



## UTTLESFORD DISTRICT COUNCIL

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Dated: 4 October 2023

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

**Application Number: UTT/23/1215/FUL**

**Applicant: Mr M Doran**

Uttlesford District Council **Grants Permission** for:

**Demolition of garage and erection of 1 no. three bedroom dwelling and associated landscaping at Yew Tree Cottage School Lane Takeley Essex CM22 6PJ**

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

Plan Reference/Version	Plan Type/Notes	Received
C488/LO/01	Location Plan	17/05/2023
C488/PL/01	Combined	17/05/2023
C488/PL/02	Other	17/05/2023
C488/SP/02	Existing Site Plan	17/05/2023
TRANSPORT STATEMENT	Other	17/05/2023
PLANNING STATEMENT	SUPPORT Design and Access Statement	17/05/2023
TRANSPORT REPORT	Other	02/08/2023
C488/SP/01B	Proposed Site Plan	02/08/2023

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 shall commence until full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved.

The landscaping details to be submitted shall include: -

- a) proposed finished levels
- b) means of enclosure
- c) car parking layout
- d) vehicle and pedestrian access and circulation areas
- e) hard surfacing, other hard landscape features and materials
- f) existing trees, hedges or other soft features to be retained
- g) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
- h) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- i) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- j) location of service runs
- k) management and maintenance details.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- 4 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: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- 5 No development shall take place above slab level until details of the materials to be used in the external finishes of the dwelling as approved, including brick bonding, have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and shall be permanently maintained as such unless otherwise agreed in writing by the LPA.

REASON: In the interests of preserving the historic character and appearance of the adjacent Listed Building and its setting in accordance with ULP Policy ENV2 of the Uttlesford Local Plan (adopted 2005).

- 6 The roof to the dwelling as approved shall be clad in natural slate, a sample of which (or alternatively manufacturer's specification details) shall be submitted to and approved in writing by the local planning authority prior to development taking place. The roof shall be clad in accordance with the approved details and shall be permanently maintained as such unless otherwise agreed in writing by the LPA.

REASON: To preserve the fabric and significance of the designated heritage asset, in accordance with the adopted Uttlesford Local Plan Policy ENV2, s16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the National Planning Policy Framework (2021).

- 7 No development shall take place above slab level until additional drawings that show details of proposed new windows, doors, eaves, verges and cills to be used by section and elevation at scales between 1:20 and 1:1 as appropriate have been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and shall be permanently maintained as such.

REASON: To preserve the fabric and significance of the designated heritage asset, in accordance with the adopted Uttlesford Local Plan Policy ENV2, s16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the National Planning Policy Framework (2021).

- 8 No construction above ground level shall be undertaken until a scheme of noise mitigation has been submitted to and approved in writing by the Local Planning Authority. Details shall be included in the scheme of 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 insulation calculations provided in British Standard 8233:2014 and shall be designed to achieve the following noise targets:  
Bedrooms (23.00-07.00 hrs) 30 dB LAeq and 45 dB LMax.  
Living Rooms (07.00-23.00 hrs) 35 dB LAeq.

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.

- 9 All new casement windows shall be in painted timber, flush meeting within the frames, with matching joinery for opening and fixed casements, and without trickle vents or surface mounted glazing bars and shall be permanently maintained as such.

Reason: In the interests of the appearance of the development and to accord with Policies GEN2 and ENV2 of the Uttlesford Local Plan 2005.

- 10 The dwelling hereby 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 1 2015 edition.

Reason: In order to ensure the optional requirement of the Building Regulations applies so that new homes are readily accessible and adaptable to meet the changing needs of occupants in accordance with policy GEN2 of the Uttlesford Local Plan 2005

- 11 The development hereby approved shall be constructed to meet the optional requirement under Part G of the Building Regulations 2010 for the maximum potential consumption of wholesome water of 110 litres per person per day.

REASON : In order to minimise water consumption and to accord with Policy GEN 2 - Design of the Uttlesford Local Plan 2005 and Interim Policy 3 of the Uttlesford Interim Climate Change Policy 2021.

- 12 The cycle parking facilities as shown in the approved plan shall be provided prior to the first occupation of the development and shall be retained at all times.

Reason: To ensure appropriate cycle parking is provided.

- 13 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

- 14 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

- 15 Prior to occupation of the development each of the proposed vehicular accesses shall be constructed at right angles to the highway boundary and to the existing carriageway. The

width of each access at its junction with the highway shall be 4.5 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the highway verge

Reason: to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.

- 16 Prior to occupation of the development, the accesses shall be provided with a clear to ground visibility splay as shown in principle on DWG C488/SP/01 rev B (dated 07/04/23). Such vehicular visibility splays shall be provided before the accesses are first used by vehicular traffic and retained free of any obstruction at all times.

Reason: To provide adequate inter-visibility between vehicles using the accesses and those in the existing public highway in the interest of highway safety

- 17 The proposed development shall not be occupied until such time as the vehicle parking areas indicated on the approved plans, for both the adjacent dwelling White House Farm and the new dwelling, have been provided. The vehicle parking areas 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 interests of highway safety.

- 18 No building hereby permitted shall be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; include a timetable for its implementation; and, provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason :

To prevent pollution of the water environment in accordance with Policy GEN3 of the Uttlesford Local Plan 2005.

- 19 Prior to first occupation of the dwelling, an electric car charging facility shall be installed at the 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 Local Plan; Policies TA 2 and TA 3 of the emerging Local Plan; and, the provisions of the National Planning Policy Framework

20 All rainwater goods shall be of cast metal and permanently maintained as such.

Reason: In the interests of the appearance of the development and to accord with Policy GEN2 and ENV2 of the Uttlesford Local Plan 2005.

21 Prior to occupation, a Biodiversity Enhancement Strategy for protected and priority Species shall be submitted to and approved in writing by the local planning authority following the recommendations made in the Preliminary Ecological Appraisal (Tim Moya Associates, August 2023). The contents 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 and shall be retained in that manner thereafter.

REASON: To enhance protected and priority species/habitats and to allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005)

22 All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Tim Moya Associates, December 2019) and Bat Survey Report (Tim Moya Associates, August 2023). This may include the appointment of an appropriately competent person .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 Protected and Priority species and allow the LPA to discharge its duties under the 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 ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

23 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 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 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 ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 24 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.

- 25 During construction and in perpetuity, robust measures to be taken to prevent species of birds that are hazardous to aircraft being attracted to the site. No pools or ponds of water should occur/be created without permission. The details of the landscaping species should be submitted for approval to the LPA in consultation with the aerodrome safeguarding authority for STN.

Reason: Flight safety - Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN.

- 26 During demolition & construction robust measures must be taken to control dust and smoke clouds.

Reason: Flight safety - dust and smoke are hazardous to aircraft engines; dust and smoke clouds can present a visual hazard to pilots and air traffic controllers.

- 27 Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

Reason: In the interest of sustainable transport

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

<b>Policy</b>	<b>Local Plan</b>	<b>Local Plan Phase</b>
GEN1 - Access	Uttlesford Local Plan 2005	
GEN2 - Design	Uttlesford Local Plan 2005	
GEN7 - Nature Conservation	Uttlesford Local Plan 2005	
GEN8 - Vehicle Parking Standards	Uttlesford Local Plan 2005	
ENV2 - Development affecting Listed Buildings	Uttlesford Local Plan 2005	
ENV10 - Noise sensitive development and disturbance	Uttlesford Local Plan 2005	

from aircraft

H1 - Housing development      Uttlesford Local Plan 2005

**Notes:**

1      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.

- 2 - The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see:  
<https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>
- No lighting directly beneath the roof lights that will emit light upwards - only downward facing ambient lighting to spill from the roof lights upwards - ideally, automatic blinds to be fitted that close at dusk.
- Reason: Flight safety - to prevent distraction or confusion to pilots using STN. 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.



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

