

## **UTTLESFORD DISTRICT COUNCIL**

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Dated: 28 January 2022

Mr Emlyn Pritchett 2P Studio 15 Bowker Close Newport CB11 3BQ

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

**Application Number: UTT/21/3648/OP Applicant: Mr And Mrs Andrew Danes** 

Uttlesford District Council **Grants Permission** for:

Outline planning permission for the erection of 1 no. dwelling with all matters reserved except for access and scale at Hill House Wicken Road Clavering CB11 4QT

## The approved plans/documents are listed below:

Plan Reference/Version	Plan Type/Notes	Received
159.01B	Elevations (proposed)	04/01/2022
159.02B	Block Plan	27/01/2022
159.03A	Combined	21/01/2022

Permission is granted with the following conditions:

Approval of the details of layout, landscaping and appearance (hereafter called "the Reserved Matters") must be obtained from the Local Planning Authority in writing before development commences and the development must be carried out as approved.

REASON: In accordance with Article 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Application for approval of the Reserved Matters must be made to the Local Planning Authority not later than the expiration of three years from the date of this permission.
  - REASON: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- The development hereby permitted must be begun no later than the expiration of two years from the date of approval of the last of the Reserved Matters to be approved.
  - REASON: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 4 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) means of enclosure of the land (all boundary treatments additional close boarded fencing above the existing one on the east side boundary with no. 22 Peaslands Road along with sizeable green screening);
- b) hard surfacing and other hard landscape features and materials;
- c) existing and protected via Tree Preservation Order(s) trees, hedges or other soft features to be retained;
- d) planting plans for the woodland planting, including specifications of species, sizes, planting centres, number and percentage mix;
- e) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife:
- f) details of siting and timing of all construction activities to avoid harm to all nature conservation features;
- g) 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 amenity of the neighbouring and/or prospective occupiers, in accordance with the adopted Uttlesford Local Plan Policies GEN2, S7, the Essex Design Guide, and the National Planning Policy Framework (2021).

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A to F of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order shall take place without the prior written permission of the local planning authority.

REASON: To minimise countryside harm and intensification of use of the site, to avoid over-development of the plot and to safeguard privacy, in accordance with the adopted Uttlesford Local Plan Policy GEN2, and the National Planning Policy Framework (2021).

Prior to occupation of the development hereby approved, the access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres, as measured from and along the nearside edge of the carriageway, as shown in principle on the approved drawings (reference no. 159.02 A and 159.03 A - Revised Proposed Site Plan and Revised Proposed Block Plan). Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction in perpetuity.

REASON: To provide adequate inter-visibility between vehicles using the access and those 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).

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 and shall be provided with an appropriate vehicular crossing of the highway verge. No part of the access shall extend across the public footpath. Thereafter, the access shall be maintained as such in perpetuity.

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).

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).

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 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 provision of a 1.5-metre (minimum width) footway from the pedestrian site access extending along the site frontage westwards to an appropriate location to cross the B1038 carriageway, to include two pedestrian dropped kerbs crossing points across B1038 (with appropriate tactile paving, if necessary), as shown in principle on the approved drawing (reference no. 159.03 A - Revised Proposed Block Plan), including any extension of the existing footway on the southern side of B1038 (as required). Thereafter, the scheme shall be implemented prior to occupation and shall be retained as such in perpetuity.

REASON: In the interests of highway safety and accessibility, in accordance with ULP Policies GEN1, GEN8 and with the Uttlesford Local Residential Parking Standards (2013), the Essex County Council Parking Standards: Design and Good Practice (2009), and the National Planning Policy Framework (2021).

If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify in writing the Local Planning Authority without delay. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with Model Procedures for the Management of Land Contamination, CLR 11'. A written Report of the findings shall be submitted to and agreed in writing by the Local Planning Authority. Following completion of remedial measures, a Verification Report shall be prepared that demonstrates the effectiveness of the remediation carried out. Any land contamination identified, shall be remediated and verified to the satisfaction of the local planning authority prior to occupation of the development hereby approved 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 the adopted Uttlesford Local Plan Policy ENV14, and the National Planning Policy Framework (2021).

All exterior lighting shall be capped at the horizontal with no upward light spill.

REASON: To safeguard flight safety and to prevent distraction or confusion to pilots using Stansted Airport, in accordance with the adopted Uttlesford Local Plan Policy GEN5, and the National Planning Policy Framework (2021).

All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Survey and Assessment (Essex Mammals Surveys, August 2021), 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 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).

Prior to commencement of the development hereby approved, a Great Crested Newt Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newt during the construction phase. Thereafter, the measures and/or works 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).

Prior to slab level, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Ecological Survey and Assessment (Essex Mammals Surveys, August 2021) 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).

Prior to occupation of the development hereby approved, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed including new tree, hedgerow and wildlife-friendly planting.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the

management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. Thereafter, the approved plan will be implemented 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).

Prior to occupation of the development 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 contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

Thereafter, all external lighting shall be installed in accordance with the specifications and locations set out in the scheme and shall be maintained in accordance with the scheme in perpetuity. Under no circumstances should any other external lighting be installed without prior consent in writing from the local planning authority.

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).

- Prior to occupation of the dwelling hereby approved, an electric vehicle charging point shall be provided on site. Thereafter, the charging point shall be fully wired and connected, ready to use and shall be maintained as such in perpetuity. Any potential changes in the future shall be submitted to and approved in writing by the local planning authority.
  - REASON: To encourage the use of electric vehicles for better air quality, in accordance with paragraph 107 of the National Planning Policy Framework (2021).
- 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:

Development Plan Policies: <b>Policy</b>	Local Plan	Local Plan Phase
S7 - The Countryside	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
37 - The Countryside	Ottlesiold Local Flair 2005	Ottlestord Local Flan 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
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
SPD2 - Accessible homes and playspace		
H9 - Affordable Housing	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
H10 - Housing Mix	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
NPPF4 - National Planning Policy Framework July 2021		

ECP - ECC Parking Standards (Design & Good Practice) September 2009

**Uttlesford Local Parking** 

Standards

EDG - Ecology and

Biodiversity

EDG - Garden Size Essex Design Guide

Essex Design Guide

EDG - Rear Privacy Essex Design Guide

EDG - Ecology and Essex Design Guide

Biodiversity

**Space Standards** 

Pedestrian Sight Splays

EDG - Appropriate Use of Essex Design Guide

Materials

EDG - Building Form Essex Design Guide

EDG - Dormers Essex Design Guide

## Notes:

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

o ECC 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.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 Public Right of Way network is protected by the Highways Act 1980. Any unauthorised 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. 20 (Clavering) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way. The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

- o ENVIRONMENTAL HEALTH:Sewage Plants:I note from the application form that it is proposed to use a package treatment works for foul water.All small sewage discharges must either meet the Environment Agency's general binding rules or have an Environmental Permit. The rules may be found at https://www.gov.uk/guidance/general-binding-rules-small-sewage-discharge-to-a-surface-waterConstruction/Demolition:Developers are referred to the Uttlesford District Council Environmental Code of Development Practice. To avoid/minimise the impact upon the amenity of adjoining residents; developers are advised to follow the General Principle, and advice contained therein.Renewable Technologies:Energy saving and renewable technologies should be considered for this development in addition to the electric vehicle charge points, such as solar panels, ground source heat pumps etc in the interests of carbon saving and energy efficiency.
- o AIRPORT AUTHORITY: 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/ o 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.

Tracey Coleman.

Tracey Coleman
Interim Director Planning and Building Control