



## **RECOMMENDED CONDITIONS- OCTOBER 2024**

**S62A/2024/0058**

**Utt/24/1958/PINS**

### **Consultation on S62A/2024/0058 - Construction of 16 dwellings including 40% affordable housing and associated infrastructure.**

- 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

## **PRE COMMENCEMENT CONDITIONS**

- 3** 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).

- 4 Prior to the commencement of the development 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 protection of nearby Priority habitat Lowland Mixed Deciduous Woodland.
- 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), s40 of the NERC Act 2006 (as amended) and Policies GEN7 and ENV8 of Uttlesford Local Plan (2005).

- 5 As per the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the local planning authority, and

(b) the planning authority has approved the plan.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements apply.

REASON: To allow the development to demonstrate mandatory biodiversity net gain and allow the local planning authority to discharge its duties under Schedule 7A of the Town and Country Planning Act 1990 and in accordance with the National Planning Policy Framework (2023)

- 6** Prior to the commencement of the development details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details prior to occupation of the dwelling hereby approved and shall be maintained as such in perpetuity.

The landscaping details to be submitted shall include:

- a) proposed finished levels (including earthworks to be carried out);
- b) means of enclosure of the land (boundary treatments);
- c) hard surfacing and other hard landscape features and materials;
- d) existing trees, hedges or other soft features to be retained;
- e) planting plans including specifications of species, sizes, planting centres, number and percentage mix;
- f) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife;
- g) details of siting and timing of all construction activities to avoid harm to all nature conservation features;
- h) management and maintenance details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: To preserve the character and appearance of the area, to safeguard residential amenities, to preserve the significance of the heritage assets and to secure details of the new planting/boundary treatments, in accordance with the adopted Uttlesford Local Plan Policies S7, GEN2 and the National Planning Policy Framework (2023).

Prior to the commencement of the development hereby approved, a arboricultural assessment of the existing trees within the site and full details of the proposed changes in ground levels associated with the proposed dwellings and any recommended tree root protections measures shall be submitted to and approved in writing by the Local Planning Authority.

The development will be carried out in accordance with theses approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To protect trees which are to be retained in accordance with Policy ENV3 of the Uttlesford Local Plan (adopted 2005).

### **PRE SLAB LEVEL CONDITIONS**

- 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.

### **PRE OCCUPATION CONDITIONS**

- 8** Prior to occupation of the development, the access at its centre line shall be provided with a clear to ground visibility splays and forward visibility splay as shown on DWG no. DR2 (Titled Required Access Visibility). Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety and in accordance with ULP Policy GEN1.

**9** Prior to first occupation the provision of the following transport infrastructure:

a) 2m wide section of footway of approximately 70m length on Pound Lane from the proposed access to the west (towards Cambridge Road), to include a pedestrian crossing to the existing footway on the southern side of Pound Lane.

b) A bus stop on the new footway (as described above in (a)) to the specification of ECC to include poles, flags, raised kerbs, shelter and appropriate road markings on Pound Lane.

(c) A bus stop on the existing footway, on the southern side of Pound Lane, to the specification of ECC to include poles, flags, raised kerbs, shelter and appropriate road markings on Pound Lane.

(d) Poles, flags and raised kerbs on both of the existing bus stops on Cambridge Road outside Village Hall (Bus stop ID 150018011014 Village Hall (outside) and 1500UGLEY2 Village Hall opposite).

REASON: In the interests of highway safety, accessibility and reducing the need to travel by car and in accordance with ULP Policy GEN1.

**10** 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 and in accordance with ULP Policy GEN1.

**11** 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.

- 12** 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.

- 13** 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.

- 14** 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.

- 15** 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.

- 16** 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.

- 17** 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.

**COMPLIANCE CONDITIONS :**

- 18** Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity and in accordance with ULP Policy GEN1.

- 19** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecology Report (A. R. Arbon, April 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination."

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

- 20** 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).



- 21** The development shall be constructed to provide sound attenuation against external noise in accordance with BS8233:2014. The following levels shall be achieved: Maximum internal night noise levels of 30dB LAeq,T for living rooms and bedrooms with windows open (or closed with provided acoustic mechanical ventilation including heat recovery). For bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dB LAmax. Maximum living room day (07.00-23.00 hrs) noise levels of 35 dB LAeq shall be achieved. External amenity areas shall be designed to achieve levels not exceeding 55 dB LAeq (day).

REASON: To ensure the development provides an environment that meets the reasonable needs of all potential uses and would not have a material adverse impact effect on the reasonable occupation of the residential properties in accordance with ULP Policies ENV10, GEN2.

- 22** 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.

- 23** 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.

- 24** 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.

