



UTTLESFORD DISTRICT COUNCIL

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Dated: 17 April 2014

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Application Number: UTT/14/0151/OP
Applicant: Linden Homes & The Owners

Uttlesford District Council **Refuses Permission** for:

Outline application, with all matters reserved except for access, for the demolition of existing buildings and redevelopment of the site for approximately 68 residential dwellings with access from Pines Hill together with landscaping, infrastructure and ancillary works at Land At Pines Hill Stansted

The refused plans/documents are listed below:

Plan Reference/Version	Plan Type/Notes	Received
LP-01	Location Plan	23/01/2014
IL-01 A	Block Plan	23/01/2014

Permission is refused for the following reasons:

- 1 The site lies within the Metropolitan Green Belt where there is a presumption against inappropriate development. The proposal represents inappropriate development and no very special circumstances have been demonstrated that would outweigh the harm to the Green Belt. The proposal would cause demonstrable harm to the Green Belt and is contrary to Policy S6 of the Uttlesford Local Plan 2005 and Government guidance contained within the National Planning Policy Framework.
- 2 The application fails to provide adequate survey information in respect of protected species including badger, reptiles and bats. The proposals therefore fail to identify potentially significant impacts on wildlife or to provide adequate protection for protected species as required by the Wildlife & Countryside Act 1981 (as amended) and which have European protection under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) and is contrary to ULP Policy ENV7 and advice in the National Planning Policy Framework.

- 3 The residential development of this site would increase the pressure on local education and health facilities within the district. In the absence of any legal agreement to address this, the application fails to fully mitigate the impacts of the development contrary to Policy GEN6 of the Uttlesford Local Plan 2005 and Government guidance contained within the National Planning Policy Framework.

In determining this application, the Local Planning Authority had regard to the following Development Plan Policies:

Policy	Local Plan	Local Plan Phase
ECP - ECC Parking Standards (Design & Good Practice)September 2009 Uttlesford Local Parking Standards		
NPPF - National Planning Policy Framework		
S6 - Metropolitan Green Belt	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
S7 - The Countryside	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
GEN1 - Access	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
GEN2 - Design	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
GEN6 - Infrastructure Provision to Support Development	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
GEN7 - Nature Conservation	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
GEN8 - Vehicle Parking Standards	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
ENV3 - Open spaces and trees	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
ENV8 - Other landscape elements of importance for nature	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
ENV10 - Noise sensitive development and disturbance from aircraft	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
H9 - Affordable Housing	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
H10 - Housing Mix	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
SPD2 - Accessible homes and playspace	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
SPD4 - Energy Efficiency and Renewable Energy	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005



Andrew Taylor
Assistant Director Planning and Building Control

Notes:

- 1

" The proposal has been considered against Development Plan policies shown in the schedule of policies. Material planning considerations do not justify a decision contrary to the Development Plan.

" The Development Plan comprises the saved policies of the Uttlesford Local Plan (2005).

" Your attention is drawn to the Equality Act 2010. The Act makes it unlawful for service providers (those providing goods, facilities or services to the public), landlords and other persons to discriminate against certain groups of people.

" If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990, section 20 and 21 of The Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 15 of The Town and Country Planning (Control of Advertisement) Regulations 1992.

 - * If you want to appeal against the Council's decision then you must do so within 12 weeks if it is a Householder application, 6 months for Conservation Area Consent applications, Listed Building applications and all other planning applications or within 8 weeks in relation to Advertisement applications.
 - * If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder application) of the date of this notice, whichever period expires earlier.
 - * The Inspectorate will publish details of your appeal on the internet. Please only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so.
 - * Appeals must be made using a form available from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk.
 - * If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 2

The local planning authority has taken into account all the relevant material planning considerations, has considered the possibility of negotiating revised plans or imposing conditions, however it would not be possible to overcome the policy objection to this proposal.