

APPEAL BY CHARTERHOUSE PROPERTY GROUP LTD

HOMEBASE, ELIZABETH WAY, SAFFRON WALDEN, CB10 2BL

PINS REF: APP/C1570/W/ /19/3241526

LPA REF: UTT/19/0125/FUL

AGREED CONDITIONS

These Conditions are intended to form the basis of an agreed set of conditions.

1. The development hereby permitted must be begun no later than the expiration of three years from the date of approval.

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 following approved plans:

Site Location Plan	LP01 (A)
Existing Site Plan	PL01 (A)
Proposed Site Plan	PL02 (G)
Proposed Ground Floor Plan	PL03
Proposed First Floor Plan	PL04
Proposed Second Floor Plan	PL05
Proposed Roof Plan	PL06
Proposed Elevations (north and south)	PL07
Proposed Elevations (east, west and sectional)	PL08
Proposed Site Sections	PL09 (B)
Proposed 3D Visual (main entrance)	PL10
Proposed 3D Visual (view from Ashdon Road)	PL11
Proposed 3D Visual (view from Elizabeth Way)	PL12
Existing Elevations	PL13

REASON: For the avoidance of doubt as to what is permitted.

Materials

3. No above ground development shall commence until details of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority.

Development shall be carried out in accordance with the approved details.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Uttlesford Local Plan Policies S7, GEN2.

Landscaping

4. No development shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include
- a. means of enclosure and retaining structures;
 - b. boundary treatment[s];
 - c. hard surfacing materials;
 - d. minor artefacts and structures [e.g. furniture, play equipment, refuse or other storage units, signs, etc.];
 - e. proposed and existing functional services above and below ground [e.g. drainage, power, communications cables, pipelines etc. indicating alignments, levels, access points, supports as relevant];
 - f. an implementation programme

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance.

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 ULP policy GEN2.

Provision of Parking Spaces

5. No occupation of the building shall take place until space has been laid out within the site in accordance with drawing no. Proposed Site Plan PL02 Revision G for the parking of cars and for the loading and unloading of vehicles. That space shall thereafter be kept available at all times for those purposes.

REASON: To ensure that adequate off street parking is available at all times in the interests of the amenity of residents and of the area and highway safety.

Construction Environmental Management Plan (CEMP)

6. Prior to the commencement of the development, including demolition, a detailed Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:
- a) Hours of operation of construction and demolition work
 - b) Hours of construction traffic and hours of delivery
 - c) Vehicle parking, turning and loading arrangements;
 - d) Management of traffic;

- e) Control of dust and dirt on the public highway and wheel washing;
- f) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- h) measures to control the emission of dust and dirt during demolition and construction;;
- i) Details of consultation and complaint management with local businesses and neighbours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

REASON: In the interests of residential amenity and highway safety and the control of environmental impacts in accordance with Policy GEN1 and GEN4 of the Uttlesford Local Plan (adopted 2005).

Lighting

7. No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by Uttlesford Planning Authority. The details shall ensure the lighting is designed in such a way to minimise potential impacts upon nearby residential premises. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

REASON: In the interests of residential amenity of the area, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

Drainage

8. Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of the development, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

REASON: To prevent environmental and amenity problems arising from flooding in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Contamination

9. 1 No development (with the exception of demolition works to facilitate the site investigation) shall take place until an assessment of the nature and extent of contamination, based on the findings of the ground conditions report prepared by WDE Consulting December 2018, has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site, and must include:

- i. a survey of the extent, scale and nature of contamination;
- ii. an assessment of the potential risks to:

human health, the water environment, property (existing or proposed), service lines and pipes, adjoining land and any other receptors identified as relevant.

2 If found to be necessary as a result of part 1, a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The scheme must include all works to be undertaken, proposed remediation objectives, an appraisal of remedial options, a timetable of works and site management procedures.

3 The remediation scheme for each phase shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report demonstrating that the remediation objectives have been achieved must be submitted to and approved by the Local Planning Authority.

4 In the event that contamination that was not previously identified is found at any time after the development of any phase has begun, development must be halted on that part of the site affected by the unexpected contamination. The contamination must be reported in writing within 3 days to the Local Planning Authority. An assessment must be undertaken in accordance with the requirements of paragraph 1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with paragraph 3.

REASON: To ensure that the proposed development does not cause pollution of Controlled Waters or harm to human health, and in the wider interests of safety and residential amenity, in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

Noise

10. The development shall provide for noise mitigation measures, in accordance with the recommendations set out at Section 7 of the SLR Consulting Assessment of October 2018, in accordance with further details that shall be submitted to and agreed in writing by the local planning authority prior to the carrying out of development above ground level. The measures as agreed shall be fully implemented prior to the occupation of the care home and shall be retained thereafter and not altered without prior approval.

REASON: To protect the residential amenity of any future occupiers, in accordance with Policy ENV10 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

The above conditions are considered to be reasonable and necessary and are agreed by the appellants.

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Signed on behalf of Charterhouse Property Group Ltd

Date.....