



UTTLESFORD DISTRICT COUNCIL

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Dated: 15 September 2022

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

Application Number: UTT/22/2068/FUL

Applicant: Mr Chris Anderson

Uttlesford District Council Grants Permission for:

Erection of 1 no. dwelling and garage/home office building with enhanced biodiversity and associated infrastructure (amended scheme to that approved under UTT/15/1520/FUL) at 13A Walden Road Swards End Saffron Walden Essex CB10 2LF

The approved plans/documents are listed below:

Plan Reference/Version	Plan Type/Notes	Received
P-02 F	Combined	22/07/2022
P-03 B	Combined	22/07/2022
P-04	Other	22/07/2022
P-01 F	Combined	07/09/2022

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 commencement of the development hereby approved, details of all hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details prior to occupation of the dwelling hereby approved and shall be maintained as such in perpetuity.

The landscaping details to be submitted shall include:

- a) proposed finished levels (including earthworks to be carried out);
- b) means of enclosure of the land (boundary treatments);
- c) hard surfacing and other hard landscape features and materials;
- d) existing and protected via Tree Preservation Order(s) trees, hedges or other soft features to be retained;
- e) planting plans for the woodland planting, 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) details of siting and timing of all construction activities to avoid harm to all nature conservation features;
- h) management and maintenance 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 safeguard the residential amenities of occupiers, and to preserve the character and appearance of the area and the setting of the heritage assets, in accordance with the adopted Uttlesford Local Plan Policies S7, GEN2, GEN4, ENV2, the Essex Design Guide, and the National Planning Policy Framework (2021).

- 4 All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (Denny Ecology, 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. Thereafter, the appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details. The enhancement measures and/or works shall be carried out strictly in accordance with the approved details and shall be maintained as such in perpetuity.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (priority habitats & species) as updated by the Environment Act 2021, s17 of the Crime and Disorder Act 1998, in accordance with the adopted Uttlesford Local Plan Policies GEN7, ENV8, and the National Planning Policy Framework (2021).

- 5 Prior to slab level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal Report (Denny Ecology, June 2022) shall be submitted to and approved in writing by the local planning authority. Thereafter, the enhancement measures shall be implemented in accordance with the approved details and shall be retained in that manner in perpetuity.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (priority habitats & species) as updated by the Environment Act 2021, s17 of the Crime and Disorder Act 1998, in accordance with the adopted Uttlesford Local Plan Policies GEN7, ENV8, and the National Planning Policy Framework (2021).

- 6 Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the local planning authority as set out in that plan. On completion of the monitoring programme, a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

REASON: To ensure that the proposed development does not cause pollution of the water environment and the development complies with the approved details in the interests of protection of the water environment in accordance with the adopted Uttlesford Local Plan Policy ENV12, and the National Planning Policy Framework (2021).

- 7 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 and obtained written approval from the local planning authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved prior to occupation of the development hereby approved.

REASON: To ensure the proposed development does not cause pollution of the water environment and the development complies with the approved details in the interests of

protection of the water environment in accordance with the adopted Uttlesford Local Plan Policy ENV12, and the National Planning Policy Framework (2021).

- 8 Prior to occupation of the development hereby approved, a minimum of 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be provided and retained free of any obstruction in perpetuity.

REASON: To provide adequate inter-visibility between vehicles using the access and pedestrians in the existing public highway in the interests of highway safety, in accordance with the adopted Uttlesford Local Plan Policies GEN1, GEN8, the adopted Uttlesford Local Residential Parking Standards (2013), the adopted Essex County Council Parking Standards: Design and Good Practice (2009), and the National Planning Policy Framework (2021).

- 9 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, in accordance with the adopted Uttlesford Local Plan Policies GEN1, GEN8, the adopted Uttlesford Local Residential Parking Standards (2013), the adopted Essex County Council Parking Standards: Design and Good Practice (2009), and the National Planning Policy Framework (2021).

- 10 Prior to occupation of the development hereby approved, the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres (4.5 metres maximum) and shall be provided with an appropriate dropped kerb vehicular crossing of the highway verge. Thereafter, the access shall be retained as such in perpetuity unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety, in accordance with the adopted Uttlesford Local Plan Policies GEN1, GEN8, the adopted Uttlesford Local Residential Parking Standards (2013), the adopted Essex County Council Parking Standards: Design and Good Practice (2009), and the National Planning Policy Framework (2021).

- 11 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. Thereafter, the gates shall be retained as such in perpetuity.

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, in accordance with the adopted Uttlesford Local Plan Policies GEN1, GEN8, the adopted Uttlesford Local Residential Parking Standards (2013), the adopted Essex County Council Parking Standards: Design and Good Practice (2009), and the National Planning Policy Framework (2021).

- 12 Prior to occupation of the development hereby approved, the vehicle parking and turning areas indicated on the approved plans shall be provided. Thereafter, the vehicle parking

and turning areas shall be retained as such in perpetuity unless otherwise agreed in writing by the local planning authority.

REASON: To ensure that appropriate parking and turning is provided in the interests of highway safety, in accordance with the adopted Uttlesford Local Plan Policies GEN1, GEN8, the adopted Uttlesford Local Residential Parking Standards (2013), the adopted Essex County Council Parking Standards: Design and Good Practice (2009), and the National Planning Policy Framework (2021).

- 13 Prior to occupation of the development hereby approved, an electric vehicle charging point shall be provided on each plot. Thereafter, the charging points shall be fully wired and connected, ready to use and shall be maintained as such in perpetuity.

REASON: To encourage the use of electric vehicles for better air quality, in accordance with paragraph 107 of the National Planning Policy Framework (2021).

- 14 The development hereby permitted must be built in accordance with Optional Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition. Thereafter, the dwelling(s) shall be maintained as such in perpetuity unless otherwise agreed in writing by the local planning authority.

REASON: To ensure compliance with the adopted Uttlesford Local Plan Policy GEN2, and the adopted Supplementary Planning Document 'Accessible Homes and Playspace'.

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
S3 - Other Settlement Boundaries	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
H4 - Backland development	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
H9 - Affordable Housing	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
H10 - Housing Mix	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

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
ENV3 - Open spaces and trees	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV4 - Ancient Monuments and Site of Archaeological Importance	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN6 - Infrastructure Provision to Support Development	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
ENV10 - Noise sensitive development and disturbance from aircraft	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV12 - Groundwater protection	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV13 - Exposure to poor air quality	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV14 - Contaminated land	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
NPPF4 - National Planning Policy Framework July 2021		
SPD2 - Accessible homes and playspace		
ECP - ECC Parking Standards (Design & Good Practice) September 2009		
Uttlesford Local Parking Standards		
EDG - Ecology and Biodiversity	Essex Design Guide	
EDG - Garden Size	Essex Design Guide	
EDG - Private Amenity Space	Essex Design Guide	
EDG - Rear Privacy	Essex Design Guide	
EDG - Visibility Vehicle and Pedestrian Sight Splays	Essex Design Guide	
EDG - Nationally Described Space Standards	Essex Design Guide	
EDG - Appropriate Use of Materials	Essex Design Guide	
EDG - Architectural Details	Essex Design Guide	

EDG - Balance and Windows	Essex Design Guide
EDG - Building Form	Essex Design Guide
EDG - Daylight and Sunlight	Essex Design Guide
EDG - Dormers	Essex Design Guide

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.

3

o HIGHWAYS

i. 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 or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.