



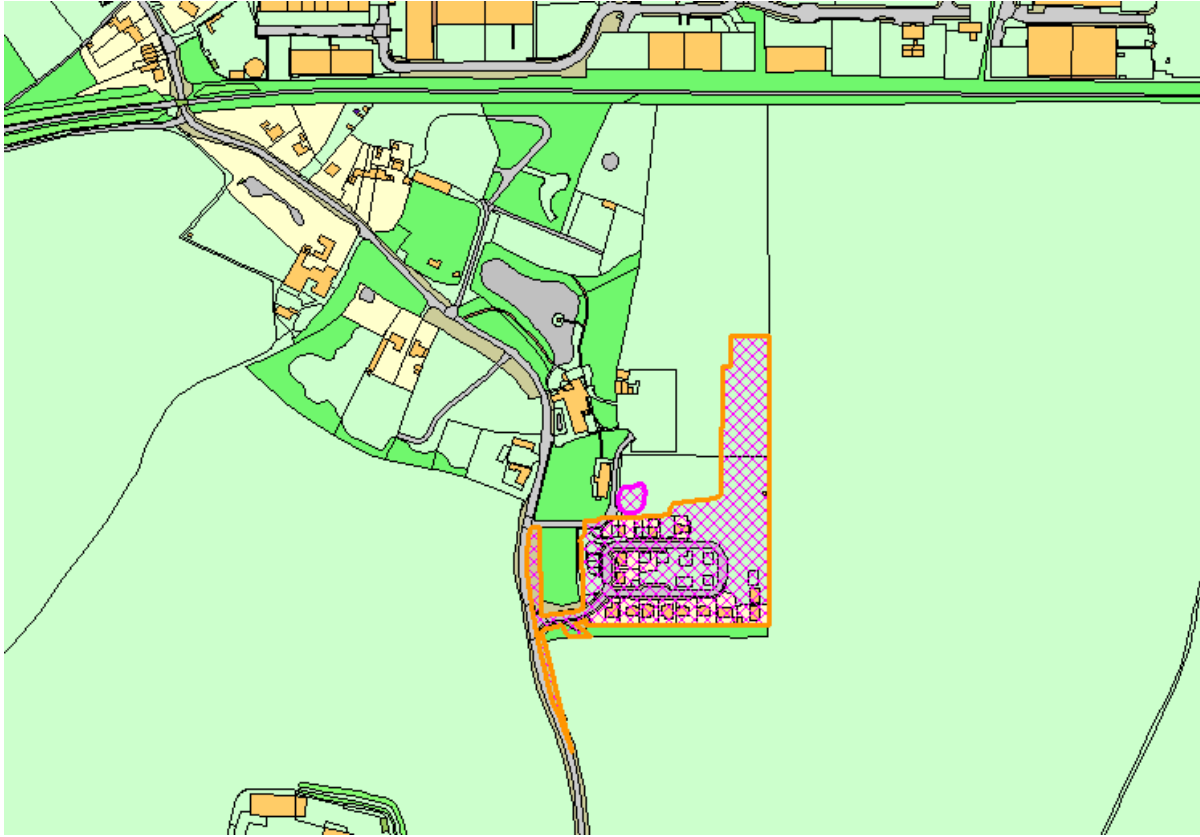
ITEM NUMBER: 12

PLANNING COMMITTEE DATE: 18 September 2024

REFERENCE NUMBER: UTT/24/1486/FUL

LOCATION: Land South East Of Great Hallingbury Manor
Tilekiln Green
Great Hallingbury

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 28 June 2024

PROPOSAL: S73 application to vary condition 2 (approved plans) attached to UTT/22/1528/FUL (Application to vary condition (approved plans) of planning application UTT/20/0336/DFO - details following outline application for 35 no. dwellings).

APPLICANT: Mr P Sullivan

AGENT: Bernard Lawrence

EXPIRY DATE: 23rd September 2024

EOT EXPIRY DATE: Not Applicable

CASE OFFICER: Mark Sawyers

NOTATION: Outside Development Limits
Within 250m of Local Wildlife Site - Location: FLITCH WAY [Site No: Ufd196]
Within 6km of Airport
Within 2km of S.S.S.I
Stansted Airport LEQ - Description: Within 57dB 16hr LEQ
Mineral Safeguarding Area - Description: Sand/Gravel

REASON THIS APPLICATION IS ON THE AGENDA: Major Scheme

1. EXECUTIVE SUMMARY

- 1.1** Planning permission is sought for a 'minor material' amendment to full planning permission that was granted under UTT/22/1528/FUL. This permission followed on from consented Outline and Reserved matters applications and granted permission for the variation of condition (approved plans) of planning application UTT/20/0336/DFO - details following outline application for 35 no. dwellings).
- 1.2** This application before Members today seeks permission to amend the house type for plot 12.
- 1.3** It is concluded that the proposals comply with the relevant policies contained within the Uttlesford District Local Plan 2005 (as Adopted), and the National Planning Policy Framework.

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 lies on the east side of Bedlars Green Road, a Class 3 classified road, to the immediate south of Great Hallingbury Manor, an established hotel, and comprises a field understood to have been a former quarry.

3.2 Agricultural land lies to the immediate south and east of the site. Lines of mature vegetation enclose the site along its northern and southern boundaries and also along its eastern flank boundary.

3.3 The site has an area of approximately 2.2ha and the development granted under (UTT/16/3669/OP, UTT/20/0336/DFO & UTT/22/1528/FUL).

3.4 The majority of the site has been built out with the majority of the dwellings being occupied, with the north eastern quarter currently under construction.

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 This proposal seeks to amend the house type for plot 12. The applicant wishes to change from house type H to house type D.

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/16/0964/OP	Outline application with all matters reserved for 35 dwellings	(WITHDRAWN)
UTT/16/3669/OP	Outline application with all matters reserved for 35 dwellings	(APPROVED)

UTT/20/0336/DFO	Details following outline approval UTT/16/3669/OP for the erection of 35 no. Dwellings - details of appearance, landscaping, layout scale and access.	(APPROVED)
UTT/21/1574/NMA	Non material amendments to UTT/20/0336/DFO- Amendments to house types for social housing plot numbers 1-10 house type Q,R-S,M and T,L-M	(APPROVED)
UTT/22/0795/NMA	Non Material Amendment to UTT/20/0366/DFO - amendments to house types A, B and C plots numbers 14-21	(REFUSED)
UTT/22/1354/FUL	Revised scheme for 8 no. dwellings previously approved under UTT/20/0366/DFO.	(WITHDRAWN)
UTT/22/1528/FUL	Application to vary condition (approved plans) of planning application UTT/20/0336/DFO (added under UTT/22/1567/NMA).	(APPROVED)
UTT/22/1567/NMA	Non material amendment to UTT/20/0336/DFO - add condition listing approved plans.	(APPROVED)
UTT/22/3184/FUL	Application to vary condition (approved plans) of planning application UTT/20/0336/DFO (added by UTT/22/1567/NMA)	(WITHDRAWN)
UTT/22/3339/NMA	Non material amendment to UTT/20/0336/DFO House type G plots 28,30,31,33 and 34 to be made suitable for shared ownership	(APPROVED)
UTT/23/0603/NMA	Non material amendment to UTT/22/1528/FUL and UTT/20/0366/DFO - Amendments to plot 12, 27, 29 and 31.	(REFUSED)
UTT/23/1015/FUL	S73 application to vary condition 2 (approved plans) of UTT/22/1528/FUL (amendment to UTT/20/0336/DFO - Details	(WITHDRAWN)

	following outline approval UTT/16/3669/OP for the erection of 35 no. dwellings) - Proposed amendments to house types.	
UTT/23/1809/NMA	Non Material Amendment to UTT/20/0366/DFO and UTT/22/1528/FUL - House type H plots 12,27 and 32 made suitable for Shared Ownership and house type K plot 29 to be amended for construction purposes.	(APPROVED)

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 The LPA is unaware of any consultation exercise carried out by the applicant for this current proposal.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Highway Authority

8.1.1 No objections. The Highways Authority's consultee response can be found in Appendix 1 of this report.

8.2 UK Power Networks

8.2.1 Consultee advice given. The UK Power Network consultee response can be found in Appendix 2 of this report.

8.3 Highways Agency

8.3.1 No objections. The Highways Agency's consultee response can be found in Appendix 3 of this report.

8.4 Local Flood Authority

8.4.1 No objections. The Lead Local Flood Authorities consultee response can be found in Appendix 4 of this report.

9. PARISH COUNCIL COMMENTS

9.1 No Objection.

10. CONSULTEE RESPONSES

10.1 UDC Housing Enabling Officer

10.1.1 No Objection.

10.2 UDC Environmental Health

10.2.1 No Objection. The conditions proposed by the Environmental Protection team under application UTT/22/1528/FUL still stand.

10.3 UDC Landscape Officer/Arborist

10.3.1 No Comments

10.4 Place Services (Ecology)

10.4.1 No objection subject to the previous conditions under UTT/22/1528/FUL being copied across.

11. REPRESENTATIONS

11.1 Site notice/s were displayed on site and 51 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 Not Applicable

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 The Development Plan

- 12.3.1** 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
	GEN7	Nature Conservation
	GEN8	Vehicle Parking Standards
	H9	Affordable Housing
	H10	Housing Mix
	ENV3	Open Space and Trees
	ENV10	Noise Sensitive Development
	ENV13	Exposure to Poor Air Quality
	ENV14	Contaminated land

13.3 Neighbourhood Plan

- 13.3.1** There is not 'made' Neighbourhood Plan for the area.

13.4 Supplementary Planning Document or Guidance

- 13.4.1** 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

14. CONSIDERATIONS AND ASSESSMENT

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

- 14.1.1** **A) Housing Mix / Design, Layout and Appearance**
- B) Ecology**
- C) Highways Authority**
- D) Other Issues**

14.1.2 This application makes no changes to the principle of the development which is acceptable by virtual of the original permissions granted under (UTT/16/3669/OP, UTT/20/0336/DFO and UTT/22/1528/FUL).

14.2 A) Housing Mix / Design, Layout and Appearance

14.2.1 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.

14.2.2 The purpose of this application is to seek permission to change the house type of plot 12 from a detached 2 bed single storey dwelling to a detached 4 bed two-storey dwelling.

14.2.3 There is no increase or decrease in the number of units within the proposal. . Policy H10 of the adopted local plan seeks a mix of housing, including smaller units. Limited weight can be given to this policy as the plan is considered out of date. Recent housing needs evidence (undertaken to support the emerging local plan) is a material consideration. The published Local Housing Needs Assessment 2024 sets out a suggested mix of 25% 1 and 2 bed; 45% 3 bed and 30% 4+bed homes. This change would increase the proportion of 4 bed homes to from 37% to 40%. Bearing in the mind the proposed change to the mix is small and taking into account the current policy position, it is considered to be acceptable.

14.2.4

Plot No	Type	Beds	Footprint (m2)	Ridge Height (m)	Eaves Height (m)
12					
House type H	Detached	2	gf – 115m2	5.2m	2.3m
House type D	Detached	4	gf – 75m2 garage – 25m2 ff – 91m2	8.7m & 6.7m	4.8m & 2.4m

- 14.2.5** This house type is already used elsewhere on the development, as such it is in keeping and the materials would match with the other dwellings within the development.
- 14.2.6** The only window proposed in the first-floor elevations would service the family bathroom. This will be subject to a condition for obscure glazing and restricted opening in order to maintain privacy.
- 14.2.7** Due to the scale of the proposed change of house type to a two storey dwelling, sufficient separation distance exists in order for there not to be a loss of privacy.
- 14.2.8** At these separation distances, it is not considered that the application due to its size, scale would result in any material detrimental overlooking, overshadowing or overbearing, therefore would not adversely impact on neighbour's amenity due to the location of the proposed development within the site and the separation distance to any neighbours.
- 14.2.9** 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 Policy GEN2.
- 14.2.10** There are no changes required to the Section 106 as part of this proposal due to the fact that the s106 is linked to the Outline Planning Permission granted under UTT/16/3669/OP.

14.3 B) Ecology

- 14.3.1** 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.
- 14.3.2** Essex County Council's Ecology have been consulted on this proposal; they have no comments to make in relation to ecology, however they have recommend that all ecological conditions for UTT/22/1528/FUL are copied and secured by a condition.
- 14.3.3** It is therefore concluded that the proposal accords with the above policies and guidance insofar as they relate to Nature Conservation.

14.4 C) Highways Authority

- 14.4.1** 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.

14.4.2 Essex County Council's Highways Authority state it has no adverse comments to make with regards to the variation of condition 2 (approved plans).

14.4.3 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.

14.5 D) Other Issues

14.5.1 Lead Local Flood Authority (LLFA):

The LLFA initially placed a holding objection on the proposal, however after confirmation with the Agent and LPA that the proposal would not lead to an increase in hardstanding, the LLFA has withdrawn its holding objection.

14.5.2 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.

14.5.3 Aerodrome Safeguarding Authority for Stansted Airport:

The Safeguarding Authority for Stansted Airport has assessed this application and its potential to conflict with aerodrome Safeguarding criteria; we have no objection.

14.5.4 Uttlesford District Council Housing:

No objection to the proposed revision for plot 12.

14.5.5 National Highways:

No objection to the proposal.

14.5.6 UK Power Networks:

"The proposed development is in close proximity to our substations, HV and LV underground cables" UKPN's observations can be read in appendix 2.

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 The following is a summary of the main reasons for the recommendation:

16.2 The principle of the development of the site for residential is appropriate as it generally accords to the design values of the extant planning applications.

16.3 The proposed he proposed design and scale are considered to be appropriate for this location.

16.4 Sufficient ecological information has been supplied with the application for determination and would comply with Uttlesford Local Plan Policy GEN7.

16.5 The Highways Authority have no objection to the proposal.

16.6 The LLFA, Aerodrome Safeguarding Team, UDC Housing, National Highways have not raised any objections. UK Power networks have commented to make the applicant aware that the proposal is in proximity to their infrastructure.

16.7 Overall, the proposals are in accordance with relevant local and national planning policies and the scheme results in a positive and sustainable form of development that is of planning merit.

16.8 It is therefore recommended that the application be approved subject to the suggested conditions below.

17. CONDITIONS

1 The development hereby permitted shall be begun before the expiration of 3 years from the date issued of the original planning application reference UTT/22/1528/FUL

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 Details relating to the Construction Method Statement shall be implemented in accordance with the "Construction Method Statement" approved under application reference UTT/20/0335/DOC dated 25.06.2020 (to discharge condition 3 imposed upon approved application UTT/16/3669/OP and shall be retained in that manner thereafter.

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

4 Prior to first occupation the access shall be provided with a 5.5m width, 2m footway, an access to the existing hotel to the north and associated clear to ground visibility splays on to Bedlers Green Road to be implemented as shown in the drawing 2015-105-010 Rev R. (2.4m x 120m to the south and 2.4 x 74m to the north). Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- 5** The existing access at shown on the site layout plan 2015-105-010 Rev R. shall be suitably and permanently closed incorporating the reinstatement to full height of the highway verge / kerbing immediately the proposed new access is brought into first beneficial use.

REASON: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- 6** The number of parking spaces shall be in accordance with those standards set down within Essex County Council's Parking Standards Design and Good Practice, September 2009 and Uttlesford Local Residential Parking Standards February 2013.

REASON: To ensure that appropriate parking is provided in the interests of highway safety and efficiency in accordance with policy DM8.

- 7** Prior to first occupation, the access as shown in principle on drawing number 163432- 001 Rev B shall be provided with a 5.5m width, 2m footway, and associated clear to ground visibility splays onto Bedlars Green Road of 2.4m x 120m to the south and 2.4 x 74m to the north. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction thereafter.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- 8** The farm access to the south of the access road as shown in principle on drawing number 163432-001 Rev B shall be provided with clear to ground visibility splay of 2.4m x 25m to the east. Such vehicular visibility splay shall be provided before the access is first used by vehicular traffic and retained free of any obstruction thereafter.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- 9** The dwellings shall not be occupied until such time as the associated vehicle and cycle parking indicated in principle on 19-009-01 Rev M has been provided and parking bays hard surfaced and sealed and retained for that parking use thereafter.

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 ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

- 10** Details relating to the Ecological Design Strategy shall be implemented in accordance with the "Ecological Design Strategy" approved under application reference UTT/20/0335/DOC dated 25.06.2020 (to discharge condition 7 imposed upon approved application UTT/16/3669/OP and shall be retained in that manner thereafter.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 11** The berry bearing proportion of the trees, native plant mix and ornamental/formal hedge planting indicated for the soft landscaping works/measures for the housing scheme permitted must not exceed 20% for each type of planting. Suitable alternatives include plants such as Beech, Hornbeam and Potentilla. The hedges must be maintained and kept trimmed as a hedge. They must not be allowed to grow into a large shrub.

REASON: Flight safety- Bird-strike Avoidance- in order not to result in a block of attractive feeding habitat for hazardous flocking species in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 12** At least half of any orchard trees shown for the indicated soft landscaping works/measures for the housing scheme hereby permitted shall be replaced with nut trees or other non-berry and fruit bearing trees.

REASON: Flight safety- Bird-strike Avoidance- in order not to result in a block of attractive feeding habitat for hazardous flocking species in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 13** All proposed hard and soft landscape works for external boundary treatments and internal areas for the development scheme as approved 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 dwellings, 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 visual amenity value of the development in accordance with ULP Policies GEN2, GEN7 and ENV3 of the Uttlesford Local Plan (adopted 2005).

- 14** Details relating to Sample Materials shall be implemented in accordance with the "Samples of materials to be used in construction of the external surfaces - revision for roof materials only) attached to UTT/20/0336/DFO - revised to that approved under UTT/20/2555/DOC." approved under application reference UTT/21/0159/DOC dated 19.08.2021 (to discharge condition 2 imposed upon approved application UTT/20/0336/DFO and shall be retained in that manner thereafter.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

Pre-commencement justification: To ensure that the resulting development does not harm the visual amenities of the area at this semi-rural location.

- 15** The attenuation basin shall not hold open water except during and immediately after a significant rainfall event and will drain to a dry basin within 48 hours.

REASON: Flight safety- Bird-strike Avoidance- a water body would be attractive to hazardous species of birds which, at this location, is an unacceptable risk to flight safety in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 16** Details relating to the Surface Water Drainage shall be implemented in accordance with the "Surface Water Drainage Strategy" approved under application reference UTT/20/0335/DOC dated 25.06.2020 (to discharge condition 8 imposed upon approved application UTT/16/3669/OP and shall be retained in that manner thereafter.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the effective operation of SUDS features over the lifetime of the development. In addition to reduce the risk of flooding from overloading the surface water pipe network and to mitigate environmental damage caused by runoff during a rainfall event in accordance with local policies GEN2 and GEN6 of the Uttlesford District Local Plan as Adopted 2005 and the National Planning Policy Framework.

- 17** Details relating to the Noise Assessment shall be implemented in accordance with the "Environmental Noise Assessment" approved under

application reference UTT/20/0335/DOC dated 25.06.2020 (to discharge condition 8 imposed upon approved application UTT/16/3669/OP and shall be retained in that manner thereafter.

REASON: In the interests of amenity of the future residents and in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 18** Robust measures shall be taken by the developer to control any dust and smoke during construction.

REASON: Dust and smoke are hazardous to aircraft engines; dust and smoke clouds are a visual hazard to pilots and air traffic control in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 19** Prior to occupation of the dwellings shall be provided with electric vehicle charging points.

The charging points shall be fully wired and connected, ready for first use and retained for occupant use thereafter.

REASON: To encourage/support cleaner vehicle usage in accordance with the NPPF and ULP Policies ENV13 and GEN2 of the Uttlesford Local Plan (adopted 2005).

- 20** 5% of the dwellings approved by this permission shall be built to Category 3 (wheelchair user) housing M4(3)(2)(a) wheelchair adaptable. The remaining dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace.

APPENDIX 1 – ECC HIGHWAYS COMMENTS



From: Eirini Spyratou - Strategic Development Engineer [REDACTED]
Sent: Tuesday, July 2, 2024 10:00 AM
To: Mark Sawyers <MSawyers@uttlesford.gov.uk>
Cc: Transport Development Admin Assistant [REDACTED]; Planning <planning@uttlesford.gov.uk>; Eirini Spyratou - Strategic Development Engineer [REDACTED]
Subject: [External] >> UTT/24/1486/FUL - Highway Response (25325-4B)

UTT/24/1486/FUL|S73 application to vary condition 2 (approved plans) attached to UTT/22/1528/FUL (Application to vary condition (approved plans) of planning application UTT/20/0336/DFO - details following outline application for 35 no. dwellings)|Land South East Of Great Hallingbury Manor Tilekiln Green Great Hallingbury

Dear Mark,

Thank you for sending details of the above planning application.

I can confirm that the highway authority has no adverse comments to make to vary condition 2 (approved plans) attached to UTT/22/1528/FUL (Application to vary condition (approved plans) of planning application UTT/20/0336/DFO - details following outline application for 35 no. dwellings), however requests that all highway related conditions from UTT/20/0336/DFO are applied to the UTT/24/1486/FUL consent (should permission be granted).

Kind regards,

Eirini Spyratou | Strategic Development Engineer



SAFER / GREENER / HEALTHIER

APPENDIX 2 – UK POWER NETWORKS COMMENTS

From: MBX-Planningconsents <Planningconsents@ukpowernetworks.co.uk>

Sent: Thursday, August 1, 2024 9:34 AM

To: Planning <planning@uttlesford.gov.uk>

Subject: [External] >> Comments regarding UTT/24/1486/FUL

Importance: High

For attention of the planning department,

Apologies for our late response regarding this matter, please accept the below comment regarding UTT/24/1486/FUL on behalf of UK Power Networks.

We refer to the Planning Application for the above site. The proposed development is in close proximity to our substations, HV and LV underground cables and have the following observations to make:

If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.

All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 (Avoiding Danger from Underground services). This document is available from local HSE office.

Our engineering guidelines state that the distance between a dwelling of two or more stories with living or bedroom windows overlooking a distribution substation should be a minimum of ten metres if the transformer is outdoor, seven metres if the transformer has a GRP surround or one metre if the transformer is enclosed in a brick building. It is a recognised fact that transformers emit a low level hum which can cause annoyance to nearby properties. This noise is mainly airborne in origin and is more noticeable during the summer months when people tend to spend more time in their gardens and sleep with open windows.

A problem can also occur when footings of buildings are too close to substation structures. Vibration from the transformer can be transmitted through the ground and into the walls of adjacent buildings. This, you can imagine, is very annoying.

In practice there is little that can be done to alleviate these problems after the event. We therefore offer advice as follows:

1. The distance between buildings and substations should be greater than seven metres or as far as is practically possible.
2. Care should be taken to ensure that footings of new buildings are kept separated from substation structures.
3. Buildings should be designed so that rooms of high occupancy, i.e. bedrooms and living rooms, do not overlook or have windows opening out over the substation. Minimum distance for this should be at least 10m.
4. If noise attenuation methods are found to be necessary, we would expect to recover our costs from the developer.

Other points to note:

5. UK Power Networks require 24 hour vehicular access to their substations. Consideration for this should be taken during the design stage of the development.
6. The development may have a detrimental impact on our rights of access to and from the substation. If in doubt please seek advice from our Operational Property and Consents team at Barton Road, Bury St Edmunds, Suffolk, IP32 7BG.
7. No building materials should be left in a position where they might compromise the security of the substation or could be used as climbing aids to get over the substation surround.

8. There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

9. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices.

Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

Daisy Baker

Trainee Wayleave Surveyor (DP)

UK Power Networks

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This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@df.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningEE@nationalhighways.co.uk

Signature: S. H.	Date: 12 July 2024
Name: Dr Shamsul HOQUE	Position: Assistant Spatial Planner
National Highways Woodlands Manton Lane Bedford MK41 7LW	

Annex A National Highway's assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

This response represents our formal recommendations with regards to the above application UTT/24/1488/FUL and has been prepared by Shamsul Hoque.

Recommended No Objection

National Highways offer no objection.

Reason:

I have completed the review of the submitted supporting documents. With this current variation of Condition 2 (Approved Plans) consultation, the proposed development's site access is from the local road network.

Due to the location, and nature of the proposed development, there is unlikely to have any severe effect on the Strategic Road Network.

Standing advice to the local planning authority

The Climate Change Committee's [2022 Report to Parliament](#) notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 73 and 105 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 104 and 110 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of [PAS2080](#) promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

APPENDIX 4 – LOCAL FLOOD AUTHORITY (SuDS) COMMENTS

Essex County Council
**Development and Flood Risk
Waste & Environment**
C426 County Hall
Chelmsford
Essex CM1 1QH



Mark Sawyers
Uttlesford District Council
Planning Services

Date: 23 July 2024
Our Ref: SUDS-00
Your Ref: UTT/24/1486/FUL

Dear Mr Sawyers,

Consultation Response – UTT/24/1486/FUL - Land South East Of Great Hallingbury Manor Tilekiln Green Great Hallingbury

Thank you for your email which provides Essex County Council (ECC) with the opportunity to assess and advise on the proposed surface water drainage strategy for the aforementioned planning application.

As the Lead Local Flood Authority (LLFA) this ECC provides advice on SuDS schemes for major developments. ECC have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council, and their appointed consultants, looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the documents which accompanied the planning application, we would recommend the **issuing of a holding objection** on the basis of the following:

The information provided does not allow us to assess the flood risk development. Please provide information as required within the new ECC SUDS design guide:
<https://www.essexdesignguide.co.uk/suds/what-we-expect/>

We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.

<https://www.essex.gov.uk/protecting-environment>

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, ECC advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Should further correspondence be required, please contact the SuDS team directly using the below details.

Yours sincerely

Alison Vaughan
Senior Development and Flood Risk Manager
Team: Green Infrastructure and Sustainable Drainage
Service: Climate Action and Mitigation
Essex County Council

Internet: www.essex.gov.uk
Email: suds@essex.gov.uk

Mark Sawyers

From: Mark Sawyers
Sent: 13 August 2024 09:09
To: Suds
Subject: RE: [External]>> FW: UTT/24/1486/FUL - S73 Application

Hi Alison,

Not a problem, thank you for your confirmation.

Your email will be fine.

Kind Regards

Mark

Mark Sawyers BA (Hons)
Senior Planning Officer
Uttlesford District Council
London Road
Saffron Walden, CB11 4ER
Tel: 01799 510 437

Speaking with Planning about building works or new development? Have you spoken with our Building Control Service too? Our team can help you meet Government-set Building Regulations for the safe design and construction of buildings (including energy efficiency and access requirements). Email them on building@uttlesford.gov.uk or telephone 01799 510538, or look at our website www.uttlesford.gov.uk/buildingcontrol for more information.

From: Suds <suds.mail@essex.gov.uk>
Sent: Monday, August 12, 2024 4:00 PM
To: Mark Sawyers <MSawyers@uttlesford.gov.uk>
Subject: RE: [External]>> FW: UTT/24/1486/FUL - S73 Application

Hi Mark,

Thanks for coming back to me so quickly, in that case we do not object and I withdraw my previous response. Does this email suffice ?

Regards

Alison

Alison Vaughan (she/her)
Senior Development and Flood Risk Officer
Environment Climate Action | Climate & Adaptation | GI & SuDS

Address: E1 County Hall, Chelmsford, Essex, CM1 1QH



<https://flood.essex.gov.uk>
<https://www.essexdesignguide.co.uk/suds>
www.essex.gov.uk

From: Mark Sawyers <MSawyers@uttlesford.gov.uk>
Sent: Monday, August 12, 2024 3:53 PM
To: Suds <suds.mail@essex.gov.uk>
Subject: RE: [External] >> FW: UTT/24/1486/FUL - S73 Application

CAUTION: This is an external email.

Good Afternoon Alison,

This proposal should not lead to an increase in permeable area or drainage on this proposal over the previously granted under UTT/16/3669/OP, UTT/20/0366/DFO, UTT22/1528/FUL and UTT/23/1809/NMA.

They are changing a single house type for plot 12, I would like to think that it is a simple change however if it is discovered that they are making wider changes I will let you know as soon as I can.

Kind regards

Mark

Mark Sawyers BA (Hons)
Senior Planning Officer
Uttlesford District Council
London Road
Saffron Walden, CB11 4ER
Tel: 01799 510 437

Speaking with Planning about building works or new development? Have you spoken with our Building Control Service too? Our team can help you meet Government-set Building Regulations for the safe design and construction of buildings (including energy efficiency and access requirements). Email them on building@uttlesford.gov.uk or telephone 01799 510538, or look at our website www.uttlesford.gov.uk/buildingcontrol for more information.

From: Suds <suds.mail@essex.gov.uk>
Sent: Monday, August 12, 2024 3:48 PM
To: Mark Sawyers <MSawyers@uttlesford.gov.uk>
Subject: [External] >> FW: UTT/24/1486/FUL - S73 Application

Hi Mark,

Can you please confirm that there is no increase in the permeable area or any change to the drainage strategy ?

Regards

Alison

Alison Vaughan (she/her)
Senior Development and Flood Risk Officer
Environment Climate Action | Climate & Adaptation | GI & SuDS

Address: E1 County Hall, Chelmsford, Essex, CM1 1QH



<https://flood.essex.gov.uk>
<https://www.essexdesignguide.co.uk/suds>
www.essex.gov.uk

From: Phil Sullivan [REDACTED]
Sent: Tuesday, August 6, 2024 11:57 AM
To: msawyers@uttlesford.gov.uk; Suds <suds.mail@essex.gov.uk>
Cc: b.lawrence@lbfarchitects.co.uk
Subject: FW: UTT/24/1486/FUL - S73 Application

You don't often get email from phil@pier22group.co.uk. [Learn why this is important](#)

CAUTION: This is an external email.

Dear Mark,

We note that ECC SUDS has issued a holding objection to this planning application.

The sitewide drainage strategy was a condition of the RM application and was subsequently discharged in full under application UTT/20/0335/DOC.

This S.73 application does not seek to alter the sitewide drainage strategy.

Can you please confirm that this clarification is adequate please?

Can you also confirm that this case is scheduled to go to the planning committee on 21st August please?

Many thanks,

Phil Sullivan
Director



www.pier22group.co.uk

