

Late List –Planning Committee 06/07/22

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
7	UTT/20/2908/OP Land South Of Bedwell Road Ugley	<p>ELSENHAM PARISH COUNCIL and UGLEY PARISH COUNCIL</p> <p>Late List comment</p> <p>The above application is due to be re-considered at the meeting of the Planning Committee on 6 July. The Officer's Report includes:</p> <p>14.12.2 A request has been made by the Parish Council for a contribution to a new Community Hall; the proposed contribution of £199,231 has been pro-rata-ed from one of the amounts secured against an approved scheme in Elsenham and that expected from a scheme awaiting the signing of a S106 agreement.</p> <p>The amount of the proposed contribution should be £119,231, as noted in the email from Mr Colin Hart of Rochester Properties, 22 June 2022, 14:15, which was copied to Patricia Coyle.</p> <p>Could you please make the necessary correction.</p> <p>Officer comment: figure typo; make correction to paragraph 14.12.2 to indicate requested contribution is £119,231.</p> <p>Also, that:</p> <p>Elsenham Parish Council is content that the revised proposed figure of £100,000 should be included in the S106 by way of contribution to the new Community Hall. You are of course aware that our view on the matter is expressed without prejudice to our position concerning the application as a whole, and also that the S106 is agreed between the owner and UDC.</p>

		<p>The question of the timing of the contribution remains to be defined. We suggest 50% before occupation of the first dwelling, and the remaining 50% before occupation of 50% of the dwellings.</p> <p>The applicants has written and indicated in response:</p> <p>“I am happy to agree your suggested timings for the contribution.”</p> <p>Officer comment: The agreed amount and the proposed timings will need to be included in the S106 legal agreement.</p>
8	<p>UTT/21/0688/FUL</p> <p>Land at Cole End Lane, Wimbish</p>	<p>Planning Agent- Pegasus Group</p> <p>Late List Comments</p>



JE/ P20-1299

01 July 2022

Members of the Planning Committee

Uttlesford District Council
Planning and Development
Council Offices
London Road
Saffron Waldon
CB11 4ER

BY EMAIL

Dear Councillors,

Representation to Members in support of application UTT/21/0688/FUL – Land at Cole End Lane, Wimbish, ahead of 6th July Planning Committee.

Ahead of the Planning Committee meeting on the 6th July, we find it prudent to provide a response to a number of the matters which were discussed at the recent meeting of the Planning Committee to determine Low Carbon's other current planning application at Land West of Thaxted (Ref: UTT/21/1833/FUL) which was deferred by Members for a second time. In their deferral of the application, Members requested further information, some of which we believe is relevant to the proposed scheme at Land at Cole End Lane (Ref: UTT/21/0688/FUL) which is being presented to Members at the 6th July Committee, including:

- Proposed Decommissioning Strategy and S106 Agreement
- Use of Best and Most Versatile Agricultural Land
- Clarifications on proposed landscaping and ongoing management/maintenance
- Alterations to proposed conditions

Information and clarifications on those topics are provided below.

Proposed Decommissioning Strategy and S106 Agreement

At the committee, Members raised concerns with the level of information that had been provided in regard to the proposed decommissioning strategy which would be secured via Section 106 Agreement upon reaching a resolution to grant.

At the request of officers and, indirectly, members, the applicant has provided a significant level of information on decommissioning to officers over the last 12+ months. This includes an independent verification from a globally renowned technical advisor that the draft schedule to the s106 would provide a good level of protection to the Council. It is difficult to see what further the applicant can do at this point without receiving any substantive feedback from the Council.

Use of Best and Most Versatile Land

Several comments were raised by Members at the recent committee meeting questioning the use of BMV land and the justification for the site location. The scheme at Cole End Lane, similarly to the scheme at west Thaxted, is located within an area which is 'provisionally' graded as Grade 2 Agricultural Land on the Natural England Provisional Agricultural Land Classification Maps and as per Annex 2 of the NPPF, may be deemed BMV land.

However, the NE provisional grading only provides a broad definition of agricultural land grading and does not provide a detailed understanding of soil qualities on any given site. The applicant has subsequently commissioned a detailed ALC survey of the site by an independent third party. The ALC survey has demonstrated that the separate parcels of agricultural land within the site are comprised of Grade 3b quality land and thus is not BMV land as per annex 2 of the NPPF.

Clarifications on Proposed Landscaping and Ongoing Management/Maintenance

Further to the above, a number of clarifications were sought by Members regarding the prescriptions of the proposed landscape proposals and ongoing management and maintenance of this during the lifetime of the development.

The submission of final soft landscaping details is proposed to be secured through an appropriately worded pre-commencement planning condition (See condition 22). This condition will require and secure:

- planting plans;
- written specifications (including cultivation and other operations associated with plant and grass establishment);
- schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and
- an implementation programme

Similarly to this, an appropriately worded pre-commencement planning condition (condition 23) is also recommended by the officer to secure the submission (and implementation) of a Landscape management Plan or 'LEMP' to set out the long term design objectives, management responsibilities and maintenance schedule for all landscape areas proposed within the site, including the proposed legacy woodland planting.

Alterations to Proposed Conditions

It was noted that a few Members requested that some minor text changes be made to the recommended conditions included in the officer's report. On the whole, the applicant is very happy to accept minor amendments that do not materially impact the project, however there could be instances where what may appear to be a minor amendment has a material impact on the deliverability of the project.

Unfortunately, the nature of the process of the planning committee forum makes it nigh on impossible to work through those perceived minor amendments in a constructive and

		<p>timely manner. Therefore, the applicant requests that should Members be minded to approve the project, an element of delegation is provided to officers to explore Members requests with the applicant as to what can be achieved, as that would then enable a forum within which this could take place in a constructive manner.</p> <p>We hope that the above information helps to clarify some of the Member's questions and concerns raised at the previous Planning Committee and enables them to reach a resolution to Grant Planning Permission for Low Carbon's Scheme at Land at Cole End Lane, in accordance with the officer recommendation.</p> <p>Should you have any questions regarding the above or attached ahead of the Committee please do not hesitate to let us know.</p> <p>Yours faithfully</p> <p>Jack Ellis Senior Planner e-mail: jack.ellis@pegasusgroup.co.uk</p>
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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.