

## UTTLESFORD DISTRICT COUNCIL

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Mr Mark Homer  
Mark Homer Design  
19 Beehive Court  
Hatfield Heath  
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CM22 7EU

Dated: 27 February 2024

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

**Application Number: UTT/23/3027/FUL**

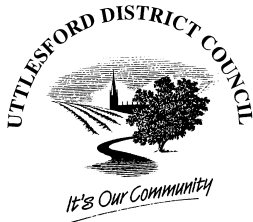
**Applicant: Mr Phil Snell**

Uttlesford District Council **Grants Permission** for:

**Demolition of existing building and erection of 1 no. dwelling (Amendment to that approved under UTT/21/2911/FUL) - Addition of attached double garage with link at Lower Broomfields New Common Stortford Road Little Hallingbury Bishops Stortford Hertfordshire CM22 7RT**

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

Plan Reference/Version	Plan Type/Notes	Received
LOCATION PLAN	Location Plan	19/12/2023
LBND 23/BIO/01	Other	19/12/2023
LBND 23/E-LIGHT/01	Block Plan	19/12/2023
LBND 23/PROP/01	Combined	19/12/2023
LBND 23/SITE/02A	Block Plan	19/12/2023
DESIGN AND ACCESS STATEMENT	Design and Access Statement	19/12/2023
GEO-ENVIRONMENTAL DESK STUDY REPORT	Other	19/12/2023
PLANNING HERITAGE	Combined	19/12/2023



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### ACCESS AND TRANSPORT STATEMENT

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 the erection of the development hereby approved (not including footings and foundations), a schedule of the types and colours of all external materials, including windows and doors, to be used in the construction of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policy ENV2 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 4 No development approved by this permission shall take place until a Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination has been submitted to and approved in writing by the Local Planning Authority. This report shall adhere to BS10175:2011.

Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175:2011 shall be submitted to and approved in writing by the Local Planning Authority.

Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 remediation scheme shall be submitted for approval in writing by the Local Planning Authority. This scheme shall detail measures to be taken to mitigate any risks to human

health, groundwater and the wider environment. Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied.

The effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

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 Policy ENV14 of the adopted Uttlesford Local Plan (2005).

- 5 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, has been provided. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety in accordance with Policy GEN8 of the Uttlesford District Local Plan 2005 (as Adopted) and the NPPF.

- 6 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Survey and Assessment (Essex Mammal Surveys, January 2024) and Biodiversity Enhancement Plan (Mark Homer Design, Drw no. LBND 23/BIO/01, December 2023).

Reason: To conserve and enhance protected and Priority species and allow the LPA 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) in accordance with Policy GEN7 of the Uttlesford District Local Plan 2005 (as Adopted) and the NPPF.

- 7 Prior to the erection of the development hereby approved, (not including footings and foundations), details of the following hard and soft landscaping works must be submitted to and approved in writing by the local planning authority:

- Retained features
- New planting
- Hard surfaces
- Boundary treatment

All hard and soft landscape works must be carried out in accordance with the approved details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping must 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 must 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 must 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 compatibility with the character of the area, in accordance with Policy S3 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework 2023.

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

Policy	Local Plan	Local Plan Phase
S3 - Other Settlement Boundaries	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
S6 - Metropolitan Green Belt	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
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
ENV14 - Contaminated land	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
National Planning Policy Framework December 2023	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.
  - 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](mailto:development.management@essexhighways.org) or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.
  - ii. 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.

iii. There shall be no discharge of surface water onto the Highway.

iv. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

v. 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.

- 3 Under the Control of Asbestos Regulations, a refurbishment and demolition survey is required before the demolition of any buildings which may contain asbestos, and any asbestos found must be safely removed by a trained contractor before work commences. All asbestos removed in relation to this development shall be done in full consultation with the Health & Safety Executive using a licenced contractor. Contractor details and asbestos disposal records (waste transfer notes) should be submitted to the council upon completion to prevent the asbestos from being buried on site during construction.

- 4 Sewage Plants:

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-sewagedischarge-to-a-surface-water>



**Dean Hermitage**  
**Strategic Director of Planning**