

UTT/1522/12/FUL (Stansted)
(Reason: Major application).

PROPOSAL: Demolition of existing commercial buildings. Construction of building to accommodate Class A1 retail space, Class D1 medical centre and 14 no. Class C3 residential apartments, with dedicated off-site parking spaces. Closure of existing vehicular access and off-site alterations to access and highway arrangements. Re-alignment and upgrading of culvert. Reconfiguration of public car park to provide 179 no. car parking spaces and 8 no. coach spaces

LOCATION: 2 Lower Street, Stansted.

APPLICANT: Hilton Group.

AGENT: Pelham Structures Ltd.

GRID REFERENCE: TL 514-248

CASE OFFICER: Maria Tourvas

EXPIRY DATE: 29 October 2012

1. NOTATION

1.1 Within Development Limits/Local Centre/Lower Street and Church Street Stansted Policy SM3/Borders Conservation Areas/Adjacent Listed Buildings/Adjacent Scheduled Ancient Monument.

2. DESCRIPTION OF SITE

2.1 The site comprises an area of approximately 0.2 hectares and accommodates a single and two storey building currently used in connection with the motor industry. The forecourt is hard standing and the site has an irregular shape, bordered by roads to all sides. Adjoining the site to the rear is a large public car park with the castle beyond. The surrounding buildings, to the south, west and north, are in mixed use including residential and commercial. The railway line abuts the car park to the east.

3. PROPOSAL

3.1 The application comprises the demolition of the existing buildings and the redevelopment of the site. The replacement building would

accommodate the following:

Ground Floor:

- 3.2 It is proposed the ground floor is divided into two units. Unit 1 which covers an area of approximately 158.7 square metres flexible use for dentist or retail; Unit 2 has an approximate proposed area of 794.5 square metres for retail purposes. (Total area of 953.2 square metres)
- 3.3 Two separate main entrances one for the medical centre that is proposed to be accessed from north of the building, closest to the car park and the second entrance which would be located on the primary frontage on the western elevation would be for the residential dwellings.
- 3.4 Also, on the ground floor it is proposed that there would be a cycle store, plant room, bin store and a separate delivery access.

First Floor:

- 3.5 The first floor of the proposed development would be dedicated specifically to the health centre. The first floor consists of an area of approximately 1294 square metres, which would be made up of examination rooms, treatment rooms, waiting rooms, stores, cleaning areas and offices.

Second Floor:

- 3.6 The second floor would consist of 8 residential apartments (5 x 3 bedrooms and 3 x 2 bedrooms). This covers a total area of 923.4 square metres.

Third Floor:

- 3.7 The third floor would consist of 6 residential apartments (4 x 3 bedrooms and 2 x 2 bedrooms). This covers a total area of 628 square metres.
- 3.8 An illustrative plan has been provided in terms of how the adjacent public car park can be reconfigured to accommodate the proposed development. It should be noted that whilst the proposed development description refers to car park operations to provide car parking spaces this does not form part of the application as this is not development and the car park falls outside of the planning application's redline as well as outside the applicant's control. The car park is owned and operated by UDC. It should be noted that landownership considerations are not matters for the Planning Committee to determine.

- 3.9 Unit 1 is proposed to be used by a local dentist; however, some flexibility is sought if the dentist's placement in the proposed development is not successful, the Unit would revert to retail use.
- 3.10 The proposed number of apartments would remain at 14 as the previous application however there would be more 3 bedroom units and a less 2 bedroom units (previous scheme had proposed 11 x 2 bedroom units and 3 x 3 bedroom units). This is a consequence of delays in the implementation of the scheme, an increase in cost and the need to ensure the project remains viable.
- 3.11 A fifth floor has been omitted from the proposed development and the overall height of the scheme has been reduced from an initial total height of 17.8m. The scheme now proposes a ranging height of 11.2m along the Lower Street/ car park corner, 14.3m highest part of the mansard and 15.4m to the ridge of the gable projections.

4. APPLICANT'S CASE

- 4.1 Various reports have been submitted in support of the application, which can be viewed on file. In particular a Heritage Statement, Design and Access Statement also a Planning Statement has been submitted discussing the principle behind the revised design approach.

5. RELEVANT SITE HISTORY

- 5.1 History includes UTT/0343/03/FUL which granted permission for the retention of 5 temporary vehicle canopies for a period of three years, UTT/0205/04/FUL which approved a single storey extension to the car showroom and UTT/1404/11/FUL for which permission was refused for a retrospective change of use of part of the showroom for car valeting.
- 5.2 Members will remember application UTT/2384/11/FUL relating to *"Demolition of existing commercial buildings, construction of building to accommodate Class A1 retail space, Class D1 medical centre and 14 Class C3 residential apartments with dedicated off site parking spaces. Closure of existing vehicular access and off site alterations to access and highway arrangements, re-alignment and upgrading of culvert, reconfiguration of public car park"* which was refused at the 30 May 2012 Planning Committee on the grounds that *"The proposed development by way of its design and massing constitutes overdevelopment out of keeping with the street scene and causes material harm to the character of the area including the setting of the adjacent Conservation Area contrary to Policies GEN2 and ENV1 of the Adopted Uttlesford Local Plan 2005."* This application is a resubmission to address the previous grounds of refusal. Please refer to attached Appendix A for a copy of the previous report and Appendix B for a copy of the decision notice.

6. POLICIES

6.1 National Policies

NPPF.

6.2 East of England Plan 2006

ENV6 – The historic Environment.

ENV7 – Quality in the Built Environment.

SS6 – City and Town Centres.

6.3 Essex Replacement Structure Plan 2001

No policies relevant.

6.4 Uttlesford District Local Plan 2005

Policy S1 – Development Limits for the Main Urban Areas

Policy GEN1 – Access

Policy GEN2- Design

Policy GEN3 – Flood Protection

Policy GEN4 – Good Neighbourliness

Policy GEN7 – Nature Conservation

Policy GEN8 – Vehicle Parking Standards

Policy E2 – Safeguarding Employment Land

Policy ENV1 – Design of Development within Conservation Areas

Policy ENV2 – Development affecting Listed Buildings

Policy ENV4 – Ancient Monuments

Policy H3 – New Housing within Development Limits

Policy H10 – Housing Mix

Policy LC3 – Community Facilities

Policy RS2 – Town and Local Centres

Policy SM1 – Local Centres

Policy SM3 - Site on Corner of Lower Street and Church Road

7. PARISH COUNCIL COMMENTS

Email dated 13 August 2012 delayed responding until the Parish had their meeting on the 12 September 2012.

Email dated 13 September 2012 states that the Parish is still not ready to submit comments based on concerns about car parking availability and safety of pedestrians in close proximity to the health centre entrance.

8. CONSULTATIONS

Environment Agency: Initially objected on FRA grounds - additional information required regarding flood risk.

Conditions required on land contamination.

Since objection on FRA grounds, additional information has been submitted to the EA and they have verbally withdrawn their objections. Letter of confirmation and additional conditions will be verbally reported at Committee.

Crime Prevention Officer: No objection but there is a lack of information relating to security and safety, as required by many planning appeal inspectors. We would seek a condition that secured by Design Certification on all development on the site. SBD will ensure security and anti-social behaviour issues have been assessed and measures implemented to the reduce opportunities of such incidents. SBD will also support the council's responsibilities under Sec 17 Crime and Disorder Act.

ECC Highways: No objection subject to conditions.

English Heritage: The revised design which is lower in height and adopts a more traditional articulation and textured elevation approach has potential to create an appropriate addition to the sensitive townscape of this part of the conservation area. Site opportunity to development presents an opportunity to enhance area. English Heritage welcomes this reduction in bulk and feel that the overall form is an appropriate way of handling a large amount of development that is intended to bring wider benefits to the community.

Unable to fully comment on the impact to the Castle. Reserved judgment on boarded projection which could benefit from columns. Colonnade element leading from car park needs to incorporate substantial piers. Shop windows would ideally reflect bay divisions of the brickwork above. Before consent is granted treatment of the roof forms and materials should be assessed.

ECC Drainage: Not officially SuDS approved body therefore can not currently give approval to schemes. EA is the main body. Informally and without prejudice, the principle surface water drainage could be inline with requirements when we are an approved body. Works to the Culvert would require consent from ECC

Thames Water: No objection. Prior approval required from Thames Water to connect to public sewers.

Veolia Water: Development site is located within a defined groundwater source protection zone. Reference should be made to BS for control of water pollution from construction.

Environmental Health: The submitted noise assessment indicates that

the average night time noise level at this site is 57.1 dB. The noise level inside bedrooms recommended by WHO to avoid sleep disturbance is 35dB. There is no objection to the application subject condition noise insulation measures.

ECC Education: Additional education provision would be required at primary level to cater the needs of the proposed development. A contribution of £22,819 index linked to April 2012 cost is required.

NATS: No safeguarding objections.

BAA: No safeguarding objections attention is drawn to BS on use of cranes.

Archaeology: No objection, recommend condition on Trail Trenching
Head of Estates NHS West Essex: Confirmation of the Trust's support for the proposal to provide a primary facility; Trust has worked with local population to identify a suitable site to replace the current facilities in ST Johns Road and Community Clinic in Crafton Green and provide space for a NHS dentist. Current facilities are unable to meet current requirements with growing population and service pressure. The new facility would be suitable for needs and reduce the need for travel.

9. REPRESENTATIONS

9.1 The neighbouring occupiers and those that have previously responded have been consulted of the current application. The scheme has been advertised on site and in the local press. (Expiry 7 September 2012). As a result 22 letters of objection were received, and 18 letters of support also one letter with 8 signatures of support have been received following the consultation of the application raising the following points;

- Only appearance has been addressed;
- Design still far too bulky, mass remains the same;
- Over development of a sensitive site;
- Out of character;
- Scheme would be larger than what is on plans;
- English Heritage should be consulted;
- Insufficient parking and turning space and visibility splay;
- Application should be refused on the same grounds as last;
- Compromising the village needs;
- Site and location unsuitable;
- Increase in traffic flows and large lorries servicing;
- Increase risk of accidents, highway safety;
- Congestion;
- Has not overcome reasons for refusal;
- Eyesore
- Incorrect parking plan submitted;
- Profit making scheme;
- This is a village not a town;

- There are adequate shops already in area
 - Do not need a five storey building;
 - Building of modern flats and medical centre in the heart of old Stansted;
 - Construction disturbance;
 - Pollution;
 - Loss of public car park;
 - Affect business
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- Agree to new medical centre but do not agree to residential development element;
 - Impact on other retail outlets and other services;
 - Multi storey would be unacceptable and any problem should be fixed now not later;
 - Insufficient access width;
 - Previous grounds of refusal have been addressed;
 - In favour of previous plans and this is even more suitable in design;
 - Design is fit for purpose and access and parking appears satisfactory;
 - The Redland facilities need to be urgently replaced;
 - Business competition is not a material planning consideration;
 - Proposed scheme could positively increase footfall to Lower Street;
 - This is the only viable option consequences of a continuation of the status quo, which has already led to a patient-to-GP ratio (over 2,500:1);
 - Car park survey has been carried out;
 - Whilst other developments continue the primary health care facilities remain the same in Stansted;
 - Scheme has radically altered with reduced number of floors;
 - Mass has been significantly reduced;
 - It is not true that the adjacent car park is never full;
 - Free period of parking should be provided;
 - Pedestrian crossing would be welcomed;
 - Changes have broad approval of English Heritage;
 - Well thought scheme;
 - Great effort to alleviate access and parking
 - Scheme can not be used a precedent;
 - Planning permission should be granted;
 - An extremely exciting design in a traditional theme which will enhance the setting in which it will be built.
 - The importance of a central site cannot be over emphasised.
 - Any increase in traffic and parking caused by the development at No 2. Lower Street will be infinitesimal when viewed in

relation to the probable increase in road usage from both north and south of our village and we will have no say in Hertfordshire developments;

- Central site for the Health Centre and shops will be of the greatest advantage and importance to the majority of our residents who are able to walk to, or use the adjacent public services;
- Do we want a Health Centre or not"?
- Previous application marginally refused;
- Great need for health centre, particularly in an era of cuts;
- Lower Street is the only site to provide;
- Good transport links and accessible location;
- A lot of misinformation on parking circulating;
- Fully support application;
- Aging population need facility;
- Great concern that we will lose the surgery if application is not passed;
- Why is the health centre being compromised at the cost of parking for the Castle when parking for the Castle can be provided on their own land;
- Previous village plans identified need for community facilities such as this;
- Scheme although close to conservation area it is outside of it;
- Instead of the site being used for cars surely it should be put to a better use;
- Car parking is safe;
- Residential would contribute towards the health centre;
- Retail study states that travel by car should be reduced and this scheme would facilitate this;
- The retail would help to people travelling to Bishop Stortford;
- Scheme would help improve current highway safety issues;

Councillor Alan Dean: There is a need for a need health centre still. Not all previous concerns have been addressed. Building design is improved and welcome the reduction in height and shift of bulk. Scheme should be assessed in terms of impact upon the 2 cottages in Lower Street. External highway matters none remaining subject to S106 to secure works.

Incorrectly advised that safety audit has been carried out by ECC which needs to be addressed. Uncertainty remains about whether the car park would be able to cater for the proposed development. Planning permission should be withheld until it is clarified how many spaces there would be. The proposed parking spaces will not meet parking standards.

No account has been taken on where the recycling skips will be going. Claims regarding financial viability need to be demonstrated.

An email from Catherine Dean raised concerns over the number of car parking spaces provided and the requirement for clarity in terms of the actual parking provision resulting from the scheme.

10. APPRAISAL

The issue to consider in the determination of the application is:

- A The Principle of Development (ULP Policies S1, E2, H3, H10, LC3, RS2, SM1 and SM3; EEP SS6, NPPF, Stansted Mountfitchet Parish Plan);
- B The visual impact including the Conservation Area and adjacent Listed Buildings (ULP Policies ENV1, ENV2, GEN2, ENV4; EEP ENV6 and ENV7, Stansted Conservation Area Appraisal);
- C Residential Amenity (ULP Policies GEN2 and GEN4);
- D Other Issues such as Highway and Parking (ULP Policies GEN1 and GEN8); Flood Risk and Drainage (ULP Policy GEN3); and Nature Conservation (ULP Policy GEN7)

A The Principle of Development (ULP Policies S1, E2, H3, H10, LC3, RS2 and SM3; EEP SS6, NPPF, Stansted Mountfitchet Parish Plan);

10.1 The site is within the Development Limits of Stansted and as such there is a presumption in favour of development if compatible with the character of the settlement. Local Plan Policy SM1 identifies that the application site falls within the identified local centre of Stansted. It is also subject of Policy SM3 of the Local Plan which identifies the site for mixed use development with a small residential element and forms part of the local centre.

10.2 As such the development of a site for retail, health centre with apartments complies fully with policy within the Local Plan and would provide considerable economic benefits to the area, which accords with the golden thread of the NPPF. This principle has been established through the determination of the previous planning application UTT/2384/11/FUL and is therefore not at question. The sole issue for consideration with regards to this application is whether the proposed amended design of the scheme addresses the previous grounds of refusal which is *“The proposed development by way of its design and massing constitutes overdevelopment out of keeping with the street scene and causes material harm to the character of the area including the setting of the adjacent Conservation Area contrary to Policies GEN2 and ENV1 of the Adopted Uttlesford Local Plan 2005.”* The reason for refusal solely referred to the proposed design and massing of the scheme.

B The visual impact including the Conservation Area and adjacent Listed Buildings and Ancient Monument (ULP

Policies ENV1, ENV2, GEN2, ENV4; EEP ENV6 and ENV7, Stansted Conservation Area Appraisal);

- 10.3 The site lies outside of but directly adjacent to the Stansted Mountfitchet Conservation Area. The site is close to the Stansted Mountfitchet Castle which is a Scheduled Ancient Monument.
- 10.4 Since the previous application the proposed scheme now represents a revised design approach. The current buildings on site as Members will remember are unremarkable and bear no relationship to the adjacent conservation area or its surroundings. The previously refused application was of a relatively large contemporary building with modern materials. The current proposed scheme has taken Members' comments from the May 2012 debate in committee into consideration and has a revised design of a 'traditional' late Victorian malting building, which is stated to have more of a historic tone based on its relationship with the railway sidings. The traditional approach now adopted is consistent with the general street scene and the site's historic context.
- 10.5 The size and scale of the scheme is predetermined by the requirements of the project. Whilst the scheme remains of a significant footprint it is one that is fundamentally focused around the provision and needs of the primary care centre. The floor space occupied by the health centre has been reduced from 1 ½ floors down to the occupation one floor only. The provision of the other mixed uses are required to ensure that the proposed scheme is viable and that the proposed health centre, that has board approval, would be provided on site. Without these elements, which accord with Local Plan Policies SM1 and S1, the health centre is unlikely to be provided and would be unable to be provided on this or any alternative site. This has been fundamentally addressed in the previous Officer's Committee report in Section 10.15 which reads "*The applicant has demonstrated that the deliverability of the health centre is wholly dependent upon the development being mixed including the provision of retail and residential units. All three elements are mutually reliant for the ongoing delivery of the development especially the provision of the socially critical health centre. This is the reason why the proposal has been put forward as a four storey building rather than a stand alone health centre. Appropriate measures through a Section 106 Obligation will secure the provision of the health centre prior to any other part of the development.*" In the light of this it is considered that the scale of the development has been reduced as much as possible.
- 10.6 Due to the nature of the site, some of the ground and upper floor would be lost due to existing typography, landscaping and design.

The building's design would be mitigated through its setback position. Overall the proposed development would be rarely read in its totality particularly as only glimpsed views would be had from limited vantage points.

- 10.7 The surrounding area consists of a mixture of 2, 2 ½ and 3 storey properties with a mixed pallet materials. It is therefore considered that the proposed design is acceptable and would be generally in keeping with the surrounding area. To ensure this handmade 'tumbled' brick to appear pre-aged and natural slate on the mansard roof are proposed, which are materials that are typically found within the existing historic core.
- 10.8 The revised design approach has now been welcomed by English Heritage, subject to approval of certain aspects of the design being reserved through planning conditions. No objection has been raised by the Conservation Officer.
- 10.9 The proposed scheme will continue to be full Disability Discrimination Act compliant, in line with Part M of the Building Regulations. Details of lighting and security measures have not been provided as part of the planning, therefore should planning permission be granted this can be conditioned.

C Residential Amenity (ULP Policies GEN2 and GEN4);

- 10.10 The proposal has been designed to avoid any harm being caused to the residential amenities of properties in the area through overlooking and overshadowing. This has been ensured through the orientation and the staggering of elements of the building and parapet walls. This accords with Local Plan Policies GEN2 and GEN4 of the Uttlesford Local Plan (2005).

D Other Issues

- 10.11 **Highway and Parking (ULP Policies GEN1 and GEN8);** The amended design has not fundamentally changed in that it would require additional parking spaces even with the amendment to the make-up of the residential units or the flexibility in the use of Unit 1. It has been demonstrated through illustrative plans that with re-configuration, the adjacent car park can adequately accommodate the proposed development. It has been adequately demonstrated that the re-configuration of the car park can provide at least an additional 111 parking spaces during weekday use and an additional 117 spaces for weekend usage. The Highway Authority has previously confirmed that the proposed redesign of the public car park would not prejudice the existing operations of the car park. Adequate spaces would be retained for the parking/turning of coaches, and the manoeuvring of HGVs serving the retail unit. This would be

subject of further assessment when a decision is made on matters relating to ownership and asset management. There are no new material considerations to warrant re-examination of the implications of the proposed development in terms of access to and capacity of the car park.

- 10.12 The applicant has previously demonstrated that the proposal would cause no harm to issues of highway safety and this still remains the case. ECC Highways has confirmed that it raises no objections to the proposed amended development scheme subject to conditions.
- 10.13 **Nature Conservation (ULP Policy GEN7);** With regards to nature conservation, no objections were received from English Nature regarding the previous proposal. As such the proposed development of the site is acceptable with respect of impact upon issues of nature conservation and this still remains the case with this current application, in accordance with Local Plan Policy GEN7 of the adopted Local Plan 2005.
- 10.15 **Flood Risk and Drainage (ULP Policy GEN3);** The Environment Agency have confirmed that adequate information has now been provided through a Flood Risk Assessment and additional information to overcome the initial objection to conclude that there are no issues related to flood risk regarding this proposal subject to conditions.
- 10.16 **Education Contribution (ULP Policy GEN6);** It has been argued within the current application that, based on the site's commercial locality and lack of communal/private amenity space, the proposal would not be suitable for families. And, in turn, the applicant seeks that the proposed request for education contribution be reconsidered. However, it is considered that based on the type of housing provision, it is still capable of providing adequate accommodation for families with children. Therefore, should planning permission be granted the request for the provision for education as a Head of Term is still considered relevant and necessary, in accordance with Policy GEN6 of the adopted Local Plan.

11. CONCLUSION

- 11.1 There are no new material considerations that outweigh the acceptability of the revised design. The proposed revised design is considered to address the previous sole design reason for refusal and therefore it is considered acceptable and in accordance with Local Plan Policies.

RECOMMENDATION- CONDITIONAL APPROVAL SUBJECT TO S106 LEGAL OBLIGATION

- (l) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph II unless by 30 November 2012 the freehold owner enters into a binding agreement to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive-Legal, in which case he shall be authorised to conclude such agreement to secure the following
1. No development until lease for letting of health centre secure with Primary Care Trust (or its successor body)
 2. No occupation of either the retail or residential elements until health centre element has been provided and operated by PCT (or its successor body)
 3. Highway Improvements Prior to Occupation:
 - a. The provision and implementation of improvements to the junction of B1051 Chapel Hill/B1351 Lower Street/Station Road/Church Road/car park access road, as shown in principle on the submitted drawing numbered: HTTC/KAB/55. Such improvements are to include but are not restricted to the realignment of the kerb lines on Station Road, Church Road and the car park access road, widening of the car park access road to 5.5m minimum together with a new 1.8m minimum footway on the north side and a new 2.8m minimum footway on the south side, carriageway reconstruction, surfacing and drainage, provision and implementation of a new zebra crossing on the B1351 Lower Street and the provision and installation of all TROs, street lighting, signing and lining deemed necessary in connection with the improvements proposed. All details are subject to the necessary safety audits and design checks and are to be agreed by the Highway Authority.
 - b. The removal of the existing on-street car parking area on the west side of the B1351 Lower Street and the revision of the existing TRO as required in relation to such, to facilitate the safe manoeuvre of large vehicles turning out of the car park access road. All details to be agreed by the Highway Authority
 - c. The existing parking area to be redesigned and laid out in accordance with Essex County Council's Parking Standards Design and Good Practice document published September 2009. The parking area is to include the provision of bus/coach parking spaces together with adequate turning space for all vehicles regularly visiting the site. Details of the provision of CCTV and a lighting scheme within the car park to be submitted for approval. All details to be agreed by the Local Planning Authority.
 - d. Provision of convenient, covered and secure cycle parking spaces within the proposed development site in accordance

with the Parking Standards – Design and Good Practice, September 2009.

4. Provision and implementation of a Travel Plan for sustainable transport in connection with the retail and medical centre aspects of the proposed development, together with £3000 non-returnable monitoring fee to be deposited to Essex County Council.

5. Contributions to Primary School Education

- (II) In the event of such an agreement being made, the Assistant Director Planning and Building Control shall be authorised to grant planning permission subject to the conditions set out below:
- (III) If the freehold owner shall fail to enter into such an obligation, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:
 - (i) The required education contribution has not been forthcoming and as such the proposal would be contrary to Policy GEN6 of the Uttlesford Local Plan 2005 which requires the provision of infrastructure such as school places to accommodate the cumulative impact of such schemes upon school places.
 - (ii) The provision of travel plan has not been forthcoming and as such the proposal would be contrary to Policy GEN1 of the Uttlesford Local Plan 2005 which requires that development encourages movement by means other than driving a car.
 - (iii) The required highway and parking improvements has not be forthcoming in order to facilitate in the scheme being acceptable in terms of provision a good quality design scheme, the number of parking spaces and their sizes, and protecting highway and pedestrian safety and as such the proposal would be contrary to Policy GEN1, and GEN2 of the Uttlesford Local Plan 2005 and the Essex County Council's Parking Standards Design and Good Practice document published September 2009.

Conditions

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 works of demolition hereby authorised shall not be carried out before a contract for the carrying out of the works of redevelopment of the site has been made and approved.

REASON: In the interests of the appearance of the development and conservation area, in accordance with Policy ENV1 of the Uttlesford Local Plan (adopted 2005).

3. Before development commences details of materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. The development/works shall be implemented in accordance with the approved details. Subsequently, the external surfaces shall not be changed without the prior written consent of the local planning authority.

REASON: In the interests of the appearance of the development, and in the interest of protecting the setting and appearance of the adjacent listed buildings and conservation area, in accordance with Policies GEN2, ENV1 and ENV2 of the Uttlesford Local Plan (adopted 2005).

4. The first floor of the premises shall be used for a Health Centre and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

REASON: To ensure the delivery of an appropriate mixed development in accordance with Policy SM3 of the Uttlesford Local Plan (adopted 2005).

5. Construction work shall not begin until a scheme for protecting the proposed noise sensitive development from noise from the railway has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be completed before any part of the noise sensitive development is occupied. The scheme may involve the layout of noise sensitive areas and/or the provision of insulation and/or ventilation measures and shall be designed to achieve the following internal noise target: Bedrooms (2300 to 0700) 35dB LAeq. All demolition and construction work shall be carried out in accordance with the Uttlesford Code of Development Practice.

REASON: To protect the amenity of neighbouring properties and to comply with policies GEN2 and GEN4 of the Uttlesford Local Plan.

6. Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant or the Council's ecological advisor contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

REASON: To safeguard protected species and to comply with Policy GEN7 of the Uttlesford Local Plan.

7. Prior to the erection of the development hereby approved (not including footings and foundations) a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before [the use hereby permitted is commenced] or [before the building(s) is/are occupied] or [in accordance with a timetable agreed in writing with the local planning authority]. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the site and area in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

8. Details, including acoustic specification, of all fixed plant, machinery and equipment associated with air moving equipment, compressors, generators or plant or equipment of a like kind installed within the site, shall be submitted to and approved by the local planning authority in writing before installation.

REASON In the interests of the appearance of the site and area in accordance with Policy GEN2 and GEN 4 of the Uttlesford Local Plan (adopted 2005).

9. 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.

10. Unit 2 of the development hereby permitted shall be solely used for the purposes of either a dentist or a retail unit and for no other purposes identified within Class D1 or A1 of the Town and Country Planning Use Class Order 2005 (as amended).

REASON: In order for the local planning authority to control any intensification of the use and any subsequent increase in parking provision in accordance with Policies SM3, GEN2, GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

11. No development shall take place (excluding demolition) until full details

of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) proposed finished levels [earthworks to be carried out];
- b) means of enclosure;
- c) hard surfacing, 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) location of service runs;
- h) management and maintenance details, including those relating to the pedestrian footpath

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, In accordance with Policies GEN2, GEN3, GEN4, GEN7 and GEN 8 of the Uttlesford Local Plan (adopted 2005)

12. All hard and soft landscape works shall be carried out in accordance with the approved 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 ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development, in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

13. Before development commences (excluding demolition) details of

proposed external lighting scheme, CCTV, fencing and security measures, to reduce the potential for crime have been submitted to and approved by the Local Planning Authority.

REASON: To protect the amenities of the locality by avoiding light pollution and reducing the potential for crime related activity in accordance with Policy GEN2 of the Uttlesford Local plan (adopted 2005).

14. No development or preliminary groundwork's of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigations which has been submitted to and approved by the local planning authority.

REASON: Proposed development is adjacent to an ancient schedule monument which was constructed after 1066. There is potential for archaeological deposits of a medieval date being disturbed by the proposed development. This is in accordance with Policy ENV4 of the Uttlesford Local Plan (2005).

15. No development hereby permitted (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:
all previous uses potential contaminants associated with those uses
a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as

approved.

REASON: To protect the quality of the water environment. The Ground Water Pollution Control Statement and Envirocheck Site Report has been reviewed. These documents fall short of the information needed to properly characterise the risk posed to the quality of the water environment. The Sitecheck report does indicate previous uses of the site include potentially contaminative activities (car repair and unspecified depot). Further work is essential to properly investigate the presence of suspected contamination in this highly sensitive location - groundwater beneath the site is within Inner Source Protection Zone (SPZ1) and the site is above and adjacent to a watercourse. Please follow the British Standard (BS10175:2011) when undertaking your site investigation and relevant EA guidance documents at bottom of this response.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121). This is also in accordance with Policy ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005)

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To protect the quality of the water environment by ensuring all remedial work required by the previous two conditions is undertaken and demonstrated to have been successful. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121). This is also in accordance with Policy ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005)

17. No infiltration of surface water drainage into the ground is permitted

other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

REASON: To protect the quality of the water environment. Only clean roof drainage is suitable to discharge to ground on this site because it lies in an inner source protection zone (SPZ1) - please see our Groundwater Protection Document GP3 part 4 - <http://www.environment-agency.gov.uk/research/library/publications/40741.aspx>

In order to show any proposed infiltration drainage poses a low risk to the quality of the water environment: Infiltration of clean roof water must be through clean ground; the base of the discharge must be no deeper than 1 metre above the seasonally high groundwater level; and, the discharge area should not be located beneath areas of hardstanding susceptible to oil/hydrocarbon contamination, e.g. roads or parking areas.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. This is also in accordance with Policy ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005)