



UTTLESFORD DISTRICT COUNCIL

Council Offices, London Road, Saffron Walden, Essex CB11 4ER
Telephone (01799) 510510, Fax (01799) 510550
Textphone Users 18001
Email uconnect@uttlesford.gov.uk Website www.uttlesford.gov.uk

Mrs H Webb
Smart Planning Ltd
Old School House
Rettendon Turnpike
Battlesbridge
Wickford
SS11 7QL

Dated:31 August 2022

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

Application Number: UTT/22/1946/FUL

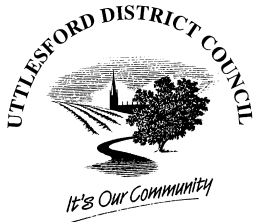
Applicant: JGA Services Ltd

Uttlesford District Council **Grants Permission** for:

Erection of 4 no. two-storey detached dwellings with associated access, garages, cart lodges, parking and amenities. at Templars Farm Holders Green Road Lindsell Essex CM6 3QL

The approved plans/documents are listed below:

Plan Reference/Version	Plan Type/Notes	Received
19.6007/E105 B	Block Plan	14/07/2022
19.6007/M001	Other	14/07/2022
19.6007/M005 B	Location Plan	14/07/2022
19.6007/P227	Combined	14/07/2022
19.6007/P228 C	Block Plan	14/07/2022
19.6007/P229 A	Floor Plan (proposed)	14/07/2022
19.6007/P230 A	Elevations (proposed)	14/07/2022
19.6007/P231 B	Floor Plan (proposed)	14/07/2022
19.6007/P232 B	Elevations (proposed)	14/07/2022



UTTLESFORD DISTRICT COUNCIL

Council Offices, London Road, Saffron Walden, Essex CB11 4ER
Telephone (01799) 510510, Fax (01799) 510550
Textphone Users 18001
Email uconnect@uttlesford.gov.uk Website www.uttlesford.gov.uk

19.6007/P235 A	Floor Plan (proposed)	14/07/2022
19.6007/P236 A	Elevations (proposed)	14/07/2022
19.6007/P237	Combined	14/07/2022
MATERIALS	Other	14/07/2022
PLANNING AND TRANSPORT STATEMENT	Other	14/07/2022
PRELIMINARY ECOLOGICAL APPRAISAL	Other	14/07/2022
DR1 A	Other	30/08/2022
DR2 A	Other	30/08/2022
DR3 A	Other	30/08/2022
DR4 A	Other	30/08/2022
DR5 A	Other	30/08/2022
DR6	Other	30/08/2022

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 No development approved by this permission shall take place until a Phase 1 Desk Study report documenting the ground conditions of the site regarding potential contamination has been submitted to and approved in writing by the Local Planning Authority. This report shall adhere to BS10175:2011. Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175:2011 shall be submitted to and approved in writing by the Local Planning Authority. Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 remediation scheme shall be submitted for approval in writing by the Local Planning Authority. This scheme shall detail measures to be taken to mitigate any risks to human health, groundwater, and the wider environment. Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied. The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.
REASON: To protect human health and the environment, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).
- 4 Prior to commencement, 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: a method statement for Great Crested Newt and protection of Priority Habitats from construction impacts such as airborne pollution.
 - 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.
- 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) and s40 of the NERC Act 2006 (Priority habitats & species), in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).
- 5 Prior to the commencement of the development hereby approved, details of the following hard and soft landscaping works must be submitted to and approved in writing by the local planning authority:
- Retained features
 - New planting

- Hard surfaces
- Boundary treatment

All hard and soft landscape works must be carried out in accordance with the approved details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping must 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 must 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 must 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 Policy S7 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework 2021.

- 6 Prior to any works above slab level a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal (T4ecology, September 2021), shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features 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), in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 7 Prior to occupation a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior occupation of the development. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed including new tree planting, hedgerow planting and landscaped areas.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organisation responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

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) in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 8 Prior to occupation 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, drawings 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), in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).
- 9 Prior to the occupation of any of the proposed dwellings, the proposed private drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of carriageway, including taper to accommodate a swept path for refuse vehicles, and provided with an appropriate dropped kerb crossing of the verge, as shown in principle on DWG nos. DR6 and DR6a
REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety to ensure that the development accords with the Uttlesford Local Plan 2005 - Policy GEN1.
- 10 The proposed development shall not be occupied until such time as the vehicle parking areas indicated on the approved plans has been provided. The vehicle parking areas and associated turning area shall be always retained in this form.
REASON: To ensure that appropriate parking and turning is provided in the interests of highway safety to ensure that the development accords with the Uttlesford Local Plan 2005 - Policies GEN1 and GEN8.
- 11 Prior to first occupation of the dwellings, an electric car charging facility shall be installed at each property and retained as such unless the written consent of the local planning authority is given to any alteration.
REASON: In the interest of sustainable development and in accordance with Policy GEN2 of the adopted Uttlesford Local Plan 2005, and the provisions of the National Planning Policy Framework 2021.
- 12 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 to ensure that the development accords with the Uttlesford Local Plan 2005 - Policy GEN1.
- 13 Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

REASON: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety to ensure that the development accords with the Uttlesford Local Plan 2005 - Policy GEN1.

- 14 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (T4 Ecology Ltd., September 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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 NERC Act 2006 (Priority habitats & species), in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 15 The applicant shall ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours:
- a. No waste materials shall be burnt on the site, instead being removed by licensed waste contractors.
 - b. No dust emissions should leave the boundary of the site
 - c. Consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site
 - d. Hours of works: works shall only be undertaken between 0800 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.

If it is predicted that the construction works are likely to cause a nuisance the applicant should apply for a prior consent application under section 61 of the Control of Pollution Act 1974. A consent enables the applicant to conduct the works without the worry of enforcement provided they comply with it. The applicant will have to submit details of any noisy works including type of plant and machinery to be used, proposed daily start and finish times, consultation with nearby residents and businesses and duration and time scales of the works. The applicant should contact the Councils Environmental protection Team.

REASON: To protect the amenity of neighbouring residents in accordance with Policy GEN4 and Policy ENV10 of the Uttlesford Local Plan (adopted 2005).

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		
GEN1 - Access		
GEN2 - Design		
GEN8 - Vehicle Parking Standards		

S7 - The Countryside

ENV14 - Contaminated land

GEN4 - Good Neighbours

Notes:

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

- 2
 - This permission does not incorporate Listed Building Consent unless specifically stated.

 - The alterations permitted by this consent are restricted to those specified and detailed in the application. Any alteration, demolition or re-building not so specified, even if this should become necessary during the course of the work, must be subject of a further application. It is an offence to carry out unauthorised work to the interior or exterior of a Listed Building in any way, which would affect its character.

 - The proposal has been considered against Development Plan policies shown in the schedule of policies. Material planning considerations do not justify a decision contrary to the Development Plan.

 - The Development Plan comprises the saved policies of the Uttlesford Local Plan (2005).

 - It is the responsibility of the owner to ensure that any conditions attached to an approval are complied with. Failure to do so can result in enforcement action being taken. Where conditions require the submission of matters to and approval by the local planning authority these must be submitted on form "Application for approval of details reserved by condition" available from the Council's web site www.uttlesford.gov.uk and accompanied by the correct fee.

 - Your attention is drawn to the need to check with the Council's Building Surveying Section regarding fire-fighting access and the requirements of Section 13 of the Essex Act 1987.

 - Your attention is drawn to the Equality Act 2010. The Act makes it unlawful for service providers (those providing goods, facilities or services to the public), landlords and other persons to discriminate against certain groups of people.

 - If you intend to pipe, bridge or fill in a watercourse, as part of this development or otherwise, you need to contact the County Highways Authority.

 - Under the terms of the Water Resources Act 1991 and Environment Agency Byelaws, the prior written consent of the agency is required for any proposed works or structures in, under, over or within 9 metres of the top of the bank of any main river.

 - 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 he can neither put the land to a reasonably beneficial use in its existing state nor 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 Country Planning Act 1990.

-Working in close proximity to live overhead lines:

The law requires that work may be carried out in close proximity to electricity overhead lines (usually recognised by a yellow and black "Danger of Death" label on the pole or pylon although this may be missing or have been vandalised) only when there is no alternative and only when the risks are acceptable and can be properly controlled. Further information can be viewed at <http://www.ukpowernetworks.co.uk/internet/en/help-and-advice/help-sheets/> then click on "Keeping Safe" then "Working safely near power lines" UK Power Networks will also visit sites and provide safety advice with regard to work near electricity overhead lines and a statement of clearances to the overhead lines. A call to UK Power Networks general enquiries line on 0845 601 4516 will be required to request a visit. Lines open Monday to Friday 9.00am to 5.00pm.

Appeals to the Secretary of State

-If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

-The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

-The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.



Dean Hermitage
Director Planning

