Late List –Planning Committee 14/12/2022

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 place 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/22/1897/PINS** Canfield Moat, High Cross Lane, Lt Canfield	Ecology Officer Comments Received:

30th November 2022

Nathan Makwana
Uttlesford District Council
London Road
Saffron Walden
CB11 4ER

By email only

Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Uttlesford District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

Uttlesford Application: UTT/22/1897/PINS
PINS Reference: S62A/22/0005
Location: Canfield Moat High Cross Lane Little Canfield CM6 1TD
Proposal: Consultation on S62A/22/0005 – Proposing the erection of 15 new dwellings

Dear Nathan,

Thank you for consulting Place Services on the above application.

Holding objection due to insufficient ecological information on European Protected Species (bats)

Summary
We have reviewed the documents supplied by the applicant including the Preliminary Ecological Appraisal (Samsara Ecology, September 2020), Bat Survey Report (TMA Ecology, October 2022), Ecological Impact Assessment (Samsara Ecology, October 2022), Tree Survey (Arbtech, September 2020), Aroboricultural Impact Assessment, drawing no. Arbtech AIA 01 (Arbtech, September 2022), Ecology Enhancement Plan, drawing no. 10949/A1/05 Rev R (Anthony Jane Architecture & Interiors, May 2022) and the Proposed Site Plan External Lighting, drawing no. 10949/A1/29 (Anthony Jane Architecture & Interiors, March 2022) relating to the likely impacts of development on designated sites, protected & Priority habitats and species and identification of proportionate mitigation.

We are not satisfied that there is sufficient ecological information available for determination of this application. This is because the Aroboricultural Impact Assessment, drawing no. Arbtech AIA 01 (Arbtech, September 2022) shows T60 being removed and the Tree Survey (Arbtech, September 2020) describes this tree as a Common Walnut, with '*Three primary branches from 2.5m; cavities in two, the third has shed a branch.*'. The cavities could provide suitable roosting features for bats. The Ecological Impact Assessment (Samsara Ecology, October 2022) states that '*Some of the larger trees along the driveway have features which may be suitable to support roosting bats…None of these trees will be affected by the*

proposed development, so no further surveys are recommended". T60 is one of the larger trees located along the driveway and is to be affected by the proposed development. Clarity should be provided as to whether this tree has potential to support roosting bats (given the presence of cavities) and whether further surveys are required following best practice guidance (Collins, 2016). This confirmation and the results of any further surveys, mitigation and enhancement measures necessary, are required prior to determination of this application.

To fully assess the impacts of the proposal the LPA need ecological information for the site, particularly for bats, European Protected Species. These surveys are required prior to determination because Government Standing Advice indicates that you should *"Survey for bats if the area includes buildings or other structures that bats tend to use or there are trees with features that bats tend to use nearby"*.

The results of these surveys are required prior to determination because paragraph 99 of the ODPM Circular 06/2005 highlights that: *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision."*

This information is therefore required to provide the LPA with certainty of impacts on legally protected species and be able to secure appropriate mitigation either by a mitigation licence from Natural England or a condition of any consent. This will enable the LPA to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006 and prevent wildlife crime under s17 Crime and Disorder Act 1998.

Further information should also be provided on the proposed lighting, as shown in the Proposed Site Plan External Lighting, drawing no. 10949/A1/29 (Anthony Jane Architecture & Interiors, March 2022). The main house (Building 1) and Coach House (Building 7) were considered to have high potential to support roosting bats in the Preliminary Ecological Appraisal (Samsara Ecology, September 2020) and Ecological Impact Assessment (Samsara Ecology, October 2022). These buildings are shown to have new external lights installed. An assessment as to whether the proposed lighting will impact upon any potential bat roosts or bat access/egress points within these buildings should be undertaken by a suitably qualified ecologist and adjusted if necessary. A wildlife-sensitive lighting strategy can be secured by a condition of any consent.

Subject to the above further information required we support the proposed biodiversity enhancement measures which have been identified in the Ecological Impact Assessment (Samsara Ecology, October 2022). These enhancement measures have been recommended to secure net gains for biodiversity, as outlined under Paragraph 174d and 180d of the National Planning Policy Framework 2021. However, further information into the proposed location of enhancement measures is required on top of that provided within the Ecology Enhancement Plan, drawing no. 10949/A1/05 Rev R (Anthony Jane Architecture & Interiors, May 2022). It is unclear if all of the recommended integrated bird and bat boxes have been provided and the aspect and height they are to be installed at is required. It is recommended that a Biodiversity Enhancement Strategy is produced, alongside any proposed planting details, and is secured by a condition of any consent.

This is needed to enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

We look forward to working with the LPA and the applicant to receive the additional information required to support a lawful decision and overcome our holding objection.

Please contact me with any queries.

Yours sincerely

Ella Gibbs ACIEEM BSc (Hons)
Senior Ecological Consultant
Place Services at Essex County Council
[redacted]

Place Services provide ecological advice on behalf of Uttlesford District Council
Please note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter.

2x Neighbour Objections Received:

From: Mike Donovan [redacted]
Sent: 04 December 2022 16:20
To: Planning <planning@uttlesford.gov.uk>
Subject: [External] Comment on Application S62A/22/0005

Sir/Madam

My comments are in regard to planning application S62A/22/0005, at address
Canfield Moat High Cross Lane Little Canfield Dunmow Essex CM6 1TD.

My address is: [redacted]

I oppose this application. My comments are as follows:

1) High Cross Lane W is only a narrow lane. Traffic on this lane has increased considerably in the last few years. There are only about 22 properties on the lane, and an increase of 15 is too great.
Construction traffic will also increase the traffic.

2) In the lane between the entrance to the site of these proposed properties and the main road (B1256) is a narrow, one lane hump backed bridge.
Traffic from each direction needs to be in the centre of the lane, and approaching traffic is not visible until the last moment. Increasing the traffic on the lane with 15 extra properties
further increases an existing safety hazard.

Michael Donovan

Customer Details
Name: Mr David Adams
[redacted]

Comment Details
Commenter Type: Member of Public
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I object to the building of these houses as they will change the nature and setting of the Listed Building being rural with mature open gardens several mature trees, so I would suggest that the development is contrary to Policy ENV2- Development affecting Listed Buildings which states Development affecting a listed building should be in keeping with its scale, character and surroundings. A modern housing estate with 15 houses crammed in will not be in keeping.
The development is outside of the areas set aside for development in the Local plan 2005 and in the proposed local plan so there is no argument that this could change to include this area.
There has also been a buffer whereby no development south of the Flitch linear park has been approved so this would be breaking a long-standing president and if broken would call into question how such weight was afforded to the arguments for the development.
The proposed development is located down a single-track lane which would not accommodate 2-way traffic of the volume that would be associated with the existing traffic and that of an additional 15 houses. To widen the road would mean removing further character from the area by cutting down several mature trees. The road exists into a small hamlet and the proposal would more than double the housing in the area which shows the scale of the development is out of scale with the rural setting.
This proposed development is isolated in a rural countryside setting that consists of cottages and a few ex-council houses of modes size, 15 three-bedroom houses would not be in keeping of the rural setting or local houses and so is not in keeping of the character of the area.
In the local area there is a considerable housing stock with the addition of the estates on the edge of Dunmow and several other more suitable developments in the application and consultation stages.
There are no bus routes or local transport routes in easy reach of the development as walking down an unlit country road at night would not be a nice option for most people especially with a blind humpback bridge on the way to the main road so the location is not sustainable form a green

perspective as householders would need to drive everywhere so the viability of any affordable housing would need to be called into question.

8	**UTT/21/3272/OP** Land south of Stortford Rd, Lt Canfield	Please ensure the committee members are aware of the suggested "draft heads of terms" included in the correspondence, and that the offer of £10,000 towards the village hall refurbishment was met by the parish council with an amount of incredulity, particularly as it is dependent on a build out figure and agreement to any future plans by the district council. The village hall has recently undergone a refurbishment but may be able to invest in some external play equipment? The crossing type request was to allow for horse riders to have a safer crossing at the B1256, hopefully that request will be met with full support should the application be approved. The discussion around a commitment to a documented and funded "estate management" programme stems from the poor experience for those residents of Priors Green. The discussions around estate screening/design/layout was intended to seek a minimisation of the potential negative impact on the perceived rural nature of the area by the build proposals. And if there were intended to be a bus halt at the estate for that stop to be off the main B1256 carriageway to not hamper the flow of traffic. Recognising there is a need to consider mitigation and enter into these discussions the parish council must be clear it has no support for the proposal and does not support this planning application. <u>Later comments:</u> Little Canfield Parish Council have requested a review of the community gains to mitigate 90 homes in Lt Canfield, when compared with similar sized proposals is the rest of Uttlesford, including developments in Takeley, in terms of Sports and community facilities Such as two most recent major planning applications were considered at planning committee on 11th May 2022 and both have a resolution to approve. The planning references are UTT/21/3311/OP for 155 homes Land West of Garnetts Takeley and UTT/21/2488/OP for 88 homes Land East of Parsonage Road, Takeley.

9	**UTT/21/1836/OP** Land to the East of Wedow Rd, Thaxted	none
10	**UTT/21/3298/FUL** Land South of Cannons Lane, Hatfield Broad Oak	none
11	**UTT/22/2568/FUL** Water Lane, Stansted	A further representation /objection received, comments include: • It is not unreasonable for wear and tear to be covered by who caused it, • Water Lane is unsuitable for construction traffic, • It's not fair for tax payer to foot the repair bill, • Public safety is paramount.
12	**UTT/22/0579/FUL** Former Gas Works, Mill Lane, Dunmow	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.