



## **RECOMMENDED CONDITIONS- May 2024**

**S62A/2023/0030**

**UTT/23/3113/PINS**

**Consultation on S62A/2023/0030 - Outline application with all matters reserved except access for up to 28 dwellings (class C3) including public open space, sustainable drainage systems, landscaping and associated infrastructure.**

- 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 expiration of three years from the date of this permission.

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** 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:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken within the vicinity of the proposed infiltration features and in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753. Testing should also monitor ground water levels.
- In accordance with the Drainage Hierarchy, only if infiltration is found to be unviable then discharge rates must be limited to a maximum of 2.3l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- Where discharge is to a watercourse, the outfall should be above the 1 in 100 plus climate change level or alternatively the effect of surcharging of the outfall should be modelled and appropriate measures should be put in place.
- Provision of 10% urban creep allowance.
- Dwellings to have a FFL of 300mm above the existing ground level.
- Final modelling and calculations for all areas of the drainage system. It should be evidenced within detailed flood modelling that the drainage system has sufficient capacity to cope with the offsite/overland flows originating from the north of the site. Furthermore, a MADD Factor of 0 must be used within all modelling and any surcharging in the 1-year return period should be reviewed.
- 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. This must take account of treatment for the runoff from the roofs. The location of any rainwater down pipes which connect into the permeable paving sub-base should be shown on the drainage plan.
- Permeable paving to be used as extensively as possible.
- Consideration of fitting a water butt on each dwelling.

- 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.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

The scheme shall subsequently be implemented prior to occupation. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

**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.

- 5** 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.

**REASON:**

The National Planning Policy Framework paragraph 167 and paragraph 174 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore, the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased

runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

In accordance with the NPPF and ULP policy GEN3.

- 6** No development to take place until further details of the landscaping and SuDS are submitted to the Local Planning Authority for approval in consultation with the aerodrome safeguarding authority for Stansted Airport. No pools or ponds of water should occur/be created without prior permission.

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 Stansted Airport, in accordance with Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

- 7** Prior to the commencement of the development 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 or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights 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).

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 and allow the LPA to discharge its duties under the 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 commencement of the development hereby approved a Construction Method Statement shall be submitted and approved in writing by the Local Planning Authority. The approved Statement shall

be adhered to throughout the construction period. The Statement shall provide for:

- a) Construction/Operational Hours
- b) the parking of vehicles of site operatives and visitors
- c) vehicle routing,
- d) loading and unloading of plant and materials
- e) storage of plant and materials used in constructing the development
- f) the control of noise from construction, including the hours of working and hours of deliveries
- g) safe access to site
- h) wheel washing facilities
- i) measures to control the emission of dust and dirt during construction

REASON: The use of such pre commencement condition is required to protect the amenity of surrounding residential premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 9** Prior to the first occupation of the development, 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 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.

- 10** 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.

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 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 the NPPF and ULP policy GEN3.

- 11** 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, to include six one day travel vouchers for use with the relevant local public transport operator.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance and in accordance with ULP Policy GEN1.

- 12** Prior to occupation of the development, the provision of a road junction access formed at right angles to Stickling Green, as shown in principle on drawing no. 23-T011-02-Rev F to include but not limited to: minimum 5.5 metre carriageway width with minimum radii of 6 metres and two 2 metre wide footways. The road junction access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 96.5 metres to the west and 2.4 metres by 56.1 metres to the east, as measured from and along the nearside edge of the vehicle track and nearside edge of the carriageway respectively. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times.

Reason: to ensure that vehicles can enter and leave the existing highway network in a controlled manner and to provide adequate inter-visibility between vehicles using the road junction 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.

- 13** Prior to occupation of the development, the provision of a 2m footway and pedestrian dropped kerb crossing points with appropriate tactile paving across Stickling Green and

B1038 Clatterbury Lane as shown indicatively on drawing no. 23-T011-05-Rev E. Works to be completed entirely at the developer's expense. A 2m footway to be provided from the junction of Stickling Green with Arkesden Road to the new crossing point across B1038 Clatterbury Lane.

Crossing points to be provided to the east of the site access across Stickling Green, at the junction of Stickling Green with Arkesden Road, at the two existing accesses on Arkesden Road/Clatterbury Lane and across the B1038 Clatterbury Lane. At each of the pedestrian crossing points, clear to ground visibility splays with dimensions as noted on drawing 23-T011-06-Rev E and 23-T011-05-Rev E shall be provided. Such visibility splays shall be provided before first occupation and retained free of any obstruction at all times.

Reason: in the interests of highway safety, reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM1, DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and in accordance with ULP Policy GEN1.

- 14** Prior to the occupation of the development as part of the reserved matters application, the Developer shall submit to the Local Planning Authority for approval, in consultation with the highway authority, details of both vehicular and cycle parking for residents and visitors in accordance with the relevant parking standards. Once approved, the development shall not be occupied until such time as the parking indicated on those approved plans has been provided and shall be retained in this form at all times.

REASON: to ensure appropriate cycle parking is provided, to encourage the use of off-street parking, to ensure adequate space for parking off the highway and to ensure that on street parking of vehicles in the adjoining streets does not occur 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.

- 15** Prior to the occupation of the 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, to include six one-day travel vouchers for use with the relevant local public transport operator. The Residential Travel Information pack shall also include a £1,000 voucher for each dwelling towards purchase of a bicycle.

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 and in accordance with ULP Policy GEN1.

- 16** 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 and in accordance with Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

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

REASON: To protect human health and the environment and in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

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

REASON: To encourage/support cleaner vehicle usage in accordance with the NPPF and ULP Policies ENV13 and GEN2 of the Uttlesford Local Plan (adopted 2005) and in accordance with the guidance in Building Regulations Approved Document S 2021.

- 19** Any air source heat pumps to be installed at the development shall be specified and designed, enclosed, or otherwise attenuated to ensure that noise resulting from their operation shall not exceed the existing background noise level as measured at the nearest noise sensitive receptor inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics when measured or calculated according to the provisions of BS4142:2014

REASON: To safeguard the residential amenity of neighbouring properties from the impact of noise and disturbance, in accordance with ULP Policy GEN4 and the NPPF.

- 20** The dwellings hereby approved shall 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.