



UTTLESFORD DISTRICT COUNCIL

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Dated:17 February 2022

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

Application Number: UTT/20/0223/FUL

Applicant: Castle Lane Securities Limited

Uttlesford District Council **Grants Permission** for:

Demolition of existing terrace houses, Village Stores, Meadow View and The Cottage, merging their plots to enable the erection of 6 no. Terrace houses with associated parking and landscaping including new access road. at The Cottage Molehill Green Takeley CM22 6PQ

The approved plans/documents are listed below:

Plan Reference/Version	Plan Type/Notes	Received
L 9378/1 SHEET 1 OF 2	Other	03/02/2020
L 9378/1 SHEET 2 OF 2	Other	03/02/2020
L 9378/2	Elevations (existing)	03/02/2020
ARBORICULTURAL IMPACT ASSESSMENT	Other	03/02/2020
DESIGN AND ACCESS STATEMENT	Design and Access Statement	03/02/2020
FACADE NOISE EXPOSURE ASSESSMENT	Other	03/02/2020
LANDSCAPE AND VISUAL IMPACT ASSESSMENT	Landscape Details	03/02/2020



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PLANNING STATEMENT	Other	03/02/2020
PRELIMINARY ECOLOGICAL APPRAISAL	Other	03/02/2020
TRANSPORT STATEMENT	Other	03/02/2020
FXR-105-A-12 A	Combined	26/10/2020
FXR-105-00	Block Plan	30/07/2020
NEWT SURVEY REPORT	Other	29/06/2020
FXR-105-A-13 A	Floor Plan (proposed)	15/04/2021
FXR-105-A-14 A	Combined	15/04/2021
FLOOD RISK ASSESSMENT	Other	28/09/2021
FXR-105-A-21 C	Elevations (proposed)	25/11/2021
FXR-105-A-01 D	Combined	25/11/2021
FXR-105-A-11 D	Other	25/11/2021
FXR-105-A-12 C	Combined	25/11/2021

Permission is granted with the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 2 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 development, samples of 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 the development is compatible with the character and appearance of the area to accord with Saved Policy GEN2 of the adopted Uttlesford Local Plan (2005) and the National Planning Policy Framework (2021).

- 4 Prior to the commencement of the development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- a) The construction programme and phasing
- b) Hours of operation, delivery and storage of materials
- c) Details of any highway works necessary to enable construction to take place
- d) Parking and loading arrangements
- e) Details of hoarding
- f) Management of traffic to reduce congestion
- g) Control of dust and dirt on the public highway
- h) Details of consultation and complaint management with local businesses and neighbours
- i) Waste management proposals
- j) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.
- k) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.
- l) Contact details of the main contractor, in accordance with the Considerate Constructors Scheme.

All works shall be carried out in accordance with the approved CEMP thereafter. The approved Statement shall be adhered to throughout the construction period.

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur, to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and to protect the living conditions of surrounding occupiers and in the interest of aviation safety to accord with Policies GEN1, GEN2 and GEN4 of the adopted Uttlesford Local Plan (2005), the Essex County Council Highways Development Management Policies (February 2011) and the National Planning Policy Framework (2021).

- 5 Development shall not commence until a scheme detailing measures to protect the trees and/or other areas of vegetation indicated to be retained within the approved Arboricultural

Impact Assessment Report - Appendix A (190625-PD-11, January 2020) during the demolition, engineering and construction phase(s), has been submitted to and approved in writing by the Local Planning Authority. Details must include the type and location of tree protective fencing and the method of installation. Development shall not commence until the works comprising the approved scheme have been fully installed/completed. The approved measures must be retained throughout the demolition, engineering and construction phase(s) of the development. No plant, equipment or materials shall be stored or placed within any fenced area at any time.

REASON: This detail is required prior to development commencing on site in the interest of protecting the trees and the character of the area, and to accord with Policies GEN2 and ENV3 of the adopted Uttlesford Local Plan (2005) and the National Planning Policy Framework 2021.

6 No development or operations shall commence on site in connection with the development hereby approved (including demolition works, tree works, fires, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 (Trees in Relation to Design, Demolition and Construction - Recommendations) has been submitted to and approved in writing by the Local Planning Authority. The AMS shall include full details of the following:

- a) Details of any construction works required within the root protection areas as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme and methods to minimise impact on the root protection areas of retained trees.
- b) Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order, 2015 (as amended), no services shall be dug or laid into the ground other than in accordance with the approved details.
- c) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement.

Thereafter all trees identified to be retained within the approved Arboricultural Impact Assessment Report - Appendix A (190625-PD-11, January 2020) shall be protected in accordance with the approved AMS to ensure that:

- a) All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998:2010 - Recommendations for Tree Works.
- b) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
- c) No fires should be lit within 6m of the furthest extent of the canopy of any tree or tree group to be retained as part of the approved scheme.
- d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.
- e) If any trees are damaged or destroyed during the construction phase, they shall be replaced in terms of the same species, and as heavy standard nursery stock.
- f) No development or other operations shall take place except in complete accordance with the approved protection scheme and Arboricultural Method Statement.

This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction.

REASON: Details are required prior to the commencement of development to ensure the continued well-being of the trees in the interests of the amenity and environmental quality of the locality in accordance with Policies GEN2 and ENV3 of the adopted Uttlesford Local Plan (2005) and the National Planning Policy Framework (2021).

7 Development shall not commence (including any ground works or demolition) until one of the following has been submitted to and approved in writing by the Local Planning Authority:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
- b) a method statement supplied by an individual registered to use a Natural England Bat Mitigation Class Licence (BMCL); or
- c) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence."

REASON: To conserve Protected and Priority species in accordance with Policy GEN7 of the adopted Uttlesford Local Plan (2005) and to 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 and s17 Crime & Disorder Act 1998.

8 Development shall not commence until a fully detailed scheme of noise mitigation has been submitted and approved in writing by the local planning authority.

Details shall include the design, layout, and acoustic noise insulation performance specification of the external building envelope, having regard to the building fabric, glazing and ventilation. The scheme shall be based on sound insulation calculations provided in British Standard 8233:2014 - (the rigorous calculation contained in Annex G.2.1) and shall be designed to achieve the following noise targets:

- Bedrooms (23.00-07.00 hrs) 30 dB LAeq and for individual noise events to not normally exceed 45 dBLAmax.
- Living Rooms (07.00-23.00 hrs) 35 dB LAeq.

Should mechanical ventilation be required noise from the system will not present an adverse impact on occupants. The alternative means of ventilation will enable optimum living conditions for heating and cooling in all weather and with reference to climate change predictions and as a minimum must comply with Building Regulation approved document F. The alternative means of ventilation shall be maintained thereafter. The scheme shall also detail the location and specification and acoustic properties of boundary fences to demonstrate that they are designed to achieve the lowest practicable noise levels in the external amenity spaces

The scheme as approved shall be fully implemented prior to occupation of the residential units and shall be retained thereafter and not altered without prior approval.

REASON: In the interest of the residential amenity of future occupiers in accordance with Policy ENV10 of the adopted Uttlesford Local Plan (2005) and the National Planning Policy Framework (2021).

- 9 Prior to any works above slab level, a Biodiversity Enhancement Layout following the recommendations made within the Preliminary Ecological Appraisal (Tim Moya Associates, January 2020) and the Bat Survey Report (Tim Moya Associates, August 2020) 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 the occupation of any of the dwellings hereby approved, and all features shall be retained in that manner thereafter.

REASON: To enhance Protected and Priority Species in accordance with Policy GEN7 of the adopted Uttlesford Local Plan (2005) and to allow the Local Planning Authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

- 10 Prior to the occupation of any of the dwellings hereby approved, the access at its centre line shall be provided with a clear to ground visibility splays with dimensions of 2.4 metres by 43 metres as measured from and along the nearside edge in each direction, as shown on DWG no. FXR-105-A-14 Rev. A (Titled - Proposed Ground Floor Layout Showing New Access Road Dimensions No Build Zone & Visibility Splays). Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of obstruction at all times.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to provide adequate inter-visibility between vehicles using the road junction and those in the existing public highway in the interest of highway safety to accord with Policy GEN1 of the adopted Uttlesford Local Plan (2005), the Essex County Council Highways Development Management Policies (February 2011) and the National Planning Policy Framework (2021).

- 11 Prior to the occupation of any of the dwellings hereby approved, the access shall be formed at a right angle to the carriageway, and shall be constructed to a minimum width of 5.5 metres for at least the first 6 metres from the back of the carriageway and provided with an appropriate dropped kerb crossing of the footway/verge as shown on DWG no. FXR-105-A-14 Rev. A (Titled - Proposed Ground Floor Layout Showing New Access Road Dimensions No Build Zone & Visibility Splays).

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety to accord with Policy GEN1 of the adopted Uttlesford Local Plan (2005), the Essex County Council Highways Development Management Policies (February 2011) and the National Planning Policy Framework (2021).

- 12 Prior to the occupation of any of the dwellings hereby approved, the footway along the site frontage shall be increased in width to a minimum of 2 metres (if achievable in the extent of the highway boundary).

REASON: In the interest of highway safety and accessibility to accord with Policy GEN1 of the adopted Uttlesford Local Plan (2005) and the Essex County Council Highways

Development Management Policies (February 2011) and the National Planning Policy Framework (2021).

- 13 Prior to the occupation of any of the dwellings hereby approved, the associated parking and/or turning area indicated on DWG no. FXR-105-A-11 Rev. D (Titled - Proposed Ground Floor Layout) shall be provided. The vehicle parking and associated turning area shall be retained in this form at all times.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and that appropriate parking is provided to accord with Policies GEN1 and GEN8 of the adopted Uttlesford Local Plan (2005), the Essex County Council Parking Standards (2009) and Uttlesford Local Residential Parking Standards (2013), the Essex County Council Highways Development Management Policies (February 2011) and the National Planning Policy Framework (2021).

- 14 Prior to the occupation of any of the dwellings hereby approved, the associated cycle parking facilities as shown on DWG no. FXR-105-A-11 Rev. D (Titled - Proposed Ground Floor Layout) shall be provided. The cycle parking facilities shall be retained in this form at all times.

REASON: To ensure appropriate bicycle parking is provided and to encourage more environmentally sustainable means of travel to accord with Policy GEN1 of the adopted Uttlesford Local Plan (2005), the Essex County Council Highways Development Management Policies (February 2011) and the National Planning Policy Framework (2021).

- 15 Prior to the occupation of any of the dwellings hereby approved, improvements to the passenger transport infrastructure at the 'informal' bus stops located on both sides of Molehill Green Road in the vicinity of the site shall be provided. The formalisation of the bus stops / improvements to include (where appropriate) but not limited to; raised kerbs, hardstanding, flags, pedestrian crossing points, footway, and any other related infrastructure as deemed necessary by the Highway Authority. Details to be agreed by the Local Planning Authority, in consultation with the Highway Authority, and shall be implemented prior to occupation.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in the interests of climate change to accord with Policies GEN1 and GEN2 of the adopted Uttlesford Local Plan (2005) and the National Planning Policy Framework (2021).

- 16 Prior to occupation, all of the dwellings shall be provided with electric vehicle charging points in accordance with the guidance in Approved Document S 2021. The charging point shall be fully wired and connected ready for you first use and retained for occupant use thereafter.

REASON: The charging points are required to support a move to low carbon transport in the interests of climate change to accord with Policies GEN1 and GEN2 of the adopted Uttlesford Local Plan (2005) and the National Planning Policy Framework (2021).

- 17 Prior to the occupation of any of the dwellings 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 (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 conserve Protected and Priority Species in accordance with Policy GEN7 of the adopted Uttlesford Local Plan (2005) and to 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).

- 18 Prior to the occupation of any of the dwellings hereby approved, a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, including details of long-term funding arrangements should any part be maintainable by a maintenance company, shall be submitted to and agreed, in writing, by the Local Planning Authority.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk to accord with Policy GEN3 of the adopted Uttlesford Local Plan and the National Planning Policy Framework (2021).

- 19 All hard and soft landscape works 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 the development is compatible with the character and appearance of the area and that there is a well laid out scheme of healthy trees and shrubs in the interests of amenity to accord with Saved Policies S7, GEN2 and ENV2 of the adopted Uttlesford Local Plan (2005) and the National Planning Policy Framework (2021).

- 20 The development shall be carried out in accordance with the approved Flood Risk Assessment (Reference 3989-3 - 210618 - SS-REV-B, December 2021) including the following mitigation measures detailed within:

- Infiltration testing in line with BRE 365. If infiltration is found unviable the run-off rates from the site should be limited to 0.8l/s for surface water and 0.175 l/s for the Klargester / Limiting the discharge from the site to 0.975 l/s.
- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100-year storm event inclusive of climate change.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the effective treatment of surface water runoff to prevent pollution to accord with Policy GEN3 of the adopted Uttlesford Local Plan and the National Planning Policy Framework (2021).

- 21 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk to accord with Policy GEN3 of the adopted Uttlesford Local Plan 2005, and the National Planning Policy Framework (2021).

- 22 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Tim Moya Associates, January 2020) and the Bat Survey Report (Tim Moya Associates, August 2020) 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 in accordance with Policy GEN7 of the adopted Uttlesford Local Plan (2005) and to 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).

- 23 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 accord with Policy GEN1 of the adopted Uttlesford Local Plan (2005) and the Essex County Council Highways Development Management Policies (February 2011) and the National Planning Policy Framework (2021).

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

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety to accord with Policy GEN1 of the adopted Uttlesford Local Plan (2005) and the Essex County Council Highways Development Management Policies (February 2011) and the National Planning Policy Framework (2021).

- 25 If during any site investigation, excavation, engineering, or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

REASON: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990, in accordance with Saved Policy ENV14 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework (2021).

- 26 The dwellings approved by this permission shall be built to Category 2: Accessible and Adaptable dwellings M4(2) of the Building Regulations 2010 approved Document M, Volume 12015 edition.

REASON: To ensure a high standard of accessibility, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 27 All external lighting must be capped at the horizontal level.

REASON: In the interest of aviation safety to accord with Policy GEN2 of the adopted Uttlesford Local Plan (2005).

- 28 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order) no development included within class(es) A, B, C, D and E of part 1 of Schedule 2 to that Order shall be carried out at the approved dwelling without the prior written consent of the Local Planning Authority.

REASON: In the interests of the amenity of future and neighbouring occupiers in accordance with policies GEN2 and GEN4 of the adopted Uttlesford Local Plan (2005).

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

Policy	Local Plan	Local Plan Phase
S8 - The Countryside Protection Zone	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
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
ENV7 - The protection of the natural environment designated sites	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
ENV14 - Contaminated land	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
H1 - Housing 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

RS3 - Retention of retail and other services in rural areas	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
AIR7 - Public safety Zones	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 -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 Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.

o Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.

o Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.

o It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.

o The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.

o We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

- 4
- 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.
 - ii. There shall be no discharge of surface water onto the Highway.
 - iii. Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.
 - iv. Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
 - v. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes technical check, safety audits, site inspection, commuted sums for maintenance and any potential claims under the Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required as security in case of default.
 - vi. Any signal equipment, structures and non-standard materials proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance.



Tracey Coleman
Interim Director Planning and Building Control

