



## UTTLESFORD DISTRICT COUNCIL

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Mr Chris Loon  
Springfields Planning And Development  
Limited  
15 Springfields  
Great Dunmow  
CM6 1BP

Dated:5 May 2023

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

**Application Number: UTT/22/2460/FUL**

**Applicant: Mr S. Fish**

Uttlesford District Council **Grants Permission** for:

**Erection of ancillary building for storage of private helicopter, complete with related works including hardstanding and fuel tank at Prows Farm Marks Hall Lane White Roding Essex CM6 1RT**

**The approved plans/documents are listed below:**

Plan Reference/Version	Plan Type/Notes	Received
3549.01 D	Combined	05/09/2022
3549.02 D	Block Plan	05/09/2022
3549.LOC C	Location Plan	05/09/2022

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 ANY WORKS ABOVE SLAB LEVEL a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the Local Planning Authority.

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

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs 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 (where relevant).

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

Reason: To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 4 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, June 2022) as already 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 Local Planning Authority 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).

- 5 The exterior of the development hereby approved shall be constructed in the materials specified on the submitted application form/plans, or in materials which have been approved in writing by the Local Planning Authority.

REASON: In the interests of the appearance of the development and to accord with Policy GEN2 of the Uttlesford Local Plan 2005.

- 6 The Helicopter must not take-off or land between 19.00 and 07.00 hours on any day to protect against sleep disturbance and the quieter evening period.

REASON: To protect the health and amenities of the the occupants of neighbouring dwellings and members of the public in accordance with Policies GEN4 and ENV10 of the Uttlesford Local Plan (adopted 2005).

- 7 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared submitted for the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

REASON: To protect the health of the future occupiers of the dwelling in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

- 8 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.

REASON: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport in accordance with the provisions of Policy GEN2 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
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
GEN4 - Good Neighbours	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN7 - Nature Conservation	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV2 - Development affecting Listed Buildings	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV10 - Noise sensitive development and disturbance from aircraft	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV14 - Contaminated land	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005

**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](mailto:building@uttlesford.gov.uk) or by visiting our website [www.uttlesford.gov.uk/buildingcontrol](http://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 All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.
- 4 The Public Right of Way (PROW) network is protected by the Highways Act 1980. Any unauthorized interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath no. 2 (White Roding) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.
- 5 No lighting directly beneath any roof lights that will emit light upwards - only downward facing ambient lighting to spill from roof lights upwards - ideally, automatic blinds to be fitted that close at dusk. Reason: Flight safety - to prevent distraction or confusion to pilots using Stansted Airport (STN).
- 6 Given the location of this property the applicant should be aware that the airport will take action against anyone found in contravention of the Air Navigation Order ("Order"). In particular in contravention of the following provisions under that Order:-
  - Part 10: 240: A person must not recklessly or negligently act in a manner likely to endanger an aircraft, or any person in an aircraft.
  - Part 10: 241: A person must not recklessly or negligently cause or permit an aircraft to endanger any person or property.
- 7 The applicant's attention is drawn to the new procedures for crane and tall equipment notifications, please see:  
<https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

8 Residential dwellings should not be overflown at low altitude (below 500ft).

REASON: To protect the health and amenities of the neighbouring dwellings and members of the public in accordance with Polices GEN4 and ENV10 of the Uttlesford Local Plan (adopted 2005).

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

**Dean Hermitage**  
**Director Planning**