



UTTLESFORD DISTRICT COUNCIL

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Dated:27 October 2022

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

Application Number: UTT/22/2278/FUL

Applicant: Dr and Mrs M. Tee

Uttlesford District Council **Grants Permission** for:

Proposed erection of 4 no. detached dwellings and associated works at Land To The North Of Cornells Lane Widdington CB11 3SG

The approved plans/documents are listed below:

Plan Reference/Version	Plan Type/Notes	Received
P-5004-03 REV B	Location Plan	17/08/2022
P-5004-11 REV B	Floor Plan (proposed)	17/08/2022
P-5004-12 REV B	Elevations (proposed)	17/08/2022
P-5004-13 REV B	Elevations (proposed)	17/08/2022
P-5004-14 REV B	Elevations (proposed)	17/08/2022
P-5004-15 REV B	Other	17/08/2022
P-5004-17 REV B	Landscape Details	17/08/2022
P-5004-10 REV C	Other	17/08/2022
P-5004-16 REV A	Other	17/08/2022
P-5004-18 REV A	Other	17/08/2022

Permission is granted with the following 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 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

- 3 Prior to the commencement a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period and shall provide for the following all clear of the highway:

- I. Safe access into the site;
- II. Construction/Operational hours
- III. The parking of vehicles of site operatives and visitors;
- IV. Loading, unloading, storage of plant and materials used in constructing the development;
- V. Wheel and underbody washing facilities.

REASON: To ensure that the construction of the development is in the interests of highway safety and control of environmental impacts in accordance with ULP Policies GEN1 and GEN4.

- 4 No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the Written Scheme of Investigation.

REASON: The Historic Environment Record indicate that the proposed development lies within a potentially sensitive area of heritage assets immediately adjacent the conservation area of Widdington and to the south of the scheduled monument of Widdington Hall (SM 14370), a designated moated site containing Grade II listed buildings. The site itself lies immediately adjacent a number of listed buildings which are identified in the Heritage statement submitted with the application. Aerial cropmark evidence shows a complex pattern of field boundaries in the adjacent fields to the east of the development area (EHER 46363). Immediately to the north of the site an archaeological evaluation found a

sequence of ditches, unfortunately containing no dating evidence (EHER 48244). In accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

- 5 The applicant/developer shall submit to the Local Planning Authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). The assessment shall comprise in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: The Historic Environment Record indicate that the proposed development lies within a potentially sensitive area of heritage assets immediately adjacent the conservation area of Widdington and to the south of the scheduled monument of Widdington Hall (SM 14370), a designated moated site containing Grade II listed buildings. The site itself lies immediately adjacent a number of listed buildings which are identified in the Heritage statement submitted with the application. Aerial cropmark evidence shows a complex pattern of field boundaries in the adjacent fields to the east of the development area (EHER 46363). Immediately to the north of the site an archaeological evaluation found a sequence of ditches, unfortunately containing no dating evidence (EHER 48244). In accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

- 6 Prior to commencement of the development hereby approved a detailed hard and soft landscaping scheme (including planting, hard surfaces, footpaths and boundary treatment) shall be submitted to and approved in writing by the Local Planning Authority.

The development 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 compatibility with the character of the area in accordance with ULP Policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005).

- 7 Prior to commencement of the development hereby approved, a detailed cross sections drawing including the details/ materials and appearance of any retaining features for the construction of the highway access and internal road shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

REASON: To ensure compatibility with the character of the area in accordance with ULP Policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005).

- 8 Prior to commencement of the development hereby approved a detailed plan of the proposed Ecological Area as shown on Drawing no. P5004-10 B (Proposed Site Layout

Plan); and future maintenance details shall be submitted to and approved in writing by the Local Planning Authority.

The completion of the ecology area shall all 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.

REASON: To conserve and enhance protected and priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the Natural Environment and Rural Communities Act' 2006 (Priority habitats & species) and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 9 Prior to the commencement of the development hereby approved details of surface and foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage scheme shall not be changed without the prior written consent of the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface and foul water from the site and in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

- 10 Prior to the commencement of the development above slab level a Biodiversity Enhancement Strategy shall be submitted to and approved in writing by the Local Planning Authority following the recommendations made within the Preliminary Ecological Appraisal (SES, June 2021).

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance.

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

REASON To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the Natural Environment and Rural Communities Act' 2006 (Act 2006 (Priority habitats & species) and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 11 Prior to the occupation of the development hereby approved 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 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 Natural Environment and Rural Communities Act' Act 2006 (Priority habitats & species) and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 12 Prior to the commencement of the development above slab level details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the Local Planning Authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).OK

- 13 Prior to first occupation of each dwelling hereby approved the renewable features/ climate control measures associated with that dwelling as specified in the submitted Sustainability Statement (Abbey Consultants June 2021) shall be installed into the development as built and retained as such thereafter.

REASON: To ensure that the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance to comply with Policies ENV15 and GEN2 of the Uttlesford Local Plan (adopted 2005) and Uttlesford District Council's Interim Climate Change Policy document (2021).

- 14 Prior to the occupation of the development hereby approved, details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Only the details thereby approved shall be implemented.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005)

- 15 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 with Policies GEN1 and GEN6 of the Uttlesford Local Plan (adopted 2005).

- 16 Prior to occupation of the development hereby approved, the access at its centre line shall be provided with visibility splays of 2.4 metres by 43 metres, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided

before the access is first used by vehicular traffic and retained free of any obstruction above 600mm 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 Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- 17 Prior to the first occupation of the development the access arrangements, vehicle parking and turning areas as shown in principle on DWG no. P5004-10.Rev. C (Title- Proposed Site Layout Plan) shall be provided. The access, parking and turning areas shall be retained in perpetuity for their intended purpose.

REASON: To ensure that appropriate access, parking and turning is provided and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- 18 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (SES, June 2021) as already submitted with the planning application and agreed in principle with the Local Planning Authority prior to determination.

REASON: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the Natural Environment and Rural Communities Act' Act 2006 (Priority habitats & species) and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 19 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- 20 The gradient of the proposed vehicular access shall be not steeper than 4% (1 in 25) for the first 6 metres from the highway boundary and not steeper than 8% (1 in 12.5) thereafter.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety to ensure accordance with safety and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005)

- 21 The existing vehicular access (adjacent to dwelling 'The White Cottage') shall be suitably and permanently closed to vehicles incorporating the reinstatement to full height of the highway verge / footway / kerbing immediately as the proposed new access is brought into first beneficial use, with the provision of a pedestrian access into the development site provided.

REASON: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

22 The width of public footpath no. 17 (Widdington) must be retained at a minimum of 1.5 metres, and any proposed planting must be set back a minimum of 2 metres from the width of the footpath.

REASON: To ensure the definitive line and width of the public footpath is retained, in the interest of accessibility and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

23 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).

24 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 Approved Document S 2021.

25 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.

In determining this application, the Local Planning Authority had regard to the following Development Plan Policies:

Policy	Local Plan	Local Plan Phase
NPPF4 - National Planning Policy Framework July 2021	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
S7 - The Countryside	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN1 - Access	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN2 - Design	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN3 - Flood Protection	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005

GEN4 - Good Neighbours	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN5 - Light Pollution	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN6 - Infrastructure Provision to Support Development	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN7 - Nature Conservation	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN8 - Vehicle Parking Standards	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV1 - Design of development within Conservation Areas	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV2 - Development affecting Listed Buildings	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV3 - Open spaces and trees	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV5 - Protection of agricultural land	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV8 - Other landscape elements of importance for nature	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV9 - Historic Landscape	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV13 - Exposure to poor air quality	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
EDG - Garden Size		
EDG - Private Amenity Space		
EDG - Rear Privacy		
ECP - ECC Parking Standards (Design & Good Practice) September 2009		
Uttlesford Local Parking Standards		
SPD2 - Accessible homes and playspace		

Notes:

- 1 The local planning authority has worked with the applicant in a positive and proactive manner in determining this application.

2 Building in Accordance with the Plans

Planning permissions are given on the basis of the details submitted. If you plan to make any changes whatsoever to deviate from the approved plans then you are strongly advised to liaise with Uttlesford District Council Planning Services prior to undertaking any works. You may require a new planning application or a variation to your existing permission. Failure to construct in accordance with the plans could lead to potential Enforcement Action.

Requirement to Comply With Your Conditions

Please read all of your conditions carefully. All of your conditions must be complied with. Failure to comply in full with a planning condition placed upon your permission may result in potential Enforcement Action. Planning conditions require certain things to be done at certain times, often prior to the commencement of any works. If you are in any doubt as to the requirements of your conditions please liaise with Uttlesford District Council Planning Services.

Building Regulations

Did you know that this permission may require Building Regulations approval? For further information please contact the building control team on 01799 510510, or by emailing building@uttlesford.gov.uk or by visiting our website www.uttlesford.gov.uk/buildingcontrol

Rights of Way

The applicant is reminded that the grant of planning permission does not entitle them to obstruct a Right of Way. If it is necessary to stop up or divert a footpath or bridleway in order to enable the development to be carried out, they should, on the receipt of planning permission, apply without delay to the Local Planning Authority for an order under section 257 of the Town and Country Planning Act 1990. In the case of any other right of way, application should be made to the Secretary of State for an order under section 247 of the Act. In either case development shall not be started until a decision has been taken on the application.

Purchase Notice

If either the Local Planning Authority or the Secretary of State refuses permission to develop land, or grants it subject to conditions, the owner may claim that they can neither put the land to a reasonable beneficial use in its existing state, nor can they render the land capable of a reasonably beneficial use by the carrying out of any development which has been, or would be, permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Planning Act 1990, or section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as appropriate.

You are advised to seek professional advice before embarking on the serving of a purchase notice.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused, or granted subject to conditions, by the Secretary of State on

appeal or on reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

- 3 Developers are referred to the Uttlesford District Council Environmental Code of Development Practice. To avoid/minimise the impact upon the amenity of adjoining residents; developers are advised to follow the General Principle, and advice contained therein

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

Dean Hermitage
Director Planning