

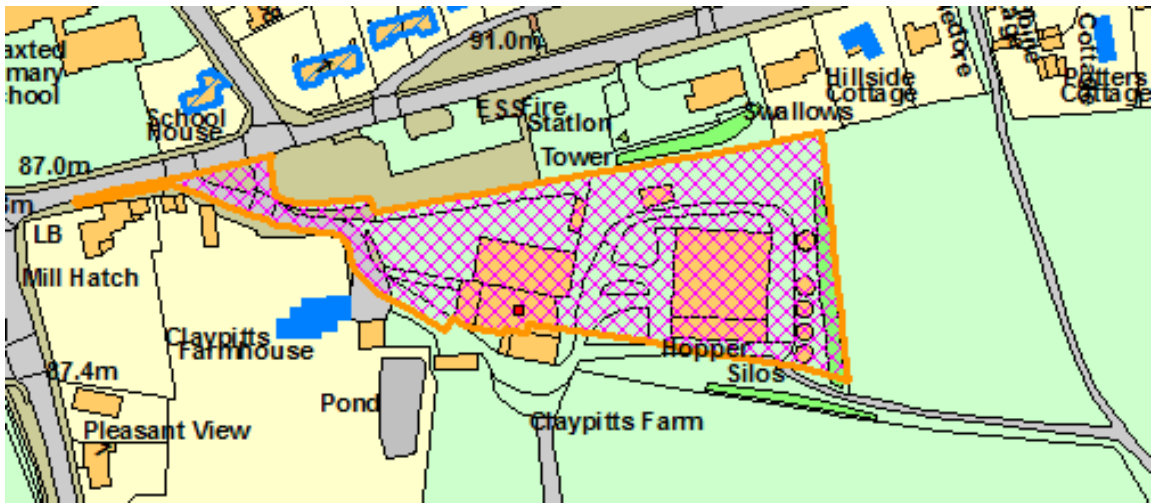
ITEM NUMBER: 13

PLANNING COMMITTEE DATE: 31 August 2022

REFERENCE NUMBER: UTT/22/1020/FUL

LOCATION: Claypits Farm, Bardfield Road,
Thaxted

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 12th August 2022

PROPOSAL: Section 73A Retrospective application to vary conditions 4 (approved plans) and 5 (vehicular access) attached to UTT/20/0614/OP (approved at appeal APP/C1570/W/21/3269464) - alterations to access.

APPLICANT: Salacia Ltd/Mr and Mrs D Barnard

AGENT: Mrs Hazel Izod

EXPIRY DATE: 11 July 2022

EOT Expiry Date 5 September 2022

CASE OFFICER: Madeleine Jones

NOTATION: Partly within / partly outside development limits
partly within / partly outside Thaxted Conservation Area
general aerodrome directions
TPO on site.

REASON THIS APPLICATION IS ON THE AGENDA: MAJOR Application

1. EXECUTIVE SUMMARY

1.1 This application is to vary conditions made under Section 73 of the town and Country Planning Act 1990 (as amended) pursuant to application UTT/20/0614/OP allowed at appeal on 28th October 2021.

1.2 The amendment seeks to vary Condition 4 (approved plans) and Condition 5 (vehicular access) to substitute amended plans in relation to proposed alterations to the eastern vehicular access.

1.3 The amendment comprises a slight widening of the eastern access, and its relocation further west.

2. RECOMMENDATION

That the Interim Director of Planning and Building Control 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 south side of Bardfield Road to the rear of the Thaxted Fire Station on the south-east side of the town centre and comprises for the purposes of the land edged in red a redundant and presently unused farm building complex consisting of 0.71 ha which is accessed from Bardfield Road by a private access road which also serves Claypits Farm (not forming part of the application site). The site rises gradually from its west (front) to east end consistent with the continuous gradual rise along Bardfield Road situated to the front which consists of a long line of established ribbon development which characterises the residential nature of this road.

3.2 A public footpath leads from Bardfield Road along the site access and then around the southern side of the site (Footpath No.104) where it connects with Footpath No.90 which comes from the south and which then continues eastwards along the southern boundary of the site before continuing eastwards along the edge of a field. Footpath No.105 intersects with Footpaths 104 and 90 on the site's southern boundary which leads in a north-easterly direction through the site before continuing along the northern edge of the same field behind residential properties fronting onto Bardfield Road. A further footpath runs across this field north to south from Bardfield Road to the east of the site.

4. PROPOSAL

4.1 The application is supported by a Tree survey and Supporting letter.

4.2 This application is to vary conditions 4 and 5 attached to planning application UTT/20/0614/OP which was allowed on appeal

4.3 The amendment comprises a slight widening of the eastern access and its relocation further west to a maximum of 0.75m

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

6.1

| Reference | Proposal | Decision |
|----------------|---|------------------------------|
| UTT/20/0614/OP | Outline application for demolition of existing buildings and erection of 14 no. dwellings with all matters reserved except access and layout (alternative scheme to that approved under planning permission UTT/18/0750/OP) | Refused Allowed on appeal |
| UTT/18/070/OP | Outline application for demolition of existing buildings and erection of up to 15 dwellings with all matters reserved except access and layout | Approved with conditions |

| | | |
|-----------------|---|---------------------------|
| UTT/19/2718/NMA | Non Material Amendment to UTT/18/0750/OP - Insertion of a condition to list approved plan numbers | Approved |
| UTT/0526/88 | Change of use of existing barn and farmyard to form Builder and Undertakers yard and complex with extension to form store Chapel of Rest and garaging | Approved with conditions |
| UTT/0845/01/LB | Demolition of part of barn & refurbishment of remaining structure & single storey extension | Approved with conditions |
| UTT/0843/01/FUL | Change of use to offices, research and development workshops, meeting area and supporting accommodation | Approved with conditions |
| UTT/0022/94/FUL | Change of use of corn storage barn to storage of calcium chloride | Approved with conditions. |
| UTT/0103/98/FUL | Change of use of builder's yard and undertaker's buildings to B1 light industrial/office use | Approved with conditions |
| UTT/0262/97/FUL | Retrospective application for the change of use of corn storage barn to storage of calcium chloride | Approved with conditions |

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

- 7.1 An application for a Non Material Amendment was withdrawn on the grounds that Officers considered the amendments constituted a material change to the approved scheme.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Highway Authority

- 8.1.1 No objections. The proposed widening of the road will facilitate vehicles entering the site.

9. PARISH COUNCIL COMMENTS

- 9.1 Holding objection on the grounds of insufficient information reference signage and content.

10. CONSULTEE RESPONSES

10.3 UDC Landscape Officer

10.3.1 No objection

10.4 Place Services (Conservation and Heritage)

10.4.1 The amended access would not result in any additional harm from the previously application. No objections.

11. REPRESENTATIONS

11.1 Site notice/s were displayed on site and 59 notifications letters were sent to nearby properties. The application was advertised on the 21st April 2022.

11.2 Object

11.2.1 Highway Safety

11.2.2 Development not in keeping with Thaxted's aesthetic of a historical town with heritage sites.

11.2.3 Loss of privacy, overshadowing and loss of light

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,;
- (a) 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 – Delete or keep this paragraph when it is relevant i.e

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 Feb 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 19th July 2022)

3. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (2021)

13.2 Uttlesford District Plan 2005

Policy S7 – The countryside Policy
Policy S3 - Other Settlement Boundaries
Policy H1 - Housing development
Policy GEN1- Access Policy
Policy GEN2 – Design Policy
Policy GEN3 -Flood Protection Policy
Policy GEN7 - Nature Conservation Policy
Policy GEN8 - Vehicle Parking Standards Policy
Policy H9 - Affordable Housing,
Policy H10 - Housing Mix Policy
Policy ENV1 - Design of Development within Conservation Areas Policy
Policy ENV2 - Development affecting Listed Buildings Policy
Policy ENV14 - Contaminated Land

13.3 Thaxted Neighbourhood Plan

TX LSC1 Protection of the countryside and rural setting of Thaxted
TX LSC2 – Protection and enhancement of the Landscape
TX LSC3 – Wildlife Habitats and landscape features
X HD5 - Claypits Farm Buildings
X HD1 - Scale and Location of New Development

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 play space homes
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) Principle of development**
B) Access
C) Landscaping
D) Impact on conservation Area and Listed buildings

14.3 **A) Principle of development**

14.3.1 The principle of the development has been established under planning application UTT/20/0614/OP which was allowed on appeal. The site is also an allocated site within the Thaxted Neighbourhood Plan.

14.3.2 The application is for the determination of whether the access details of approved plans agreed on the above application may be superseded and agreed by the plans submitted within this current application under Section 73 of the Town and Country Planning act (1990)

14.4 B) Access

14.4.1 Policy GEN1 states that development will only be permitted if it meets all of the following criteria;

- 14.4.2**
- a. Access to the main road network must be capable of carrying the traffic generated by the development safely;
 - b. The traffic generated by the development must be capable of being accommodated on the surrounding transport network;
 - c. The design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired.
 - d. It must be designed to meet the needs of people with disabilities if it is development to which the general public expect to have access.
 - e. The development encourages movement by means of other than driving a car.

14.4.3 This application is for an amendment to the previously approved access. The amendment comprises a slight widening of the eastern access, and its relocation further west to a maximum of 0.75m.

14.4.4 The new access is required in order to provide sufficient space for the installation of kerbs to meet highway engineer requirements.

14.4.5 The amendment will result in no harm to highway safety or visibility and is in accordance with Uttlesford Local Plan Policy GEN1. ECC Highway Officers have no objections to the proposal.

14.5 C) Landscaping

14.5.1 The amended access will be positioned slightly closer to a protected tree at the frontage of the site.

14.5.2 An updated tree Survey and AIA has been submitted in support of the application. No harm will arise to the vitality or longevity of the tree. The previously approved scheme resulted in a 9% encroachment into its RTA, whilst this amendment will result in an 11.2% encroachment. The tree will be retained.

14.5.3 Specialist Landscape advice has been received, and they have no objections to the proposal.

14.5.4 The proposal would comply with Policy ENV3.

14.6 D) Impact on Conservation Area and Listed buildings

14.6.1 The development would be a sufficient distance away from the adjacent listed building so its setting would not be detrimentally affected under ULP Policy ENV2.

14.6.2 The revised access is considered to be acceptable and specialist Heritage advice is that they have no objections. No unacceptable harm is considered to the Conservation Area, in accordance with Local Plan Policy ENV1. Therefore the proposed amendments comply with ULP Policies ENV1 and ENV2 and the NPPF.

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 proposed amendment is minor in nature and considered to be acceptable and in accordance with Policy.

17. CONDITIONS

17.1 Conditions

1 Approval of the details of scale, appearance and landscaping (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

REASON: To comply with the provisions of Article 3 of the Town and Country

Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3 The development hereby permitted shall be begun no later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 The development hereby permitted shall be carried out in accordance with the submitted documents and the following approved plans: 216498 PL 104 Rev D, 9382 – D-A1A and IT1431/SK/04/REV D

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.

- 5 Prior to first occupation, the eastern access shall be provided as shown in principle on drawing number IT143/SK/04 Rev D with a minimum width of 5.5m and associated visibility splays of 2.4m by 43m in both directions. The visibility splays for both the eastern and western accesses and the access road as shown in principle on the drawing, shall be provided before the first use by vehicular traffic associated with the development and retained free of any obstructions at all times.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to provide adequate inter-visibility between vehicles in the interest of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- 6 Prior to first occupation a footway of minimum width 1.5m shall be provided to link the western access with the existing footway on the southern side of Bardfield Road.

REASON: To increase the accessibility for pedestrians in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- 7 Prior to first occupation the surface treatment of the diverted Public Footpath No 105 shall be agreed with the Highway Authority and then implemented as agreed.

REASON: To increase the accessibility for pedestrians in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- 8** The number of vehicle and cycle 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 and shall be provided prior to first occupation of the development

REASON: To ensure that appropriate parking for vehicles and cyclists are provided in the interests of highway safety and efficiency in accordance with Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

- 9** Prior to occupation 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 Policies ENV13 and GEN2 of the Uttlesford Local Plan (adopted 2005).

- 10** No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme should include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
 - Limiting discharge rates to 2 l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with the relevant third party.
 - Final modelling and calculations for all areas of the drainage system.
 - The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
 - Detailed engineering drawings of each component of the drainage scheme.
 - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The approved scheme shall be implemented prior to occupation. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

REASON:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment

Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site in accordance with the NPPF and Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005).

- 11** Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.
Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.
The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site in accordance with the NPPF and Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005).

- 12** No development approved by this planning permission shall take place (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
- 1) A preliminary risk assessment which has identified:
 - a) all previous uses
 - b) potential contaminants associated with those uses
 - c) a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
 - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
 - 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

REASON: To protect and prevent the pollution of the water environment (particularly the Secondary (undifferentiated) aquifer, SPZ3 and EU Water Framework Directive Drinking Water Protected Area) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF 2019; paragraphs 170, 178 and 179), EU Water Framework Directive, Anglian River Basin Management Plan and Environment

Agency Groundwater Protection Position Statements (2017) A4 – A6, J1 – J7 and N7 in accordance with Policies GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

- 13** No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: To protect and prevent the pollution of the water environment (particularly the Secondary (undifferentiated) aquifer, SPZ3 and EU Water Framework Directive Drinking Water Protected Area) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF 2019; paragraphs 170, 178 and 179), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection Position Statements (2017) A4 – A6, J1 – J7 and N7 in accordance with Policies GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

- 14** If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

REASON: To protect and prevent the pollution of the water environment (particularly the Secondary (undifferentiated) aquifer, SPZ3 and EU Water Framework Directive Drinking Water Protected Area) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF 2019; paragraphs 170, 178 and 179), EU Water Framework Directive, Anglian River Basin Management Plan and Environment Agency Groundwater Protection Position Statements (2017) A4 – A6, J1 – J7 and N7 in accordance with Policies GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005)

- 15** Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON: Piling or other penetrative ground improvement methods can increase the risk to the water environment by introducing preferential pathways for the movement of contamination into the underlying aquifer and/or impacting surface water quality.

For development involving piling or other penetrative ground improvement methods on a site potentially affected by contamination or where groundwater is

present at a shallow depth, a suitable Foundation Works Risk Assessment based on the results of the site investigation and any remediation should be undertaken. This assessment should underpin the choice of founding technique and any mitigation measures employed, to ensure the process does not cause, or create preferential pathways for, the movement of contamination into the underlying aquifer, or impacting surface water quality. (in accordance with Policies GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

- 16** No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall specify the provisions to be made for the control of noise and dust emanating from the site and shall be consistent with the best practicable means as set out in the Uttlesford Code of Development Practice. The approved Statement shall be adhered to throughout the construction period.

REASON: The development has the potential to cause noise and dust impacts on surrounding residential properties in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 17** Works to demolish existing buildings shall not in in any circumstances commence unless the Local Planning Authority has been provided with either:
a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the specified activity/development to go ahead; or
b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998 in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 18** No development shall take place (including any demolition, ground works, site clearance) until a Biodiversity Mitigation and Enhancement Plan, has been submitted to and approved in writing by the Local Planning Authority. The content of the Plan shall include the finalised details and locations of the mitigation and enhancement measures/works contained in the Ecology Walkover Update and great crested newt (*Triturus cristatus*) eDNA survey results (MHE Consulting, August 2020), Outline Bat Mitigation Strategy (MHE Consulting, January 2018), and Preliminary Ecological Appraisal Report (Practical Ecology Ltd, September 2017), as well as precautionary measures for protected and priority species, including hedgehog and amphibians. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter. This may include the appointment of an appropriately competent person e.g. an Ecological Clerk of Works (ECoW,) to provide on-site ecological expertise during construction.

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended, s40 of the NERC Act 2006 (Priority habitats & species) and s17 Crime & Disorder Act 1998 in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

19 A lighting design scheme for biodiversity shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority

REASON: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

APPENDIX A

Our reference 18548 4A

UTT/22/1020/FUL

Section 73A Retrospective application to vary conditions 4 (approved plans) and 5 (vehicular access) attached to UTT/20/0614/OP (approved at appeal APP/C1570/W/21/3269464) - alterations to access.

Claypits Farm Bardfield Road Thaxted

The highway authority has considered the application and has no objections to the submitted amendment to the proposed access as shown in drawing number IT1431/SK/04 rev D

The proposed widening of the road will facilitate vehicles entering the site.

Kind regards

Katherine

**Katherine Wilkinson | Strategic Development Engineer
Strategic Development**