



## UTTLESFORD DISTRICT COUNCIL

Council Offices, London Road, Saffron Walden, Essex CB11 4ER  
Telephone (01799) 510510, Fax (01799) 510550  
Textphone Users 18001  
Email [uconnect@uttlesford.gov.uk](mailto:uconnect@uttlesford.gov.uk) Website [www.uttlesford.gov.uk](http://www.uttlesford.gov.uk)

Mr Jason Seed  
152 Newland Gardens  
Hertford  
SG13 7WY

Date: 7 April 2017

Our Ref: UTT/17/0471/DOC

Please ask for: Madeleine Jones on  
01799 510606

Email: [planning@uttlesford.gov.uk](mailto:planning@uttlesford.gov.uk)

### ARTICLE 21 OF THE TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995 DISCHARGE OF CONDITIONS

**PROPOSAL:** Application to discharge conditions 7 (construction method statement) 8 (external lighting) 16 (details of wheel and underside chassis) and 17 (scheme to minimise dust emissions) attached to UTT/16/1066/FUL dated 16.01.2017.

**LOCATION:** Elsenham Golf And Leisure Limited Hall Road

Uttlesford District Council as the Local Planning authority hereby make the following decision(s):

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#### CONDITIONS DISCHARGED IN FULL:

- 8 The submitted scheme is considered acceptable and Condition 8 can be fully discharged.
- 8 No floodlighting or external lighting shall be installed until details of lighting including lux levels has been submitted to and approved in writing by the local planning authority. Thereafter the lights shall be installed in accordance with the approved details.

**REASON:** In the interest of visual amenity and airport safety in accordance with ULP policies GEN2 and GEN5

Recommendation discharge condition 8

- 17 No development shall take place until a scheme to minimise dust emissions has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The development shall be implemented in accordance with the approved scheme with the approved dust suppression measures being retained and maintained in a fully functional condition for the duration of the development hereby permitted.

**REASON:** To reduce the impacts of dust disturbance from the site on the local environment and to comply with Policies W3A, W8A, W8B, W8C, W10E from the

Essex County Council Waste Local Plan and Policy GEN4 of the Uttlesford Local Plan (adopted 2005)

Environmental Health Officers have confirmed that the scheme of dust minimisation measures submitted provides acceptable measures to prevent material disturbance or nuisance to occupiers of surrounding properties, in accordance with policy GEN 4.

Recommendation: discharge condition 17

- 17 No development shall take place until a scheme to minimise dust emissions has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development . The development shall be implemented in accordance with the approved scheme with the approved dust suppression measures being retained and maintained in a fully functional condition for the duration of the development hereby permitted.

REASON: To reduce the impacts of dust disturbance from the site on the local environment and to comply with Policies W3A, W8A, W8B, W8C, W10E from the Essex County Council Waste Local Plan and Policy GEN4 of the Uttlesford Local Plan (adopted 2005)

**Conditions which remain outstanding:**

- 7 No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. the parking of vehicles of site operatives and visitors
  - ii. loading and unloading of plant and materials
  - iii. storage of plant and materials used in constructing the development
  - iv. wheel and underbody washing facilities

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety in accordance with ULP policy GEN1

- 16 No development shall take place until the details of wheel and underside chassis cleaning facilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be installed in accordance with the approved details and implemented and maintained for the duration of the development hereby permitted. Without prejudice to the foregoing, no commercial vehicle shall leave the site unless the wheels and the underside chassis are clean to prevent materials, including mud and debris, being deposited on the public highway.

REASON: In the interests of highway safety, safeguarding local amenity and to comply with Policies W3A, W4C, W8A, W8B, W8C, W10E from the Essex County



**Gordon Glenday**  
**Assistant Director Planning**

4 April 2017

**Notes:**

- 1
  - \* This permission does not incorporate Listed Building Consent unless specifically stated.
  - \* The alterations permitted by this consent are restricted to those specified and detailed in the application. Any alteration, demolition or re-building not so specified, even if this should become necessary during the course of the work, must be subject of a further application. It is an offence to carry out unauthorised work to the interior or exterior of a Listed Building in any way, which would affect its character.
  - \* 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).
  - \* It is the responsibility of the owner to ensure that any conditions attached to an approval are complied with. Failure to do so can result in enforcement action being taken. Where conditions require the submission of matters to and approval by the local planning authority these must be submitted on form "Application for approval of details reserved by condition" available from the Council's web site [www.uttlesford.gov.uk](http://www.uttlesford.gov.uk) and accompanied by the correct fee.
  - \* Your attention is drawn to the need to check with the Council's Building Surveying Section regarding fire-fighting access and the requirements of Section 13 of the Essex Act 1987.
  - \* 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 intend to pipe, bridge or fill in a watercourse, as part of this development or otherwise, you need to contact the County Highways Authority.
  - \* Under the terms of the Water Resources Act 1991 and Environment Agency Byelaws, the prior written consent of the agency is required for any proposed works or structures in, under, over or within 9 metres of the top of the bank of any main river.
  - \* 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.
  - \* Working in close proximity to live overhead lines:

The law requires that work may be carried out in close proximity to electricity overhead lines (usually recognised by a yellow and black "Danger of Death" label on the pole or pylon although this may be missing or have been vandalised) only when there is no alternative and only when the risks are acceptable and can be properly controlled. Further information can be viewed at <http://www.ukpowernetnetworks.co.uk/internet/en/help-and-advice/help-sheets/> then click on "Keeping Safe" then "Working safely near power lines" UK Power Networks will also visit sites and provide safety advice with regard to work near electricity overhead lines and a statement of clearances to the overhead lines. A call to UK Power Networks general enquiries line on 0845 601 4516 will be required to request a visit. Lines open Monday to Friday 9.00am to 5.00pm.

#### Appeals to the Secretary of State

o If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

o As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], 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 this notice.

o 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 appeal] of the date of this notice, whichever period expires earlier.

o As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

o As this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

o As this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

o If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

o Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

o The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

o The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.