

**Late List –Planning Committee 22/11/2023**

**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/23/2193/PINS	A Financial Viability Assessment has been submitted which details the level of the commuted sum in lieu of affordable housing proposed at £140,000. The calculations submitted to support this are commercially sensitive data.
		In response to the objection from the Lead Local Flood Authority, the applicant submitted drainage details and sewage treatment plant details. The drainage layout plan IT2175/DD/001 contains the manhole schedule. Each plot is proposed to have a package sewage treatment plant. A Klargestor BioDisc BA or similar would meet the requirements of each proposed dwelling (see manufacturers specification). The maximum daily outflow from each plant would be 1.2m <sup>3</sup> . This volume has been taken into account in the sizing of the tank above each borehole. The MicroDrainage calculations sizing the borehole soakaway and tank show that sufficient storage volume and discharge rate is provided. The FRA, provided with the planning application, contains the on-site infiltration testing in appendix E. The infiltration rate from this testing, which has been used in the MicroDrainage calculations, is 3.67 x 10 <sup>-3</sup> m/s.
7	UTT/19/2838/DOV	
8	UTT/22/2997/OP	TBC
9	UTT/22/3470/FUL	<b>ADDITIONAL PARISH COUNCIL COMMENTS (Little Dunmow)</b>
		<p>The proposed construction access is from the only pavement access to and from The Moors, Pound Hill, this is the pedestrian access to and from the village recreation ground and Flitch Way and also to Flitch Green. The secondary main pedestrian route is the Public Right of Way (PRoW) Little Dunmow: 10 which also connects to the Flitch Way, PRoW Little Dunmow 31 and Flitch Green. The PRoW are very busy, used by families, dog walkers and lone children, the proposed construction traffic route runs right across PRoW 10, which in the summer has very high crops with no visibility. making it dangerous for children and loose dogs</p> <p>The proposed access through little Dunmow would be on the edge of the Conservation Area and close to Listed buildings. This could cause serious damage to these properties.</p> <p>There is currently no weight restriction on the Brook Street heritage bridge (1506) as it was originally never built expecting the weight of the traffic or volume of traffic proposed.</p>
10	UTT/23/0878/DFO	<p>Additional comments by neighbouring occupiers were received:</p> <ul style="list-style-type: none"> <li>• <b>Support:</b> <ul style="list-style-type: none"> <li>○ Demand for housing in the area.</li> <li>○ Variety of housing styles.</li> <li>○ Appealing landscaping.</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ Developer taken on board the comments in the revised drawings.</li> <li>● <b>Object:</b> <ul style="list-style-type: none"> <li>○ No connection to the sewage system.</li> <li>○ Essex Police have requested more details.</li> <li>○ Concerns over protected species and biodiversity.</li> <li>○ Inappropriate design and density.</li> <li>○ Insufficient parking provision.</li> <li>○ Lack of services and facilities locally.</li> <li>○ Traffic increase.</li> <li>○ The previous decision for the outline permission was flawed.</li> <li>○ Affordable homes should be offered to local first-time buyers.</li> <li>○ Out of character.</li> <li>○ Government bill to stop building on prime agricultural land.</li> <li>○ Harm to the wellbeing of residents.</li> <li>○ Over-development.</li> <li>○ Urbanisation effects.</li> <li>○ Comparatively large housing estate for the size of the village.</li> <li>○ Suburban character.</li> <li>○ Harm to the rural setting of listed buildings.</li> <li>○ Loss of ancient verge.</li> <li>○ Harm to the rural character and appearance of the area.</li> <li>○ Area of outstanding natural beauty.</li> <li>○ Reconsider outline planning permission.</li> <li>○ Proposed footpath not appropriate for buggies or wheelchairs.</li> <li>○ Concerns over foul water management.</li> <li>○ Previous objections remain.</li> <li>○ Concerns about security of neighbouring properties.</li> </ul> </li> </ul>
		<p><b>ADDITIONAL REPRESENTATIONS</b></p>
		<p>The proposed construction route through little dub mow and Brook Street is not appropriate due to:</p> <ul style="list-style-type: none"> <li>● Heritage Impact,</li> <li>● Highway and pedestrian safety,</li> <li>● Brook Street is too narrow for construction traffic,</li> <li>● The development will cause damage to the bridge,</li> </ul>

		<ul style="list-style-type: none"> <li>• The proposed access through provides the only pedestrian access from the village to the playground, park and flitch way,</li> <li>• The village has existing parking issues,</li> <li>• A independent bridge survey should be undertaken,</li> <li>• Required details of a construction plan have not been included,</li> <li>• The development will risk coalescence with Little Dunmow</li> <li>• The council now has 5 year housing supply,</li> <li>• The benefits of the scheme do not outweigh the harm.</li> <li>• No evidence that the development will enhance or maintain the vitality of Flitch Green</li> <li>• The parking survey is flawed in details,</li> <li>• The parking survey suggest resident do not park in their parking bays, however the garages do not meet adequate parking size standards.</li> <li>• Anglian Water representation is not on objections and in fact they require further information</li> <li>• Loss of foot way along Baynards Avenue,</li> <li>• Lack of school places, NHS/ dentist waiting list.</li> <li>• Further flooding and draining issues,</li> <li>• Disturbance to neighbouring properties,</li> <li>• The site is high quality arable land,</li> <li>• The officer has not provided clear details of the objections received,</li> <li>• The submitted access report lacks analysis and is flawed.</li> <li>• The proposal will includes 2 and half storey buildings in conflict with paragraph 14.5.10</li> </ul> <p>The human rights if the neighbouring occupiers have not been addressed.</p>
		<b>OFFICER COMMENTS.</b>
		A full list of the comment have been provided within the committee report and also with this supplementary list and all material planning matters have been taken into consideration.
		<p>Following the deferral of this application by the planning committee the applicant has provided the following:</p> <p>The applicant has provided:</p>

		<ul style="list-style-type: none"> <li>• Access option appraisal,</li> <li>• Construction vehicle route options</li> <li>• Parking Survey</li> <li>• Trip Generation Details</li> </ul> <p>It is confirmed that the applicant had not materially changed the planning application and the vehicle access is still proposed to be along Baynards Avenue.</p> <p>The construction vehicle route options have been provided to demonstrate there is the possibility of other construction routes to the site, however the details of this would form part of a condition if the planning application was approved.</p> <p>A heritage balance and planning balance has been provided as part of the officer assessment, this also takes into consideration the updated 5 year housing supply.</p>
		<p>Paragraph 14.5.10 states</p> <p>The submission includes a parameter plan and layout of the site and that the proposed dwellings would be no more than two storeys in height. This shows that the proposed built form would be sufficiently distanced from neighbouring properties adjacent and adjoining site and could be designed appropriately such that it is not anticipated that the proposed development would give rise to any unacceptable impact on the amenities enjoyed of these neighbouring properties in terms of noise, outlook, daylight or privacy. As such, the proposal would comply with Policies GEN2 and GEN4 of the Local Plan and the NPPF 2023.</p> <p>This should read:</p> <p>The submission includes a parameter plan and layout of the site and that the majority of the proposed dwellings would be no more than two storeys in height with some 3 storey as per the proposed parameter plan (03). This shows that the proposed built form would be sufficiently distanced from neighbouring properties adjacent and adjoining site and could be designed appropriately such that it is not anticipated that the proposed development would give rise to any unacceptable impact on the amenities enjoyed of these neighbouring properties in terms</p>

		of noise, outlook, daylight or privacy. As such, the proposal would comply with Policies GEN2 and GEN4 of the Local Plan and the NPPF 2023
		<p>Paragrapgh 10.3 states</p> <p>The development proposals would, in principle, fail to preserve the special interest of the listed building, contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regards to the National Planning Policy Framework (NPPF, 2023) this would represent less than substantial harm at the lower to middle part of the scale, making Paragraph 202 relevant.</p> <p>This should read:</p> <p>The development proposals would, in principle, fail to preserve the special interest of the listed building, contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regards to the National Planning Policy Framework (NPPF, 2023) this would represent less than substantial harm at the middle part of the scale, making Paragraph 202 relevant.</p>
		<p>In regards to the 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.</p> <p>The amenity of current and future occupiers has been considered under section (C) of the committee report and takes consideration the comments from the Council’s Environmental Health Officer and recommended conditions regarding noise and construction management.</p>
		<p>In regards to Anglian Water, it is noted no objections have been raised,</p> <ul style="list-style-type: none"> <li>• The site layout should take into consideration nearby assets, prior to the commencement of the development.</li> <li>• Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that</li> </ul>

		<p>there is sufficient treatment capacity should the Planning Authority grant planning permission.</p> <ul style="list-style-type: none"> <li>• No foul water condition requested,</li> <li>• If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991,</li> </ul> <p>Surface water drainage should be assessed by the LLPA or the Environment Agency.</p>
		<p>The Parish Council provided the following additional comments:</p> <ul style="list-style-type: none"> <li>• <b>Neutral:</b> <ul style="list-style-type: none"> <li>○ Debden Parish Council's comments on the original Application (UTT/20/0264/OP) are pertinent to the amended one (UTT/23/0878/DFO) and we would like them to be taken into account on the revised Application. Some points have been addressed – some have not.</li> <li>○ More details on the pedestrian crossing would be helpful.</li> </ul> </li> </ul>
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12	UTT/23/1439/FUL The Stag Inn, Duck Street, Little Easton	<p>The agent has commented that the Section 73 planning application was submitted on the basis that no Section 106 Planning Obligation is required. The approved planning permission is governed by a S106 Planning Obligation which, at clause 10.5, specifically refers to Section 73 applications and confirms that the s106 will continue to bind the development. All of the obligations contained within this agreement are not changing.</p> <p>There is also reference to a Housing Association (Habinteg) in Section 17.1. The applicants have not yet agreed who the affordable housing provider will be on the scheme. The HoTs are not changing so this section of the report is not necessary.</p> <p>I have reviewed matters and as outlined below, the S73 application has to be implemented in line with the original permission (UTT/21/1495/FUL) on the site. Conditions 18-20 of the original consent relate to ecology matters and will be carried across to the S73. I therefore do not see a requirement for any additional ecology conditions to be introduced. However, if considered necessary, you could introduce a new condition requiring an ecology site walkover to take place in advance of the commencement of development to confirm that the conclusions and recommendations of the original report are up-to-date.</p>
13	UTT/23/2141/FUL	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

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