

Late List –Planning Committee 31.08.22

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/21/3596/OP Moors Farm, Station Road, Little Dunmow	<p>The Committee Report in Paragraph 1.1 refers that outline permission is sought for the erection of up to 160 dwellings with all matters reserved. This is incorrect and Members should be made aware that 'Access' forms part of the merits of this application as per the application description.</p> <p>OMISSION: Representation: Ward Member Cllr. Criscione received 6.1.22 (Not referenced in report) below</p> <p>Nigel Brown Planning Department Uttlesford District Council London Road Saffron Walden Essex CB11 4ER 17 January 2019</p> <p>Dear Mr Brown,</p> <p>OBJECTION to Application UTT/21/3596/OP – Moors Fields, Station Road, Little Dunmow: Outline planning application (with all matters reserved except for means of access from Station Road) for residential development of up to 180 dwellings, a countryside park, up to 100sqm of office hub floorspace, sustainable urban drainage system and associated infrastructure</p>

		<p>I am writing to object to the above referenced planning application (referred hereafter as the application), which was registered over the festive period and is to be determined by Uttlesford District Council for the development of the agricultural land lying within the administrative boundary and south of Little Dunmow parish.</p> <p>On balance, this application represents an inappropriate development, the benefits of which are not outweighed by the clear and unequivocal harm to the local area as set out below.</p> <p>From my review of the information submitted as part of the application, I would like to object for the following reasons (examples do not limit interpretation nor reach):</p> <ul style="list-style-type: none">• The application is contrary to saved policy S2 of the adopted Uttlesford Local Plan (Development Limits/Policy Areas for Oakwood Park, Little Dunmow). It is outside of development limits and therefore constitutes inappropriate and unsustainable development which is not otherwise mitigated by acceptable forms of proposal i.e. those identified in 6.31. of the adopted Uttlesford Local Plan. The nature of the development being outside development limits in the location that it is will also lead to the coalescence of two settlements.• The application is contrary to saved policy S7 of the adopted Uttlesford Local Plan (The Countryside) and related sections of the National Planning Policy Framework (NPPF), policies which have already proved to be significant in the consideration of sites such as this, see UTT/18/3424/OP. The proposal would adversely affect the rural and landscape character of the area and is not a rural exception site. It will irreparably harm the Flich Way Country Park, again, an issue which has already been seen as significant in the determination of a number of local planning applications and appeals.• The application is contrary to saved policy GEN1 of the adopted Uttlesford Local Plan (Access). The infrastructure surrounding the site, in relation to road network, cycle, public transport and pedestrian walkways is unable to support a development of this size. The development does not “encourage movement by other means than driving a car”. The proposed access will not be deliverable without significant and deliberately damaging changes to the important landscape in this area which would impact the countryside in a way which outweighs the proposed benefits.
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		<ul style="list-style-type: none"> • The application is contrary to saved policy ENV5 of the adopted Uttlesford Local Plan (Protection of Agricultural Land). • The development would cause significant harm to the Little Dunmow Conservation Area, as well as number of listed buildings in the vicinity. <p>This letter of objection is structured as follows:</p> <ol style="list-style-type: none"> 1. Planning Policy Context; 2. Planning Considerations; 3. Conclusion and personal remarks. <p>Planning Policy Context</p> <p>National Planning Policy Framework (NPPF) The National Planning Policy Framework (NPPF) was revised in July 2021 and is the statutory guidance for plan-making and decision-taking in relation to development across the United Kingdom. It should be considered at all times in the determination of planning applications.</p> <p>It is clear, from the points aforementioned, that the application is contrary to several material considerations which form the NPPF, particularly around impact on heritage assets, harm to the countryside and infrastructure provision.</p> <p>Uttlesford Local Plan 2005 and Saved Policies The application does not form part of the adopted Uttlesford Local Plan 2005. It is contrary to the content of this development framework which should guide all determination by the Local Authority, that being in conjunction with the NPPF and the weight of any emerging local plan document. The application is contrary to the following (not limiting):</p> <ul style="list-style-type: none"> • S2 – Development Limits/Policy Areas for Oakwood Park, Little Dunmow • S7 – Countryside • GEN1 – Access • GEN6 – Infrastructure Provision to Support Development
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		<ul style="list-style-type: none"> • ENV5 – Protection of Agricultural Land <p>Emerging Uttlesford Local Plan</p> <p>It is accepted that the District Council does not have an up to date local plan, and the emerging plan carries very limited weight in the determination of planning applications. However, appeal decisions in the locality have proven to show that even in the absence of a local plan and five year housing land supply that the adopted and saved policies of the Council’s 2005 plan still carry significant weight.</p> <p>Planning Considerations</p> <p>1. Development Outside of Development Limits</p> <p>The development proposal is outside of the development limit for Oakwood Park, Little Dunmow (known as Flich Green) and is therefore contrary to contrary to saved policy S2 of the adopted Uttlesford Local Plan (Development Limits/Policy Areas for Oakwood Park, Little Dunmow), which states: “The development limits/policy areas of:</p> <ul style="list-style-type: none"> • the proposed Priors Green development in Takeley and Little Canfield; and • the proposed Oakwood Park development in Little Dunmow <p>are defined on the Proposals Map. Development will be permitted within these boundaries if it is in accordance with this plan”</p> <p>Therefore, this proposal is contrary to Local Plan policy and ought to be refused on the basis that it is outside the development limit and does not constitute a rural exception site.</p> <p>Moreover, the clear and unequivocally negative impact on the landscape of the area, particularly on the countryside and in respect of heritage assets (including the LD Conservation Area) which would likely be enacted through the creation of an access in the proposed location and the provision of a major development here, outweighs any proposed benefits.</p> <p>2. Development in the Countryside</p>
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		<p>The development proposal lays outside of the development limit of Flitch Green (Oakwood Park, Little Dunmow in the adopted Local Plan), outside of the Countryside Protection Zone associated with Stansted Airport, and outside of the metropolitan Green Belt. Therefore it is in the countryside. The application is thus contrary to policy S7 of the adopted Uttlesford Local Plan (The Countryside), which states:</p> <p>“The countryside to which this policy applies is defined as all those parts of the plan area beyond the green belt that are not identified within the settlement or other boundaries. In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there or is appropriate to a rural area. The will include infilling in accordance with paragraph 6.13. of the Housing Chapter of the Plan. There will be strict control on new building. Development will only be permitted if its appearance protects or enhances particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.”</p> <p>On the basis of the above, the proposal has a significant negative impact on visual amenity, the rural character of the area and does not provide any special reasons why the development in the form proposed needs to be there. That special reason is not Housing Land Supply as the applicant suggests, and the basis for an application being progressed on the grounds of housing land supply in any case is not a reason alone for approval under the National Planning Policy Framework (NPPF). Appeal decisions locally, as mentioned previously, have supported this.</p> <p>The applicant’s inclusion of 40% affordable housing which comes out of the submission that is welcome. However, this does not overcome the parameters and principles for the development of sites within the countryside which is that of rural exception i.e. where 100% affordable housing, or the provision of enabling market homes to deliver affordable housing, is proposed.</p> <p>In this sense, the development proposals fail to overcome the policy tests for S7, providing appropriate development in the countryside. Therefore it is contrary to local and national policy.</p> <p>3. Development of Agricultural Land</p> <p>Running throughout the proposals is the applicant’s underlying notion that the development, whilst being greenfield, does not result in the loss of high-value agricultural land and therefore they presume in favour of sustainable development. Section 5.9. of the adopted Local Plan sets out the general context of Uttlesford’s</p>
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		<p>agricultural landscape in detail, attributing the highest of value to Grade 3a agricultural land (my parentheses and emphasis):</p> <p>“Uttlesford is a highly productive arable farming area. There is no Grade land but over 80% of the District is classified Grade 2 by [the Department for Environment, Food and Rural Affairs]. There is some grade 3a land. This represents the best and most versatile farmland. Such land should be avoided for development unless sustainability considerations suggest otherwise.”</p> <p>The adopted Local Plan policy ENV5, that considers the protection of agricultural land, states:</p> <p>“Development of the best and most versatile agricultural land will only be permitted where opportunities have been assessed for accommodating development on previously developed sites or within existing development limits. Where development of agricultural land is required, developers should seek to use areas of poorer quality except where sustainability considerations suggest otherwise.”</p> <p>In light of the above, the development would be unacceptable because of the loss of agricultural land, a harm which is not outweighed by the proposed benefits.</p> <p>This proposal constitutes development of Grade 3a and 3b land, which the region considers to be “the best and most versatile farmland”. The approval of development on this site should therefore be given in the absence of any brownfield (or previously developed) sites, or in fact those within settlement boundaries. However, the District Council continues to maintain a Brownfield Land Register which identifies 20 possible development sites that ought to be developed/permissioned before the assessment of greenfield release is considered. This does not consider land within settlement boundaries, which also takes precedent over greenfield release for housing.</p> <p>In this sense, the applicant has failed to correctly assess the value of the land in agricultural terms, has failed to consider the order of precedence through which sites are released for development, has failed to demonstrate adequate sustainability for the release of the greenfield site in any case and so is contrary to policy ENV5 (amongst others) of the adopted Local Plan.</p> <p>4. Access and Highways Issues</p> <p>Policy GEN1 of the adopted Uttlesford Local Plan is clear about development proposals and access:</p>
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		<p>“Development will only be permitted if it meets all of the following criteria:</p> <ol style="list-style-type: none"> 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 other than driving a car.” <p>The proposed access is on a bend which is dangerous and which in order to make acceptable in respect of access would result in irreconcilable and unacceptable damage to the landscape and visual significance of the area.</p> <p>The increase in traffic and proposed increase in manoeuvre activity within a short distance will risk public and highway safety. Station Road, which stretches from the B1256 at Throws through Little Dunmow and up to the Chelmsford Road junction in Felsted, is already congested at peak times and has encountered a number of Road Traffic Accidents due to the narrow and poorly drained roadway.</p> <p>Therefore, whilst the development proposals are not obliged to improve or enhance the current road network, it is certainly not permitted to worsen it: which it will undoubtedly do if the proposals progress in their current form.</p> <p>In light of the above, the applicant should demonstrate how any proposed development can promote “movement by means other than driving a car”. They have not done so.</p> <p>In the submitted transport statement the applicant mentions that walking would primarily assist in the proposed residents accessing bus stops, the Flitch Green Academy, the Co-op convenience store and the existing Flitch Green community facilities. However, given those existing community assets are already suitably used and do not have capacity for growth, this is considered a flawed assessment.</p>
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		<p>ADDENDUM: Paragraph 7.5 of report states</p> <p>The applicant also attempted to liaise with Ward Councillors, the Flich Way Action Group and contacted both the Flich Green and Little Dunmow Parish Council’s offering to meet and discuss the proposals prior to the application submission. However, for an unknow reason, these parties did not make commit to meeting the applicant</p> <p><u>This is incorrect with respect of the Ward Councillor</u></p> <p>Cllr Criscione did engage in the pre-application process and attended meetings with the applicant’s team and made the necessary declarations to officers.</p>
8	<p>UTT/22/1598/DOV Land North of Shire Hill Farm, Saffron Walden</p>	<p><u>Saffron Walden Town Council (Comments on Committee Report)</u></p> <p>The planning committee meeting agenda for 25/08/2022 has been published today and I note UTT/22/1598/DOV- Land North Of Shire Hill Farm, SAFFRON WALDEN is scheduled for determination.</p> <p>As part of the officer report (attached for reference), I have the following comments which I would be grateful if you could please address. Alternatively, I ask members to consider and raise these queries at next weeks meeting.</p> <p>Section 13.3.1 Saffron Walden Neighbourhood Plan</p> <p>The report does not show a true reflection of the position of the SWNP.</p> <p>The SWNP passed external examination in April and the examiner confirmed the plan should proceed to referendum (with modifications) on 28 April 2022. Uttlesford Cabinet confirmed the Plan will proceed to referendum on 7th July and the referendum will take place on 15th September. Therefore, moderate weight should be given to the SWNP (and not <i>limited to moderate weight</i>).</p>

		<p>Monks Hill – Proposed removal of cycle link S106 condition</p> <p>As noted in the SWTC response to UTT/22/1598/DOV, SWTC object to the removal of the S106 condition: <i>Footpath/cycleway between Monks Hill and the Land</i>, as proposed in the <i>DRAFT AGREEMENT</i> uploaded on 7 June 2022.</p> <p>The previous application UTT/21/1920/NMA was granted to <i>remove a duplicated condition which also features on the attached associated S106 for the site</i>. The cycle link continues to be a must in order to promote sustainable travel and remain in line with the NPPF and SWNP.</p> <p>Section 8 of the report notes that Highways have raised no objections, however, there is no reference to the proposed removal of the cycle link and only refers to the missing link to the spine road.</p>
9	UTT/21/3565/DFO Land North of Shire Hill Farm, Saffron Walden	None
10	UTT/22/1078/DFO Land West of Bury Farm, Station Road, Felsted	None
11	UTT/22/1080/FUL Land West of Bury Farm, Station Road, Felsted	None
12	UTT/22/1103/DFO Land To The West of Stortford Road, Clavering	A revised landscape plan and additional external material plan has been submitted post publication of the committee report. The addition details have not resulted in a material change to the proposed development however it is considered conditions 4 and 5 on the published committee report are not now required and should be amended to compliance conditions. As such, please find the following

		<p>revised schedule of conditions, the order of conditions has also been amended to accord with Para 024 of the PPG.</p> <table border="1" data-bbox="696 296 1895 1353"> <tr> <td data-bbox="696 296 775 603">1</td> <td data-bbox="775 296 1895 603"> <p>The development hereby permitted shall be carried out in accordance with the approved plans and proposed external materials document as set out in the Schedule.</p> <p>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</p> </td> </tr> <tr> <td data-bbox="696 603 775 1082">2</td> <td data-bbox="775 603 1895 1082"> <p>The proposed landscaping scheme as demonstrated on plan 473X003 REF G shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants or trees 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.</p> <p>REASON: To ensure compatibility with the character of the area in accordance with ULP Policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005)</p> </td> </tr> <tr> <td data-bbox="696 1082 775 1353">3</td> <td data-bbox="775 1082 1895 1353"> <p>Prior to the slab level of the development hereby approved details of the suitability of roof mounted PV solar panels to be used throughout the development shall be submitted to and approved in writing by the Local Planning Authority. These suitable measures shall be implemented during the construction of the development and completed prior to the occupation of the development, unless otherwise previously agreed in writing by the Local Planning Authority.</p> </td> </tr> </table>	1	<p>The development hereby permitted shall be carried out in accordance with the approved plans and proposed external materials document as set out in the Schedule.</p> <p>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</p>	2	<p>The proposed landscaping scheme as demonstrated on plan 473X003 REF G shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants or trees 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.</p> <p>REASON: To ensure compatibility with the character of the area in accordance with ULP Policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005)</p>	3	<p>Prior to the slab level of the development hereby approved details of the suitability of roof mounted PV solar panels to be used throughout the development shall be submitted to and approved in writing by the Local Planning Authority. These suitable measures shall be implemented during the construction of the development and completed prior to the occupation of the development, unless otherwise previously agreed in writing by the Local Planning Authority.</p>
1	<p>The development hereby permitted shall be carried out in accordance with the approved plans and proposed external materials document as set out in the Schedule.</p> <p>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</p>							
2	<p>The proposed landscaping scheme as demonstrated on plan 473X003 REF G shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants or trees 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.</p> <p>REASON: To ensure compatibility with the character of the area in accordance with ULP Policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005)</p>							
3	<p>Prior to the slab level of the development hereby approved details of the suitability of roof mounted PV solar panels to be used throughout the development shall be submitted to and approved in writing by the Local Planning Authority. These suitable measures shall be implemented during the construction of the development and completed prior to the occupation of the development, unless otherwise previously agreed in writing by the Local Planning Authority.</p>							

			<p>REASON: These measures are required to identify suitable areas for renewable and low carbon energy sources, and supporting infrastructure in accordance with ULP Policies ENV15 and GEN2 of the Uttlesford Local Plan (adopted 2005) and Uttlesford District Council's Interim Climate Change Policy document (2021) and the NPPF.</p>
		4	<p>Prior to first occupation of each dwelling hereby approved the renewable features/ climate control measures associated with that dwelling as specified in the Design and Access Statement shall be installed into the development as built and retained as such thereafter.</p> <p>REASON: To ensure that the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance to comply with Policies ENV15 and GEN2 of the Uttlesford Local Plan (adopted 2005) and Uttlesford District Council's Interim Climate Change Policy document (2021)</p>
		5	<p>Dwellings shall not be occupied until such time as their associated vehicle parking area indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays. 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.</p> <p>REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with ULP policy GEN1.</p>
		6	<p>The dwellings hereby approved shall not be occupied until such time as their associated cycle parking indicated on the approved plans, has been provided.</p> <p>REASON: To ensure appropriate bicycle parking is provided In accordance with</p>

			Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with ULP Policy GEN1.	
		7	Any planting adjacent to the Public Rights of Way shall be planted a minimum of 3m from the extent of the Public Right of Way. REASON: To maintain a clear passage for pedestrians without encroachment from vegetation. The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.	
13	UTT/22/1020/FUL Claypits Farm, Thaxted	NONE		
14	UTT/22/2192/FUL Saffron Walden Museum, Saffron Walden	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.