

Late List –Planning Committee 11/12/2024

**Officers please note: Only** Late items from **STATUTORY CONSULTEES** are reproduced in full.  
**Others are summarised.**

**Statutory consultees are listed below:**

- Highway Authority
- The Health & Safety Exec
- Highways Agency
- Local Flood Authority
- Railway
- Environment Agency
- Historic England
- Garden History Society
- Natural England
- Sport England

**Manchester Airport Group** (*MAG is the highway authority for the airport road network + the also section of Bury Lodge Lane running south from the northside entrance to the airport. On these roads, it therefore has the same status as Essex CC and National Highways do for the roads that they administer.*)

This document contains late items received up to and including the end of business on the Friday before Planning Committee. The late list is circulated and placed on the website by 5.00pm on the Monday prior to Planning Committee. This is a public document and it is published with the agenda papers on the UDC website.

Item Number	Application reference number	Comment
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6	UTT/24/1333/FUL Land North of M11 Business Link, STANSTED	
7	UTT/24/1198/OP Land to the South of Smiths Green, TAKELEY	Withdrawn
8	UTT/24/1141/FUL Land Adj Grind Hall, Wood End Green, HENHAM	<p><b>1. <i>Legal opinion provided by Henham Parish Council, uploaded onto public planning file.</i></b></p> <p><i>Summary: The planning application for 2 of the 3 houses proposed relies on access across Village Greens owned and registered to Henham Parish Council. I now attach our Barristers advice which is quite clear and unequivocal that access to these houses across Village Greens can only be granted by the Parish Council. The Parish Council will not grant this access.</i></p> <p><i>Response from Officers:</i></p> <p><i>Matters related to restricted or encumbered access through ownership etc are issues for the implementation of a planning and are not a material consideration in the determination of a planning application. Approval of planning permission does not guarantee implementation or overrule other restrictions on matters related to access.</i></p> <p><b>2. <i>Place Services have issued a late Holding Objection</i></b></p> <p>This objection follows an earlier recommendation for approval in July 2024. The objection is maintained due to insufficient ecological information based on Biodiversity Net Gains requirements, but this has arisen as a result of changes in minor amendments to red line boundary (i.e. to the site location plan connects to the adopted highway).</p>

		<p>Officer Response: Officers will provide a verbal update at the Committee.</p> <p><b>3. Additional Condition 21: Landscape Management Plan</b></p> <p>No development shall commence until a landscape management plan, including management responsibilities and maintenance schedules for upkeeping of all landscaped areas, other than domestic gardens, has been submitted to and approved in writing by the local planning authority. The landscape management plan shall specifically detail how the new wildlife garden shall be managed, including public access, and any details affecting the public rights of ways.</p> <p>The landscape management plan shall be implemented in accordance with the details as approved and retained thereafter, unless otherwise agreed in writing with the local planning authority.</p> <p>Reason: To secure appropriate landscaping of the site in the interests of visual amenity and the rural countryside character in accordance with adopted Local Plan Policies (2005) S7, GEN2 and GEN7 and the National Planning Policy Framework (2023).</p> <p><b>4. Additional Condition 22: SAMMS (wording to be finalised by Planning Committee).</b></p> <p><b>5. Additional Conditions 23: No Light Spill</b></p> <p>All exterior lighting shall be capped at the horizontal with no upward light spill.</p> <p>REASON: To safeguard flight safety and to prevent distraction or confusion to pilots using</p>
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		<p>Stansted Airport, in accordance with the adopted Uttlesford Local Plan Policy GEN5, and the National Planning Policy Framework (2023).</p> <p><b>6. Additional Condition 24: No reflective material.</b></p> <p>No reflective materials other than clear or obscure glass shall be added to the building without the express consent of the local planning authority.</p> <p>REASON: To safeguard flight safety and to prevent distraction or confusion to pilots using Stansted Airport, in accordance with the adopted Uttlesford Local Plan Policy GEN5, and the National Planning Policy Framework (2023).</p> <p><b>7. Additional Condition 25: Solar Details to be approved.</b></p> <p>Prior to occupation of development of the development hereby approved, details of the proposed solar thermal and/or solar panels to be installed shall be submitted to and approved in writing to the Local Planning Authority. The solar thermals/panels shall be implemented in accordance with details as approved and retained thereafter, unless otherwise agreed in writing with the local planning authority.</p> <p>REASON: To safeguard flight safety and to prevent distraction or confusion to pilots using Stansted Airport, in accordance with the adopted Uttlesford Local Plan Policy GEN5, and the National Planning Policy Framework (2023).</p> <p><b>8. Condition 4 (Construction and Demolition Method Statement) DELETED and incorporated with condition 18</b></p>
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		<p><b>9. Condition 11: Archaeology Post Assessment Report</b></p> <p>Condition 11, there is a typo in the condition. It refers to condition 6, but it should read condition 9'. Amended as follows:</p> <p><i>‘Following completion of the programme of historic building recording, as identified in condition 9 above, and within six (6) months from that completion (unless otherwise agreed in advance with the Local Planning Authority) a post assessment report shall be submitted to and approved in writing by the Local Planning Authority. The post assessment report shall detail the results of the recording programme and confirm the deposition of the archive to an appropriate depository as identified and agreed in the Written Scheme of Investigation (WSI). The post assessment report shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.</i></p> <p><i>REASON: To preserve potential archaeological remains, in accordance with the adopted Uttlesford Local Plan Policy ENV4, and the National Planning Policy Framework (2023).’</i></p> <p><b>10. Condition 18 (wording updated): Construction Environmental Management Plan</b></p> <p>Prior to commencement of development (including any ground works or demolition) hereby approved, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the local planning authority.</p> <p>The Construction Environmental Management Plan (CEMP) shall details of, but not limited to;</p> <p>i. the parking of vehicles of site operatives and visitors,</p>
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		<p>ii. loading and unloading of plant and materials, iii. storage of plant and materials used in constructing the development, iv. wheel and underbody washing facilities. v. managing the pedestrians/users of the Public Rights of Way and users of Woodend Village Green. vii. details for the control of noise, dust and smoke emanating from the site.</p> <p>The developer shall comply with the Uttlesford Environmental Code of Development Practice at all times which sets out expectations of developers.</p> <p>Any construction, ground works or demolition should only be undertaken between 0800 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays.</p> <p>The details approved within the CEMP shall be adhered to throughout the construction period unless otherwise agreed in writing with the local planning authority.</p> <p>REASON: In the interest of highway/pedestrian safety and to safeguard residential and flight safety in accordance with Policies GEN1, GEN2 and GEN4 of the Uttlesford Local Plan as Adopted (2005) and the National Planning Policy Framework (2023).</p> <p>11. Para. 16.6 of the Committee Report a further bullet point should have been added:</p> <ul style="list-style-type: none"><li>• Low to medium visual impact of the proposed development from the countryside</li></ul>
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		<b>Appendix 1 – Essex Highways</b>
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## Essex County Council

Director for Highways  
and Transportation

To: Uttlesford District Council  
Assistant Director Planning & Building Control  
Council Offices  
London Road  
SAFFRON WALDEN CB11 4ER

County Hall  
Chelmsford  
Essex CM1 1QH

### Recommendation

Application No. UTT/24/1141/FUL  
Applicant Mr Lee Bowden  
Site Location Development of 3 no. detached houses, creation of wildlife garden and pathway route (privately owned and maintained public open space), landscaping, driveway access and associated works  
Proposal Land Adj Grind Hall Wood End Green Henham Hertfordshire

***THIS RECOMMENDATION SUPERSEDES THE PREVIOUS RECOMMENDATION  
ISSUED 4<sup>th</sup> OCTOBER 2024***

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

1. The public's rights and ease of passage over public footpaths no 11 (Henham) and no 12 (Henham) shall be maintained free and unobstructed at all times. **Reason:** To ensure the continued safe passage of the public on the definitive right of way and accessibility.
2. Prior to occupation of the development the vehicular accesses shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of each access at its junction with the highway shall be 4.5 metres, shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the highway verge **Reason:** to ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.
3. Any gates provided at the vehicular accesses shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the the carriageway. **Reason:** To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety.



4. No unbound material shall be used in the surface treatment of the vehicular accesses within 6 metres of the highway boundary. **Reason:** To avoid displacement of loose material onto the highway in the interests of highway safety.

5. The proposed development shall not be occupied until such time as the vehicle parking areas indicated on the approved plans, have been provided. The vehicle parking areas and associated turning areas 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.

1. Prior to first occupation a pedestrian safe zone of minimum 1.5m width shall be provided from the access servicing plot 1 and plot 2 to the western site boundary and along the site frontage of plot 1. **Reason:** To ensure the continued safe passage of the public on the definitive right of way and accessibility.

2. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for;

- i. the parking of vehicles of site operatives and visitors,
- ii. loading and unloading of plant and materials,
- iii. storage of plant and materials used in constructing the development,
- iv. wheel and underbody washing facilities.

**Reason:** To ensure that on-street parking of these vehicles on the Public Rights of Way and 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.

**The above conditions are required to ensure that the development accords with the National Planning Policy Framework (NPPF) 2023 and the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.**

Informative:

- 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

		<p>mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.</p> <ul style="list-style-type: none"><li>iii. There shall be no discharge of surface water onto the Highway.</li><li>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.</li><li>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.</li></ul> <p style="text-align: center;">T M</p>
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		<b>Appendix 2 – Natural England</b>
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UTTT/24/1141/FUL



Consultations  
Hornbeam House  
Crewe Business Park  
Electra Way  
Crewe  
Cheshire  
CW1 6GJ

T 0300 060 900

Genna Henry  
Uttlesford District Council

**BY EMAIL ONLY**

Dear Genna

**Planning consultation: Development of 3 no. detached houses, creation of wildlife garden and pathway route (privately owned and maintained public open space), landscaping, driveway access and associated works**  
**Location: Land Adj Grind Hall Wood End Green Henham Hertfordshire**

Thank you for your consultation on the above dated 31 October 2024 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**SUMMARY OF NATURAL ENGLAND'S ADVICE**

**NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED**

We consider that without appropriate mitigation, the application has potential to damage or destroy the interest features for which Hatfield Forest Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) has been notified.

**To mitigate these adverse effects and make the development acceptable, the following mitigation measure should be secured through a planning condition:**

- Financial contribution towards Strategic Access Management and Monitoring (SAMM) measures identified by the National Trust as landowners of £1395 per new residential dwelling.

**Further advice on mitigation**

Hatfield Forest is a National Nature Reserve (NNR). It is nationally designated as a Site of Special Scientific Interest (SSSI) and regarded to be of international importance for its ancient wood pasture-forest habitats. The interest features of these habitats are vulnerable to recreational impacts and within recent years there has been increasing concern regarding the number of visitors. It has been noted that there have been significant increases in visitor numbers, linked to nearby residential development. Both Natural England and the National Trust therefore have concerns regarding the impacts of increasing visitor pressure on the designated site and it is apparent that the current number of visitors is exceeding carrying capacity of some important SSSI habitats and features.

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The National Trust has undertaken visitor surveys to establish a Zone of Influence (ZOI) for recreational impacts to Hatfield Forest SSSI / NNR, which has been determined to be 11.1km. Natural England regards this information as material and therefore would anticipate that the application be assessed in the context of these issues and the developing strategic solution. Please note Natural England's Impact Risk Zones have since been updated to reflect this ZOI. New residential housing within this ZOI is likely to damage the interest features of Hatfield Forest SSSI/NNR.

The evidence in relation to recreational pressure has been shared with your authority and we wrote to all Local Planning Authorities identified as falling within the ZOI to confirm Natural England's position. The currently proposed Mitigation Strategy comprises two elements:

- 1) Strategic Access Management and Monitoring (SAMM) package of measures undertaken within Hatfield Forest NNR/SSSI, to increase the resilience of the ancient woodland to recreational pressure; and,
- 2) For larger developments of 100+ dwellings, on and/or off site measures.

The affected LPAs are now working on the Governance Agreement relating to the Mitigation Strategy.

We would take this opportunity to highlight the Local Planning Authority's duties under the Wildlife and Countryside Act 1981 (as amended), notably under section 28G with respect of the SSSI. Appropriate measures, such as the mitigation outlined above, should therefore be taken to ensure the conservation and enhancement of the SSSI. This is further reflected within paragraphs 174 and 180 of the NPPF, whereby authorities should seek to protect and enhance the natural environment, including sites of biodiversity value. Natural England advise that mitigation measures are sought to ensure compliance with the above referenced national policies.

**Natural England advises that permission should not be granted until such time as the following mitigation measure has been secured through planning condition:**

- Financial contribution towards Strategic Access Management and Monitoring (SAMM) measures identified by the National Trust as landowners of £1395 per new residential dwelling.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

If you have any queries relating to the advice in this letter, please contact Betsy Brown as case officer, via [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

		Appendix 3 – MAGS Airports
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**STANSTED AIRPORT AERODROME SAFEGUARDING AUTHORITY  
PLANNING APPLICATION CONSULTATION RESPONSE –  
under Circular 1/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: the Town  
and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction  
2002**

Planning Authority:	UDC	Application No: UTT/24/1141/FUL		
Development Proposal:	Development of 3 no. detached houses, creation of wildlife garden and pathway route (privately owned and maintained public open space), landscaping, driveway access and associated works			
Location:	Land Adj Grind Hall Wood End Green Henham			
OS Co-ordinates (Eastings/Northings):	555406 / 228302			
Our Reference:	2024/244			
No Objection	Crane Advisory Permit Required	Need to engage with MAG Safeguarding	Request Conditions	Objection
	X		X	

**Consultation Response:**

Black – Conditions

Green – Informatives

The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict with aerodrome Safeguarding criteria. We have no objection subject to the following conditions and informatives:

- Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.  
Reason: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport.
- No lighting directly beneath the roof lights that will emit light upwards – only downward facing ambient lighting to spill from the roof lights upwards – ideally, automatic blinds to be fitted that close at dusk.  
Reason: Flight safety - to prevent distraction or confusion to pilots using Stansted Airport.
- No development to take place until details of the surface water attenuation are submitted to the LPA for approval. No pools or ponds of water should occur/be created without permission.
- Reason: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN.



- Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no reflective materials other than clear or obscure glass shall be added to the building without the express consent of the local planning authority.

Reason In the interests of flight safety and to prevent distraction and ocular damage to pilots using Stansted Airport.

- Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) the proposed solar thermal or solar photovoltaic panels installed must be the latest technology with minimal reflectivity.

Reason: In the interests of flight safety and to prevent distraction and ocular damage to pilots using Stansted Airport.

- The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

- In the interests of aviation safety, measures to minimise and manage the creation of dust and smoke should be implemented for the full duration of all construction works, in accordance with the advice of Stansted Airport and the Civil Aviation Authority.


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

**It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Stansted Airport, or not attach conditions which Stansted Airport has advised, it shall notify Stansted Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.**

Name	Position	Date
Diane Jackson	MAG Aerodrome Safeguarding Authority	Thursday, 26 September 2024

9	UTT/24/2673/FUL Buildings to the R/O Mulberry House, Wenden Road, ARKESDEN	<p>The following comments from interested parties were received late in the process:</p> <ul style="list-style-type: none"> <li>• <b>Object:</b> <ul style="list-style-type: none"> <li>○ Negative impact on local area and residents.</li> <li>○ Impact on residential amenity.</li> <li>○ Loss of privacy and overlooking due to height and proximity to neighbouring properties.</li> <li>○ Traffic increase.</li> <li>○ Congestion problems.</li> <li>○ Highway safety concerns.</li> <li>○ Inconvenience for residents.</li> <li>○ Environmental concerns / Loss of natural habitats.</li> <li>○ Design not in keeping with the character of the area.</li> <li>○ Out of scale.</li> <li>○ Land outside the control of the applicants.</li> <li>○ Farm exit share with owners of Hobs Aerie.</li> <li>○ Developers claim ownership of a small section of front wall, a longer section of wall along the farm track and the land between Wenden Road and the front drive of Hobs Aerie.</li> <li>○ No notification of neighbours.</li> <li>○ Excessive development.</li> <li>○ Site not appropriate for more housing.</li> <li>○ Difficult navigation with more vehicles.</li> <li>○ Aisled Barn is non-designated heritage asset.</li> <li>○ Structural report not conclusive, without detailed repair recommendations.</li> <li>○ Demolition of the Aisled Barn is not justified.</li> <li>○ Urbanising effect.</li> <li>○ Change from agricultural to residential character.</li> <li>○ Parish council objected.</li> <li>○ Substantial harm to the listed building without public benefit.</li> </ul> </li> </ul>
		<p>The following comments from the applicant were received late in the process:</p> <ul style="list-style-type: none"> <li>• Vehicular movements significantly reduced in comparison to Class R prior approval granted.</li> </ul>

		<ul style="list-style-type: none"> <li>• Formalise access currently used by tractors and heavy machinery.</li> <li>• Suitable visibility splays achieved.</li> <li>• Highway Authority raised no objections.</li> <li>• Habitat creation and improved local wildlife.</li> <li>• Biodiversity net gain delivered of 169.27%.</li> <li>• Promotion of active lifestyles.</li> <li>• Maintain agricultural aesthetic with landscape-led design approach.</li> <li>• Emerging residential character of the site.</li> <li>• Self-contained dwellings.</li> <li>• Land owned by the applicant.</li> <li>• As not listed, the Aisled Barn does not benefit from protection against demolition.</li> <li>• Planning balance necessary.</li> <li>• Council's position not fully consistent with the Inspector's.</li> <li>• The Inspector noted the Aisled Barn has undergone significant change over the years and has lost structural integrity.</li> <li>• Aisled Barn contributes to the site's history as an archaeological remnant, not a functional or structural coherent building.</li> <li>• Recording programme would retain the understanding and significance of the building.</li> <li>• Evolution of wider site to residential character.</li> <li>• Development enhances the rural character of the area.</li> <li>• Small amount of harm from the loss of the Aisled Barn.</li> <li>• Public benefit of additional housing.</li> </ul>
10	UTT/24/2509/FUL North of Laburnham View, High Street, ELMDON	None.
11	UTT/24/1370/FUL The Hop Poles, Bedlars Green, GREAT HALLINGBURY	<p>The following comments from interested parties were received late in the process:</p> <ul style="list-style-type: none"> <li>• <b>Object:</b> <ul style="list-style-type: none"> <li>○ Previous objections raised.</li> <li>○ Cannot attend committee in person but objections should be considered.</li> <li>○ Committee report states fears about loss of privacy have now been allayed.</li> <li>○ Take issue with conclusions that due to a combination of a reduction in the elevation and move back from boundary fence makes a material difference to the potential loss of light and overbearing effects.</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ Take issue with the conclusion that the proposed height and proximity of the building will not lead to material overshadowing and loss of light.</li> <li>○ Photographs attached (see below).</li> <li>○ Affect the use of neighbouring gardens.</li> <li>○ Still too close and too high to neighbouring boundary.</li> <li>○ Still cause shadowing and loss of light due to the sun rising in the east.</li> <li>○ No evidence submitted that this will not happen.</li> <li>○ Single level as an annexe or bungalow would avoid objection from neighbours.</li> <li>○ Able to see occupants go in and out their front door and vice versa.</li> <li>○ Huge breach of privacy.</li> <li>○ Not objecting to the restoration/conversion of the listed building.</li> <li>○ Suffering building works for a sustained period of time.</li> <li>○ Affect the ability to enjoy our garden and hoe peacefully.</li> <li>○ No benefit to neighbours once completed.</li> </ul> 
12	UTT/1371/LB The Hop Poles, Bedlars Green, GREAT HALLINGBURY	(Same as above).
11	UTT/24/2359/FUL Land to the East of May Walk, Elsenham Road STANSTED	None.

Note – The purpose of this list is to draw Members attention to any late changes to the officer report or late letters/comments/representations. Representations are not reproduced in full they are summarized

Late items from **STATUTORY CONSULTEES** are reproduced in full.