy detailing the excavation / preservation strategy shall be submitted to the local planning authority for approval in writing.
- (c.) 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.
- (d) 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.

17. Prior to installation, 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 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 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 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 Policy GEN7 of the Adopted Local Plan and the National Planning Policy Framework.

18. No landscaping development to take place until a detailed planting plan is submitted for approval to the LPA in consultation with the aerodrome safeguarding authority for Stansted Airport.

Reason: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN.