



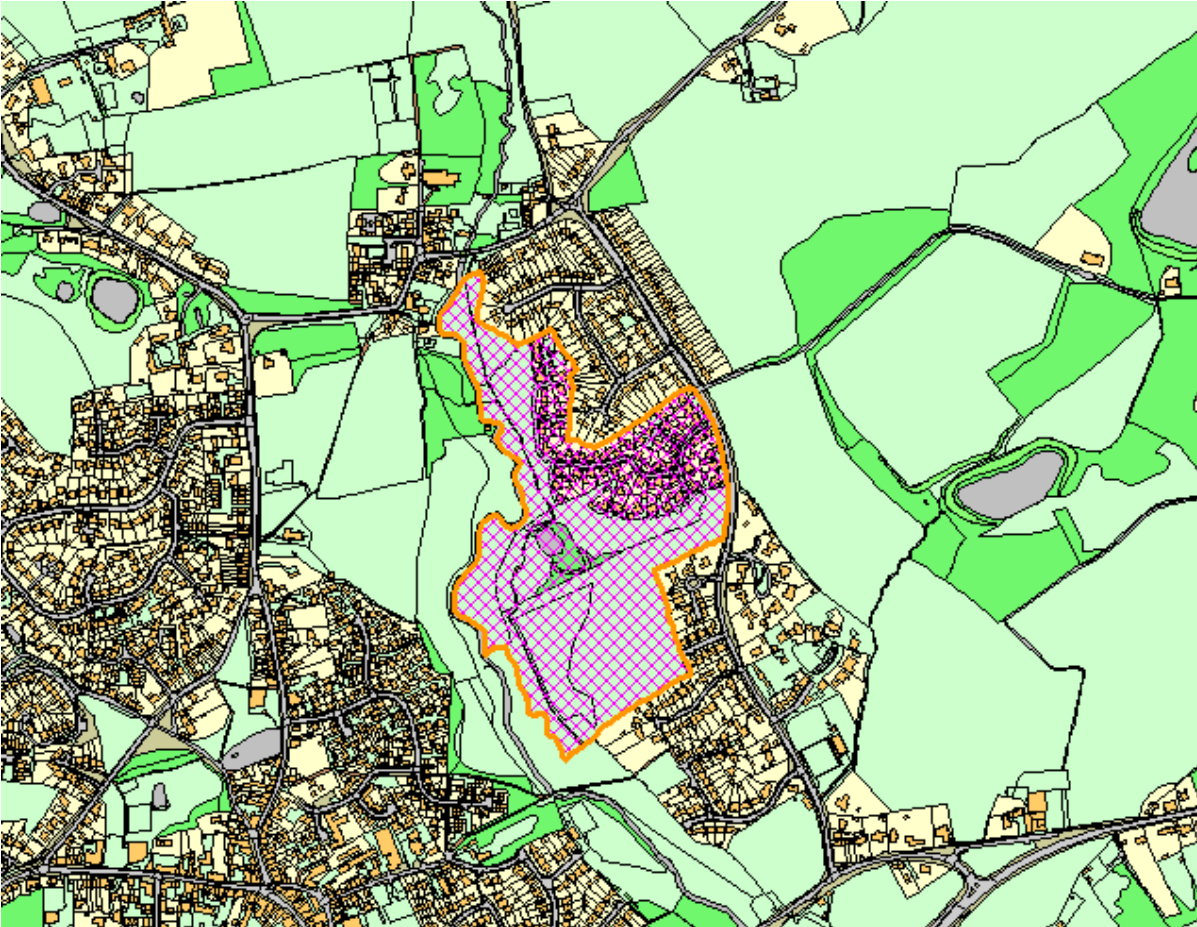
**ITEM NUMBER:** 9

**PLANNING COMMITTEE DATE:** 21 August 2024

**REFERENCE NUMBER:** UTT/24/0814/FUL

**LOCATION:** Brick Kiln Farm  
St Edmunds Lane  
Dunmow  
CM6 3BB

**SITE LOCATION PLAN:**



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Organisation: Uttlesford District Council      Date: 28 June 2024

**PROPOSAL:** S73 application to vary condition (approved plans) of UTT/13/0847/OP (Demolition of 3 no. dwellings, outbuildings and derelict farm buildings, and outline application for the erection of up to 68 no. dwellings with associated infrastructure and public open space with all matters reserved except access) and UTT/14/0265/DFO (Details following outline approval UTT/13/0847/OP - Details of layout, scale, appearance and landscaping including an amendment to the visibility splays of the approved access to the proposed junction to St. Edmunds Lane.) - original plans needed to be amended due to installation of turning head requested by Essex Highways.

**APPLICANT:** Parth Halai

**AGENT:** Not Applicable

**EXPIRY DATE:** 25<sup>th</sup> July 2024

**EOT EXPIRY DATE:**

**CASE OFFICER:** Mark Sawyers

**NOTATION:** Within Development Limits (Great Dunmow) [Church End]  
Within Conservation Area (Great Dunmow) [Church End]  
Tree Preservation Order - Reference Number: 1/82/48 (Category: 56) [Tree Type: Corsican Pine]  
Archaeological Site - Site Number: 1355  
Historic Land Use - Reference: s168100005972 (Description: Hospitals)  
Historic Land Use - Reference: s560100031402 (Description: UnknownFilledGround(Pit,quarryetc))  
Historic Land Use - Reference: s143100005982 (Description: Claybricks&tiles[manufacture])  
Within 250m of Landfill Site  
Mineral Safeguarding Area – Sand/Gravel  
Within Groundwater Source Protection Zone 1  
Within Flood Zone 2  
Within Flood Zone 3  
Within Flood Zone 3a + CC  
Within Flood Zone 3b  
Watercourse Name - Chelmer (Incl C & B Navigation)  
Watercourse Name - Tributary of River Chelmer, Godfrey Way

**REASON THIS APPLICATION** Major Application

## IS ON THE AGENDA:

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### 1. **EXECUTIVE SUMMARY**

- 1.1 Planning permission is sought to vary (Approved plans) condition of UTT/13/0847/OP (Demolition of 3 no. dwellings, outbuildings and derelict farm buildings, and outline application for the erection of up to 68 no. dwellings with associated infrastructure and public open space with all matters reserved except access) and UTT/14/0265/DFO (Details following outline approval UTT/13/0847/OP - Details of layout, scale, appearance and landscaping including an amendment to the visibility splays of the approved access to the proposed junction to St. Edmunds Lane.)
- 1.2 The justification for this change is that the original plans need to be amended at the request of Essex Highways due to installation of turning head.
- 1.3 The proposal is not adding additional built form within the countryside but making infrastructure amendments at the behest of Essex Highways.
- 1.4 The principle of the proposal would accord with Section 96A of the Town and Country Planning Act 1990 as amended.

### 2. **RECOMMENDATION**

That the Strategic Director of Planning be authorised to **GRANT** permission for the development subject to those items set out in section 17 of this report -

A) Conditions

### 3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 The site is approximately 12.8ha and is located on the eastern side of Great Dunmow, it occupies land between the River Chelmer and St Edmunds Lane. The site comprises a housing estate that was granted permission under (UTT/13/0847/OP and UTT/14/0265/DFO).
- 3.2 The site is bounded to the east by St Edmunds Lane and wraps around the existing residential areas at St Edmunds Fields to the north and St Edmunds Croft, Millers Croft and Windmill Close to the south. The western boundary of the site is formed by the River Chelmer and existing open space. The land is raised to the east and slopes down in a westerly direction towards the River Chelmer.

**4. PROPOSAL**

- 4.1 Planning permission is sought by the Applicant for a ‘minor material’ amendment under Section 73 of the Town and Country Planning Act 1990 (which allows changes to the conditions applying to existing permission).
- 4.2 Under application UTT/24/0985/NMA, permission was sought to make a Non-Material Amendment for the addition of a new condition listing the documents approved as part of the application add the UTT/13/0847/OP and UTT/14/0265/DFO.
- 4.3 This additional condition states that the development hereby permitted shall be carried out in accordance with the approved plans.
- 4.4 This proposal is for minor alterations as requested by the Highways Authority in order to provide the installation of a turning head.
- 4.5 A summary of the changes is as follows:
- 4.6 The plans submitted within this this application seek to make an amendment to a small section of the previously approved site layout plan 1423-P101 granted under (UTT/14/0265/DFO).
- 4.7 The Council can therefore reasonably consider the alterations proposed in this submission as demonstrated on plans: E4241/105/A and E4241/101/C.

- 4.8 Section 106  
There are no changes needed to the Section 106 as part of this proposal.

**5. ENVIRONMENTAL IMPACT ASSESSMENT**

- 5.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

**6. RELEVANT SITE HISTORY**

Reference	Proposal	Decision
UTT/13/0847/OP	Demolition of 3 no. dwellings, outbuildings and derelict farm buildings, and outline application for the erection of up to 68 no. dwellings with associated infrastructure and public open space with all matters reserved except access	Granted 11 <sup>th</sup> July 2013
UTT/14/0265/DFO	Details following outline approval UTT/13/0847/OP -	Granted 5 <sup>th</sup> June 2014

	Details of layout, scale, appearance and landscaping including an amendment to the visibility splays of the approved access to the proposed junction to St. Edmunds Lane.	
UTT/14/3511/NMA	Non Material Amendment to UTT/13/0847/OP - changes to boundary of site and boundary treatments	Granted 15 <sup>th</sup> December 2014
UTT/15/3290/NMA	Non Material Amendment to UTT/13/0847/OP - Reposition a single parking space outside plot 24.	Granted 5 <sup>th</sup> November 2015
UTT/16/2022/NMA	Non Material Amendment to UTT/14/0265/DFO - Lower northern end of apartment block by 525mm to improve relationship with neighbouring rear gardens.	Granted 9 <sup>th</sup> August 2016
UTT/24/0985/NMA	Non Material Amendment to UTT/13/0847/OP and UTT/14/0265/DFO - Addition of a new condition listing the documents approved as part of the application	Granted 25 <sup>th</sup> April 2024

## **7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

- 7.1** There has not been any pre-application advice directly with the council. But there has been significant correspondence between the Highways Authority and Abbey Developments with regard to resolving the road adoption and the need to move the turning head and layby.

## **8. SUMMARY OF STATUTORY CONSULTEE RESPONSES**

### **8.1 Highway Authority – No Objection**

- 8.1.1** The Highway Authorities consultee response can be found in Appendix 1 of this report.

### **8.2 Local Flood Authority – No Objection**

- 8.2.1** The Lead Local Flood Authorities consultee response can be found in Appendix 2 of this report.

### **8.3 Environment Agency – No Comments**

8.3.1 No Consultation Response.

**8.4 Natural England – No Comments**

8.4.1 No Consultation Response.

**9. TOWN COUNCIL COMMENTS**

9.1 Great Dunmow Town Council resolved to OBJECT to this application on the basis that the application represents a loss to the public of access to land as defined under the Countryside and Rights of Way Act 2000.

**10. CONSULTEE RESPONSES**

**10.1 UDC Housing Enabling Officer**

10.1.1 No Objection.

**10.2 UDC Landscape Officer/Arborist**

10.2.1 No Comment

**10.3 Place Services (Ecology)**

10.3.1 Holding objection due to insufficient ecological information – Out of date ecology report.

**10.4 Place Services (Archaeology)**

10.4.1 All the archaeological work on this current application has been undertaken and the archaeological condition has been discharged.

**10.5 Crime Prevention Officer**

10.5.1 Whilst we do not have any comment in relation to the turning head and that there are no apparent concerns with the layout to comment further we would require the finer detail such as the proposed lighting, boundary treatments and physical security measures.

**10.6 Affinity Water**

10.6.1 There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the applicant/developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw\_developerservices@custhelp.com.

## **10.7 Anglian Water**

**10.7.1** The submitted plans are not related to drainage therefore this application is outside of our jurisdiction to comment.

## **11. REPRESENTATIONS**

**11.1** Site notice/s were displayed on site and 284 notifications letters were sent to nearby properties. An advertisement in the local press was also included as part of this application.

## **11.2 Support**

**11.2.1** Not Applicable

## **11.3 Object**

- 11.3.1**
- Description not clear
  - Turning head is redundant
  - Widening the road would be better
  - Highway safety
  - Pedestrian safety
  - Re-located parking bay still undersize
  - Parking bay not used
  - Speeding
  - Developer not consulted residents
  - Inaccurate plans
  - Developer misled Essex Highways with regard to road adoption
  - Parking
  - Loss of green space
  - Loss of view
  - Wildlife in close proximity to site
  - Attempt by developer not to adhere to their s38 obligation
  - Access to recreation ground is via 2-no. informal paths
  - S106 impacted
  - Potential for high voltage power cables to be located within the vicinity
  - Development not to be occupied until such time as the vehicle turning area and the vehicle parking space both indicated on drawing number E4241/105/A have been constructed and surfaced
  - Request for a further plans detailing pavements
  - Discrimination against some householders
  - Lack of adoption of the road is already causing environmental issues, as well as streetlights being left on all night

## **11.4 Comment**

- 11.4.1**
- The required statutory consultations have been made.
  - The material consideration will be considered in the following report.
  - Some of the



## **12. MATERIAL CONSIDERATIONS**

**12.1** In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

**12.2** Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

- a) The provisions of the development plan, so far as material to the application:
  - (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- b) any local finance considerations, so far as material to the application, and
- c) any other material considerations.

**12.3** Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area.

### **12.4 The Development Plan**

**12.4.1** Essex Minerals Local Plan (adopted July 2014)  
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)  
Uttlesford District Local Plan (adopted 2005)  
Felsted Neighbourhood Plan (made February 2020)  
Great Dunmow Neighbourhood Plan (made December 2016)  
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)  
Thaxted Neighbourhood Plan (made February 2019)  
Stebbing Neighbourhood Plan (made July 2022)  
Saffron Walden Neighbourhood Plan (made October 2022)  
Ashdon Neighbourhood Plan (made December 2022)  
Great & Little Chesterford Neighbourhood Plan (made February 2023)

## **13. POLICY**

### **13.1 National Policies**

13.1.1 National Planning Policy Framework (2023)

### **13.2 Uttlesford District Local Plan 2005**

13.2.1	S7	The Countryside
	GEN1	Access
	GEN2	Design
	GEN3	Flood Protection
	GEN4	Good Neighbourliness
	GEN5	Light Pollution
	GEN6	Infrastructure Provision
	GEN7	Nature Conservation
	GEN8	Vehicle Parking Standards
	H9	Affordable Housing
	H10	Housing Mix
	ENV1	Design of Development within Conservation Area
	ENV3	Open Space and Trees
	ENV4	Ancient Monuments and Sites of Archaeological Importance
	ENV10	Noise Sensitive Development
	ENV13	Exposure to Poor Air Quality
	ENV14	Contaminated land

### **13.3 State name of relevant Neighbourhood Plan in this title**

13.3.1 Great Dunmow Neighbourhood Plan

### **13.4 Supplementary Planning Document or Guidance**

Uttlesford Local Residential Parking Standards (2013)  
Essex County Council Parking Standards (2009)  
Supplementary Planning Document – Accessible homes and playspace  
Supplementary Planning Document – Developer’s contributions  
Essex Design Guide  
Uttlesford Interim Climate Change Policy (2021)

## **14. CONSIDERATIONS AND ASSESSMENT**

14.1 The issues to consider in the determination of this application are:

- 14.2 **A) Design**
- B) Heritage**
- C) Ecology**
- D) Highways Authority**
- E) Other Issues**

14.3 This application makes no changes to the principle of the development which is acceptable by virtual of the original permissions granted under (UTT/13/0847/OP, UTT/14/0265/DFO and UTT/24/0985/NMA).

## **14.4 A) Design**

**14.4.1** In terms of design policy, good design is central to the objectives of both National and Local planning policies. The NPPF requires policies to plan positively for the achievement of high quality and inclusive design for the wider area and development schemes.

**14.4.2** The proposals seek to make sensible design alterations following further site investigation and following discussions between the Highways Authority and the developer. The alterations do not fundamentally alter the design of the consented scheme, the loss of open green spaces is minimal and as such the proposal would be acceptable in accordance with both Local Plan Policy GEN2 and Policies DS7: TDA, LSC1, LSC2, LSC3, LSC4 of the Great Dunmow Neighbourhood Plan.

## **14.5 B) Heritage**

**14.5.1** Policy ENV1 in the Local Plan allows for development where it preserves or enhances the conservation area. Policy ENV2 seeks to protect the historical significance, preserve, and enhance the setting of heritage assets.

**14.5.2** The guidance contained within Section 16 of the NPPF, 'Conserving and enhancing the historic environment', relates to the historic environment, and developments which may have an effect upon it. The NPPF defines significance as 'the value of a heritage asset to this and future generations because of its heritage interest'. Such interest may be archaeological, architectural, artistic or historic.

**14.5.3** The proposal lies within the centre of the site which has been built out and occupied. The site lies within the Great Dunmow Conservation Area. Furthermore, the site lies within the setting of several listed buildings including (which are located adjacent to the site) however it must be noted that the separation from the proposed amendments and their scale would not impact greatly on any of the Heritage Assets:

- 2 Church End – Approximately 265m away. (List Entry 1142505);
- Angel & Harp – 16 Church Street – Approximately 270m away. (List Entry 1196227);
- 4, 10 & 12 Church Street – Approximately 270m away. (List Entry 1121539, 1142473 & 1328236);
- Tower House – St. Edmunds Lane – Approximately 275m away. (List Entry 1087891).

**14.5.4** Annex 2 of the NPPF defines setting as: *“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”*

- 14.5.5** The significance of a heritage asset is defined in the NPPF as its value to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic, or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. Significance may be harmed by a development, and it is necessary to determine the degree of harm that may be caused.
- 14.5.6** As the proposal concerns the installation of a turning head, the proposals are not considered to impact the Heritage Assets due to the low scale of the proposal or the Conservation Area.
- 14.5.7** The proposals seek to make alterations to the design of a small portion of the road layout after discussions between the Agent and the Highways Authority. The alterations do not fundamentally alter the design of the consented scheme and as such the proposal would be acceptable in accordance with both Local Plan Policies ENV1 & ENV2 and Policy LSC1 of the Great Dunmow Neighbourhood Plan.

## **14.6 C) Ecology**

- 14.6.1** Policy GEN7 of the Local Plan states that development that would have a harmful effect on wildlife will not be permitted unless the need for the development outweighs the importance of the feature of nature conservation. Where the site includes protected species, measures to mitigate and/or compensate for the potential impacts of development must be secured.
- 14.6.2** Essex County Council Ecology has been consulted on the proposal, they are satisfied that there is sufficient ecological information available for determination, as such they have placed a holding objection on the current application for "*due to insufficient ecological information – Out of date ecology report.*"
- 14.6.3** The Ecologist goes on to say that "*We are not satisfied that there is sufficient ecological information available for determination. This is because no updated ecology report has been submitted with this application.*  
*The ecology reports submitted with the outline and reserved matters applications include the Arboricultural and Ecological Method Statement Drainage to Attenuation Pond (Landscape Planning Ltd., December 2013), Ecological Appraisal: Volume 1 (Landscape Planning Ltd., December 2012), Ecological Appraisal: Volume 2 (Landscape Planning Ltd., December 2012), Water Vole and Otter Report (Landscape Planning, January 2013), Wintering Bird Report (Landscape Planning Ltd., February 2013), Report on Bat Survey (Landscape Planning Ltd., June 2013) and Report on Reptile Survey (Landscape Planning Ltd., June 2013) all of which are out of date to support this application, in line with CIEEM Guidance<sup>1</sup> and paragraph 6.2.1 of British Standard (BS) BS42020 'Biodiversity – Code of practice for planning and development 2013'.*

*This is because the initial site has not been visited by a professional ecologist for over 10 years.”*

**14.6.4** Due to the minor works consisting of the installation of a turning head on a development that has been built out, the likelihood of the proposal impacting a protected species is very low.

**14.6.5** Therefore, it is considered that the proposal accords with Uttlesford Local Policy GEN7 and the National Planning Policy Framework (2023).

**14.7 D) Highways Authority**

**14.7.1** Policy GEN1 requires that access must be capable of carrying the traffic generated by the development safely and that it can be accommodated on the surrounding road network. It is considered that the amount of traffic generated from the development could be accommodated and that there would be no impact upon the surrounding road network.

**14.7.2** Essex County Council’s Highways Authority have been consulted on this proposal; they have no objections subject to conditions.

**14.7.3** The Highways Authority Officer goes on to state that *“As per the development description, the original plans need to be amended due to a requirement for the installation of a Size 3 turning head as requested by our Development Management team at Essex Highways. We have requested the installation of a turning head at this location as we are unable to adopt the shared surface road beyond this point as it does not meet adoptable standards. A turning head is now proposed within the highway to be adopted to ensure that vehicles are able to turn on public highway if, for example, the private remainder of the road were to be closed in future.”*

**14.7.4** Consented layout under UTT/14/0265/DFO



**14.7.5** Proposed installation of turning head:



**14.7.6** The alterations do not fundamentally alter the Highway Safety of the consented scheme and as such the proposal would be acceptable in accordance with Local Plan Policy GEN1.

**14.8 E) Other Issues**

**14.8.1** Lead Local Flood Authority (LLFA):

The LLFA consider that the proposed amendment will have a negligible impact on the drainage of the site.

Subject Any SuDS conditions imposed on the previous planning application should be applied to this S73 application.

**14.8.2** The alterations do not fundamentally alter the drainage of the site and as such the proposal would be acceptable in accordance with Local Plan Policy GEN3.

## **15. ADDITIONAL DUTIES**

### **15.1 Public Sector Equalities Duties**

**15.1.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

**15.1.2** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**15.1.3** Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

### **15.2 Human Rights**

**15.2.1** There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

## **16. CONCLUSION**

**16.1** Planning permission is sought by the Applicant for a 'minor material' amendment to Outline Planning Permission, along with the Details Following Outline Permission that were granted consent by under (Ref. UTT/13/0847/OP and UTT/14/0265/DFO).

- 16.2** The proposals as described in Section 4 of this report are minor in nature, do not alter the description of the original planning permission and do not conflict with any of the imposed conditions and thus can be assessed as a Section 73 application as per the Act.
- 16.3** The proposed design and scale are appropriate for this location.
- 16.4** Due to the separation distance and limited impact of the setting of a Heritage Assets and Conservation Area, the proposal is acceptable.
- 16.5** The County Ecologist has placed a holding objection on the proposal, however due to the scale of the proposal, this does not warrant recommending a refusal.
- 16.6** The Highways Authority have no objection towards the proposal.
- 16.7** No objections have been raised with regards to flooding.

**17. CONDITIONS**

- 17.1** The original planning permission was updated by the approved section 73 planning application (Ref. UTT/23/1853/FUL) which was granted 11 January 2024. This produced a new decision notice and planning conditions which this proposal is based on. The conditions on this decision notice are still in effect unless they have been discharged. In granting permission under this new section 73 the local planning authority may also impose new conditions – provided the conditions do not materially alter the development. For the purpose of clarity, decision notices for the grant of planning permission under section 73 should set out all of the conditions imposed on the new permission, and restate the conditions imposed on earlier permissions that continue to have effect.

- 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** The condition to discharge Condition 3 (Floor Levels) has been discharged in full under application (UTT/14/0376/DOC) on the 14<sup>th</sup> July 2014.

The approved Floor Levels shall be adhered to and implemented strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: 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 of the Uttlesford Local Plan (adopted 2005).

- 4** The condition to discharge Condition 4 (Construction Method Statement) has been discharged in full under application (UTT/14/0460/DOC) on the 9<sup>th</sup> May 2014.

The approved details within the Construction Method Statement shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of the amenity of surrounding residential premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 5** The condition to discharge Condition 5 (Surface Water Drainage) has been discharged in full under application (UTT/14/0462/DOC) on the 22<sup>nd</sup> August 2014.

The approved details shall be adhered to and implemented strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To prevent the increased risk of flooding, both on and off site and to ensure that the SUDs hierarchy has been adequately addressed in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

- 6** The condition to discharge Condition 6 (Foul Water Drainage Scheme) has been discharged in full under application (UTT/14/0463/DOC) on the 5<sup>th</sup> August 2014.

The approved details shall be adhered to and implemented strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure suitable drainage for the development, in accordance with Policy GEN2 Uttlesford Local Plan (adopted 2005).

- 7** The condition to discharge Condition 7 (Ecological Mitigation Plan) has been discharged in full under application (UTT/13/2599/DOC) on the 11<sup>th</sup> October 2013.

The approved details shall be adhered to and implemented strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To comply with the requirements of the Habitats Regulations and in the interest of the protection of the wildlife value of the site in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 8** The condition to discharge Condition 8 (Written Scheme of Investigation) has been discharged in full under application (UTT/13/3042/DOC) on the 13<sup>th</sup> November 2013.

The approved details shall be adhered to and implemented strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

- 9** The condition to discharge Condition 9 (Fieldwork) has been discharged in full under application (UTT/14/0464/DOC) on the 16<sup>th</sup> April 2014.

The approved details shall be adhered to and implemented strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

- 10** The condition to discharge Condition 10 (Archaeological Post-excavation Assessment) has been discharged in full under application (UTT/14/0465/DOC) on the 9<sup>th</sup> May 2014.

The approved details shall be adhered to and implemented strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

- 11** The condition to discharge Condition 11 (Infrastructure) has been discharged in full under application (UTT/13/3378/DOC) on the 30<sup>th</sup> December 2013.

The approved details shall be adhered to and implemented strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of highway safety, efficiency and accessibility, in accordance with Policies GEN1 and GEN6 of the Uttlesford Local Plan, adopted 2005.

- 12** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no extensions shall be constructed (other than any expressly authorised by this permission or any other grant of express planning permission) or freestanding buildings erected on any part of Plots 13 and 14 without the prior written permission of the local planning authority.

REASON: The gardens for these plots are the minimum size that would be acceptable and extensions or outbuildings may result in an unacceptable reduction in their size which would be contrary to Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 13** The condition to discharge Condition 2 (Bridge Details) has been discharged in full under application (UTT/14/2598/DOC) on the 30<sup>th</sup> September 2014.

The approved details shall be adhered to and implemented strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: In order to ensure that an appropriate form of development is implemented and because insufficient details have been submitted with this application in accordance with Policy S7 of the Uttlesford Local Plan (adopted 2005).

- 14** All hard and soft landscape works shall be carried out in accordance with the approved details of permission granted under (UTT/14/0265/DFO). The proposed footbridge shall be implemented in accordance with the approved details before the occupation of the 10th dwelling. 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 proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005).

## APPENDIX 1 – ECC HIGHWAYS COMMENTS



**From:** Rachel McKeown - Strategic Development Engineer [REDACTED]  
**Sent:** Thursday, May 16, 2024 2:34 PM  
**To:** Planning <planning@uttlesford.gov.uk>  
**Cc:** Mark Sawyers [REDACTED]  
**Subject:** [External] >> (9993) UTT/24/0814/FUL - Brick Kiln Farm St Edmunds Lane - highways consultation response

UTT/24/0814/FUL | S73 application to vary condition (approved plans) of UTT/13/0847/OP (Demolition of 3 no. dwellings, outbuildings and derelict farm buildings, and outline application for the erection of up to 68 no. dwellings with associated infrastructure and public open space with all matters reserved except access) and UTT/14/0265/DFO (Details following outline approval UTT/13/0847/OP - Details of layout, scale, appearance and landscaping including an amendment to the visibility splays of the approved access to the proposed junction to St. Edmunds Lane.) - original plans needed to be amended due to installation of turning head requested by Essex Highways | Brick Kiln Farm St Edmunds Lane Dunmow CM6 3BB

Good afternoon,

Thank you for consulting us on the above application. As per the development description, the original plans need to be amended due to a requirement for the installation of a Size 3 turning head as requested by our Development Management team at Essex Highways. We have requested the installation of a turning head at this location as we are unable to adopt the shared surface road beyond this point as it does not meet adoptable standards. A turning head is now proposed within the highway to be adopted to ensure that vehicles are able to turn on public highway if, for example, the private remainder of the road were to be closed in future.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:

1. The proposed development shall not be occupied until such time as the vehicle turning area and the vehicle parking space both indicated on drawing number E4241/105/A have been constructed and surfaced. The vehicle turning area and vehicle parking space shall be retained in this form at all times and maintained free from obstruction at all times.  
Reason: To ensure that that vehicles can enter and leave the highway in a forward gear in the interests of highway safety and that appropriate parking is provided in accordance with Policies DM1 and DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

Kind regards,

**Rachel McKeown**  
Strategic Development Engineer



Please note that I expect to be on extended leave from mid-June until March 2025.

—Original Message—

**From:** Sarah Bickmore - Business Support Assistant [REDACTED] On Behalf Of Transport Development Admin Assistant  
**Sent:** Thursday, April 25, 2024 7:29 PM  
**To:** Sam Blackwell - Infrastructure Planning Officer [REDACTED] Rachel McKeown - Strategic

Development Engineer [REDACTED]

Cc: [REDACTED]

Subject: FW: Planning Application Consultation - S UTT/24/0814/FUL

Hi,

Please find attached above/below to this email the details of a recent Variation of Condition(s) Planning Application/Consultation, which has been added/entered on to the database – Site Ref:- 9993.

Please also be aware that, the above/below mentioned recent Variation of Condition(s) Planning Application/Consultation also relates to the Planning Permission/Application:- UTT - 24 - 985 - NMA.

Kindest regards,

Sarah Bickmore  
Business Support Assistant  
Business Centre Support Team  
Corporate Services

[REDACTED]

<https://eur02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.essex.gov.uk%2F&data=05%7C02%7CRachel.McKeown%40essex.gov.uk%7C9a0e49f7db134e2079d608dc65558fe7%7Ca8b4324f155c4215a0f17ed8cc9a992f%7C0%7C0%7C638496665955021667%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C0%7C%7C&sdata=s7qtSrs4xgLS5y8KbGmHKCiJ30fQDufjYbI3a6leeHK%3D&reserved=0>

-----Original Message-----

From: [planning@uttlesford.gov.uk](mailto:planning@uttlesford.gov.uk) <[planning@uttlesford.gov.uk](mailto:planning@uttlesford.gov.uk)>  
Sent: Thursday, April 25, 2024 3:53 PM  
To: Transport Development Admin Assistant <[transport.develop@essex.gov.uk](mailto:transport.develop@essex.gov.uk)>  
Subject: Planning Application Consultation - S UTT/24/0814/FUL

CAUTION: This is an external email.

Please See Attached

## APPENDIX 2 – LOCAL FLOOD AUTHORITY (SuDS) COMMENTS

**From:** [REDACTED]  
**Sent:** 06 Jun 2024 04:05:04  
**To:** [REDACTED]  
**Cc:**  
**Subject:** FW: [External] >> RE: Consultation Response - UTT/24/0814/FUL (SUDS-007492)  
**Attachments:**

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-----Original Message----- From: Suds Sent: Thursday, June 6, 2024 3:00 PM To: Planning Subject: [External] >> RE: Consultation Response - UTT/24/0814/FUL (SUDS-007492) Dear Mark, Thank you for consulting us on UTT/24/0814/FUL. We consider that the proposed amendment will have a negligible impact on the drainage of the site. Any SuDS conditions imposed on the previous planning application should be applied to this S73 application. Kind regards, Gemma Gemma Parson (she/her) Development and Flood Risk Officer Environment Climate Action | Climate & Adaptation | GI & SuDS Adr: E1 County Hall, Chelmsford, Essex, CM1 1QH [https://url.uk.m.mimecastprotect.com/s/RLQQCPN7yFqVrksz\\_Id-?domain=flood.essex.gov.uk](https://url.uk.m.mimecastprotect.com/s/RLQQCPN7yFqVrksz_Id-?domain=flood.essex.gov.uk)  
<https://url.uk.m.mimecastprotect.com/s/90JOCQWnzTmZEysPaJTD?domain=essexdesignguide.co.uk>  
[https://url.uk.m.mimecastprotect.com/s/F\\_SqCR6OAF8ZkziPFDQ-?domain=essex.gov.uk](https://url.uk.m.mimecastprotect.com/s/F_SqCR6OAF8ZkziPFDQ-?domain=essex.gov.uk) -----Original Message-----  
From: [planning@uttlesford.gov.uk](mailto:planning@uttlesford.gov.uk) Sent: Thursday, April 25, 2024 3:54 PM To: Suds Subject: Planning Application Consultation - UTT/24/0814/FUL (Link to UTT/14/0265/DFO) (SUDS-007492) CAUTION: This is an external email.  
Please See Attached