

**ADDENDUM FOR THE MEETING OF DEVELOPMENT AND REGULATION
COMMITTEE 26th May 2023**

Item 5.1 (DR/13/23) Ugley Landfill Site

Page 28

Remove second paragraph 'The level of consistency of the policies contained within the Uttlesford District Local Plan is considered further in the report.'

Add at the end of fourth paragraph 'Given the stage of the new emerging Local Plan it is not considered that this currently holds any weight in the determination of this planning application.'

Page 32

Third paragraph, fourth line of Highway Authority response, replace 'no' with 'not'.

Page 35

Last paragraph, first line, replace 'assessments' with 'assessment's'.

Page 45

Add summary of issues list under Appraisal heading as below:

'The key issues for consideration are:

- A. Principle of Development and Need
- B. Landscape and Visual Impact
- C. Highways Impact
- D. Amenity Impact
- E. Ecological Impact
- F. Flood Risk
- G. Heritage Impact
- H. Restoration'

Page 47

Third paragraph from bottom, penultimate line, add 'reduce' between 'would' and 'tankering'.

Page 59

Second paragraph, fifth line, remove second 'flooding' in the sentence.

Page 72 CONDITIONS

Add Condition 43 to read as follows:

‘No later than twelve months prior to 31 May 2063 or the cessation of the solar array, whichever occurs sooner, a decommissioning plan for the solar array shall be submitted to the Waste Planning Authority. The solar array shall then be decommissioned in accordance with the approved plan.

Reason: *In the interests of land remediation, to limit the impacts on local amenity and to comply with Essex and Southend-on-Sea Waste Local Plan (2017) Policy 10 and Uttlesford Local Plan (2005) Policies S7, GEN2 and GEN7.*’

Item 5.2 (DR/14/23) Newport Chalk Quarry

Page 82

Add new paragraph under Highways sub-heading as below:

‘Policy 12 of the Essex and Southend Waste Local Plan (2017) inter-alia suggests that waste management development will only be permitted when there would not be an unacceptable impact on the efficiency and effective operation of the road network, including safety and capacity, local amenity and the environment. A similar position is portrayed in policy S11 of the Minerals Local Plan (2014) with policy GEN1 of the Uttlesford Local Plan (2005) detailing that access proposals must be capable of carrying the traffic generated by the development safely; and the traffic generated must be capable of being accommodated on the surrounding transport network. Policy GEN1 expands that the design of the site must not compromise road safety.’

Page 84

Fourth paragraph, last sentence, add ‘person’ after ‘any’ and replace ‘is’ with ‘may be’ to read ‘...any person depositing anything on a highway which results in a user of the highway being injured or endangered may be guilty of an offence’.

Page 94

Condition 30, replace ‘red’ with ‘ref’ to read ‘...approved pursuant to application ref: ESS/42/18/UTT/31/1’.

Page 95

Informative, replace ‘is’ with ‘may be’ and delete last sentence to read ‘...any person, depositing anything on a highway which results in a user of the highway being injured or endangered may be guilty of an offence’.

Item 5.3 (DR/15/23) Oyster Haven Business Park, Haven Road, Colchester

Page 98 PROPOSAL

First paragraph, second sentence replace “applicants” with “applicant’s”

Page 100 PROPOSAL

Second from last paragraph in the section replace “The applicant has applied for...” with “The applicant has obtained...”

Page 102 CONSULTATIONS

NATURAL ENGLAND replace “Any comments received will be reported” with “No objection, the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes”

Page 103 REPRESENTATIONS

Comment on observation should read “The Middlewick site was a different set of circumstances. The site was not identified as an allocated waste site or within area of search within the WLP”

Page 105 APPRAISAL

Title C replace “NIOSE” with “NOISE”

Noise section, first sentence add to end of sentence “including keeping the roller shutter doors closed.”

Dust section, first sentence add to end of sentence, “with the roller shutter doors closed.”

Page 106 DRAINAGE

Add subheading letter “D” to title.

First paragraph add additional sentence. The rainwater would be stored in two new 10,000 litre tanks to be located adjacent to the buildings.

Page 106 VISUAL IMPACT, LANDSCAPE AND ECOLOGY

Add subheading letter “E” to title.

Page 107 CONCLUSION

Second paragraph first sentence replace “area of Search” with “Area of Search”

Page 107 RECOMMENDED

Replace “Subject to no objection from Natural England being received by 26 May 2023, that planning permission be granted subject the following conditions:”

With “That planning permission be granted subject the following conditions:”

Page 111

Additional condition 20.

Rain water from the roofs of the building shall not be discharged to surface water drainage, but shall be stored in the two storage tanks as shown on drawing no. 3173-004-03 Rev C.

Reason: To minimise the risk of pollution to water courses and aquifers and to comply with WLP policy 10 and CLP2 policy ENV5.

Item 6.1 (DR/16/23) Land North of Dry Street, Nethermayne

Page 117

Add new paragraph/sentence at the end of Section 2 ‘Proposal’ as below:

‘No formal community use of the school and/or any of the associated facilities is proposed as part of this application.’

Page 121

Add new paragraph under Section B ‘Site Layout and Design’ as below:

‘The NPPF at paragraph 130 states that *“Planning policies and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future*

users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

Expanding on the above, paragraph 134 details that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.’

First paragraph under Section B ‘Site Layout and Design’, replace first sentence with ‘There are no specific policies relating to the development of schools within the Basildon Local Plan (2005), although it is considered reference/advice can be sought from the development control policy BAS BE12, albeit this solely applies to residential development’.

Page 122

Third paragraph, first two sentences, replace ‘EQPR’ with ‘EQRP’

Page 125

Sentence under drawing extract, add ‘the’ to read ‘...are raised to the landscaping scheme with the benefits...’

Add new paragraph under Section C ‘Amenity’ as below:

The NPPF at paragraph 185 states that new development should be *“appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.”*

Page 127

First paragraph, first sentence, replace ‘know’ with ‘known’ to read ‘...the exact specification of this is not yet known by the applicant...’

First paragraph, second sentence, replace ‘externally’ with ‘external’ to read ‘...that the siting of such external plant, machinery...’

Third paragraph, fifth sentence, add ‘have been secured by way of planning condition’ to read ‘...to restrict the installation of any external lighting until further details have been secured by way of planning condition’.

Third paragraph, delete last sentence and replace with ‘This would also give the applicant the opportunity to review the proposed height of the lighting within the car park, in context of the reservations made, or provide further justification as to specific need for lighting at this height.’

Page 130

First paragraph, first sentence, replace 'hear' with 'heat' to read '...supply and extract heat recovery units...'

Pages 130 to 137

Remove reference to 'policy BAS BE12 of the Basildon Local Plan (2007)' within the reason for conditions 2, 3, 4, 5, 6, 8, 9 and 18 and where appropriate add 'the National Planning Policy Framework (2021)'.

Page 134

Replace condition 10 with the below:

'10. The Multi Use Games Area (MUGA) hereby permitted as part of this development, as shown on drawing titled 'Proposed Landscape Plan', drawing number: 121384-CDP-ZZ-XX-DR-L-2002-P16, dated 17/02/23, shall only be used by or in association with the school and nursery and only during the following hours:

- 07:30 to 18:30 hours Monday to Saturday

and at no other times or on Sundays, Bank or Public Holidays.

Reason: In the interests of adjacent residential amenity and to comply with the National Planning Policy Framework (2021).'

Pages 137 and 138

Replace conditions 19, 20, 21 and 22 with the below, with no change to the condition reason:

'19. No development shall take place until a timetable has been submitted to the County Planning Authority, for review and approval in writing, setting out a programme and scope for investigating potential sources of contamination and any required remediation. In accordance with the agreed timetable, a desktop study including site walk-over survey shall be carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). The desktop study shall be submitted to the County Planning Authority for review and approval in writing.'

'20. If identified as being required following the completion of the desk-top, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed, taking into account the sites existing status and proposed new use. The site investigation report shall be submitted to the County Planning Authority for review and approval in writing in accordance with the agreed timetable.'

'21. Following approval of the site investigation report (if required), a written method statement detailing the remediation requirements for land contamination and/or pollution of controlled waters affecting the site, shall be submitted to the County Planning Authority for review and approval in accordance with the agreed timetable. All requirements of this, as approved, shall subsequently be implemented and completed to the satisfaction of the County Planning Authority. No deviation shall be made from this scheme without the express written agreement of the County Planning Authority.

If during development contamination not previously considered is identified, then the County Planning Authority shall be notified immediately, and no further work shall be carried out until an additional method statement detailing a scheme for dealing with the suspected contamination has been submitted to the County Planning Authority for review and approval in writing.'

'22. Following completion of measures identified in the remediation scheme (if required), a full closure report shall be submitted to the County Planning Authority for review and approval in writing. The closure report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved method statement(s). If identified as being required, post remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met. The closure report shall include a completed certificate, signed by the developer, confirming that the required works regarding contamination have been carried out in accordance with the previously approved details.'