

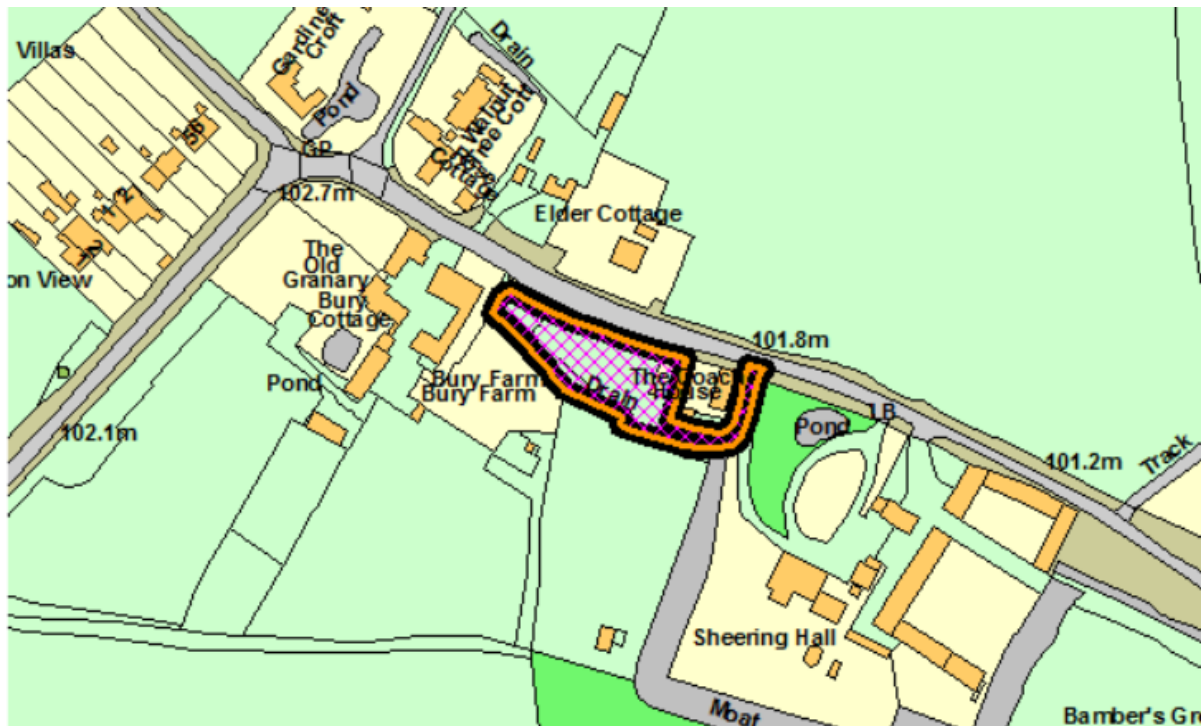
**ITEM NUMBER:** 7

**PLANNING COMMITTEE DATE:** 12 February 2025

**REFERENCE NUMBER:** UTT/24/1861/FUL

**LOCATION:** Sheering Hall  
Bambers Green Road  
Takeley CM22 6PD

## SITE LOCATION PLAN:



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Organisation: Uttlesford District Council      Date: 23 February 2025

**PROPOSAL:** Proposed erection of 1 no. dwelling and 1 no. car port (variation of approved scheme under UTT/22/2297/FUL)

**APPLICANT:** Mr Colin Huggett

**AGENT:** Mr Michael McGarr

**EXPIRY DATE:** 18.09.2024

**EOT Expiry Date** 21.02.2025

**CASE OFFICER:** Natasha Vernal

**NOTATION:** Outside Development Limits  
Neighbouring Grade II Listed Buildings  
Countryside Protection Zone

**REASON THIS APPLICATION IS ON THE AGENDA :** Cllr Call-In

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## **1. EXECUTIVE SUMMARY**

- 1.1** Full planning permission is sought by the applicant for the erection of 1 no. dwelling and 1 no. car port (variation of approved scheme under UTT/22/2297/FUL).
- 1.2** As two previous schemes have already been approved in this location under planning refs: UTT/22/2297/FUL & UTT/21/2077/FUL.

The proposed changes within this current scheme are as follows:

- Raising the eaves height by 2.5m create a two-storey dwelling instead of 1.5 storey as previously approved under planning refs: UTT/21/2077/FUL and UTT/22/2297/FUL
- Relocating dwelling further west into the site by approximately 3.2m
- Changing the orientation of the principle elevation to front onto the adjacent neighbouring property at Coach House.

- Proposing a car port with attached shed in the same location as previously approved garage under planning ref: UTT/22/2297/FUL.
- Proposing a single storey rear extension measuring a depth of approximately 2.1m.
- External materials proposed in this application include black timber cladding walls with black flush wood grain windows and plain roof tiles.

## 2. **RECOMMENDATION**

That the Strategic Director of Planning be authorised to **GRANT** permission for the development subject to those items set out in section 17 of this report -

A) Conditions

## 3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 The application site lies within a rural location, with a number of larger dwellings strung out along Bambers Green Road. The site contains a number of trees, none of which are subject to Tree Preservation Orders. A detached dwelling lies immediately opposite the site across Bambers Green Road. Grade II listed buildings lie to the east and west of the site. The application site lies outside of development limits and in the Countryside Protection Zone. The site is 1.9 miles from the nearest larger settlement (Takeley) and 4.7 miles from the nearest Town (Great Dunmow).

## 4. **PROPOSAL**

- 4.1 The proposal is for the erection of 1 no. dwelling and 1 no. car port (variation of approved scheme under UTT/22/2297/FUL).
- 4.2 During the course of this application, revised plans were received removing one car port from the proposal.

## 5. **ENVIRONMENTAL IMPACT ASSESSMENT**

- 5.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

## **6. RELEVANT SITE HISTORY**

<b>6.1</b>	<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
	UTT/22/2297/FUL	Erection of detached house, garage and parking (alternative scheme to that approved under planning permission UTT/21/2077/FUL)	Approved with Conditions 20.10.2022
	UTT/21/2077/FUL	Erection of detached house, garage and parking	Approved with Conditions 18.08.2021
	UTT/20/2672/FUL	Erection of 1 no. detached dwelling, garage and parking	Refused pm 23.12.2020
	UTT/1440/00/LB	Change of use of stable/carriage house to two-bedroom cottage and associated works.	Approved with Conditions 23.02.2001
	UTT/1439/00/FUL	Change of use of stable/carriage house to two-bedroom cottage and erection of garage	Approved with Conditions 23.02.2001

## **7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

**7.1** No pre-application advice sought.

## **8. SUMMARY OF STATUTORY CONSULTEE RESPONSES**

### **8.1 Highway Authority**

**8.1.1** No objection to the proposal subject to conditions relating to surface treatment and vehicle parking along with an informative note that the applicant should adhere to.

### **8.2 ECC Place Services Ecology**

**8.2.1** Holding objection due to insufficient ecological information on European Protected Species (Great Crested Newt) and mandatory biodiversity net gain

### **8.3 ECC Place Services Built Heritage**

**8.3.1** Objection raised – the proposal will result in a low level of less than substantial harm to the setting of the listed building.

#### **8.4 MAG Aerodrome Safeguarding**

- 8.4.1** No objections raised subject to conditions relating to dust, species of birds and external lighting along with informative notes that the applicant should adhere to.

#### **9. PARISH COUNCIL/TOWN COUNCIL COMMENTS**

- 9.1** Takeley Parish Council objects to the design, size and scale, being a 2-storey instead of the approved 1.5 storey dwelling its impact on adjacent heritage buildings. Concerned that this application lacks a dedicated access road off the highway and that there will be a negative impact on adjacent heritage buildings and amenity to neighbouring properties due to the location of the cart lodges. The proposal could have potential ecology concerns.

#### **10. CONSULTEE RESPONSES**

##### **10.1 Highway Authority**

- 10.1.1** Highway Authority consultee response can be found in Appendix 1 of this report.

##### **10.2 ECC Place Services Ecology**

- 10.2.1** ECC Place Services Ecology consultee response can be found in Appendix 2 of this report.

##### **10.3 ECC Place Services Built Heritage**

- 10.3.1** ECC Place Services Built Heritage consultee response can be found in Appendix 3 of this report.

##### **10.4 MAG Aerodrome Safeguarding**

- 10.4.1** ECC Place Services Built Heritage consultee response can be found in Appendix 4 of this report.

#### **11. REPRESENTATIONS**

- 11.1** The application has been advertised by way site notice, press notice and 12 notifications letters were sent to nearby properties.

##### **11.2 Support**

- 11.2.1** Not applicable.

### **11.3 Object**

- 11.3.1**
- Visually overbearing given that the proposed dwelling is 2 storeys in height instead of 1.5 storey as previously approved.
  - Overlooking impact due to the additional windows on the south elevation.
  - Inaccuracies of plans that do not show drainage ditch on the boundary between the new dwelling and the three bay barn.
  - New access point proposed would have an impact on highway safety.

### **11.4 Comment**

- 11.4.1** The impact on design, character and layout, highway, neighbour amenity and drainage are considered to be addressed in the main body of this report.

## **12. MATERIAL CONSIDERATIONS**

- 12.1** In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

- 12.2** Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

(a) The provisions of the development plan, so far as material to the application,;

(a) a post-examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

- 12.3** Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to

preserve or enhance the character and appearance of the Conservation Area.

## **12.4 The Development Plan**

- 12.4.1** Essex Minerals Local Plan (adopted July 2014)  
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)  
Uttlesford District Local Plan (adopted 2005)  
Felsted Neighbourhood Plan (made Feb 2020)  
Great Dunmow Neighbourhood Plan (made December 2016)  
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)  
Thaxted Neighbourhood Plan (made February 2019)  
Stebbing Neighbourhood Plan (made July 2022)  
Saffron Walden Neighbourhood Plan (made October 2022)  
Ashdon Neighbourhood Plan (made December 2022)  
Great & Little Chesterford Neighbourhood Plan (made February 2023)

## **13. POLICY**

### **13.1 National Policies**

- 13.1.1** National Planning Policy Framework (2024)

### **13.2 Uttlesford District Plan 2005**

S7	The Countryside
S8	The Countryside Protection Zone
H1	Housing Development
GEN1	Access
GEN2	Design
GEN3	Flood Protection
GEN4	Good Neighbourliness
GEN7	Nature Conservation
GEN8	Vehicle Parking Standards
ENV2	Development Affecting Listed Buildings
ENV10	Noise Sensitive Development
ENV13	Exposure to Poor Air Quality
ENV14	Contaminated Land

### **13.3 State name of relevant Neighbourhood Plan in this title**

- 13.3.1** There is not 'made' Neighbourhood Plan for the area.

### **13.4 Supplementary Planning Document or Guidance**

Uttlesford Local Residential Parking Standards (2013)



Essex County Council Parking Standards (2009)  
Supplementary Planning Document- Accessible homes and play space  
homes Essex Design Guide  
Uttlesford Interim Climate Change Policy (2021)  
Uttlesford District Council: District-Wide Design Code (June 2024)

## **14. CONSIDERATIONS AND ASSESSMENT**

**14.1** The issues to consider in the determination of this application are:

- 14.2**
- A) Principle of Development**
  - B) Character, Appearance, Layout and Impact on Heritage**
  - C) Residential Amenity**
  - D) Highways and Parking**
  - E) Flood Risk**
  - F) Biodiversity, Ecology and Landscaping**

### **14.3 A) Principle of development**

**14.3.1** The Principle of Development has been established by virtue of application references: UTT/21/2077/FUL and UTT/22/2297/FUL. No policies have significantly changed since the previous planning permissions were granted for the original schemes to warrant a refusal for the current application.

**14.3.2** It is thereby concluded that the proposal therefore accords with ULP Policies S7 and S8 of the Uttlesford Local Plan 2005 (adopted) and the NPPF 2024.

### **14.4 B) Character, Appearance, Layout and Impact on Heritage**

**14.4.1** Policy ENV2 (Development affecting Listed Buildings) seeks to protect the fabric, character and the setting of listed buildings from development, which would adversely affect them. This policy reflects the thrust of the statutory duty in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Consequently, extensions and alterations to listed buildings are strictly controlled to fulfil the requirements of the Act.

**14.4.2** Policy GEN2 requires development proposals, inter alia, to be compatible with the scale, form, layout, appearance and materials of surrounding buildings. It also requires development to safeguard important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate. The policy also requires the provision of an environment, which meets the reasonable needs of all potential users.

**14.4.3** This revised scheme proposes alterations, which would facilitate the provision of a dwelling that is two storeys in height and construction of a

single storey carport to the side of the new dwelling. The revised changes are noted in section 1.2 in this report.

- 14.4.4** The proposed dwelling is designed as similar in scale to properties in the surrounding settlement, adopting a traditional design that references details from nearby dwellings.
- 14.4.5** It is considered it would sit comfortably within the context of the site with no overly dominating effect on either the countryside setting or neighbouring dwellings. The design took cues from dwellings within the settlement to ensure it would sit comfortably within the setting.
- 14.4.6** The vernacular materials, external finishes and architectural details and design features are in keeping with the surrounding settlement, all ensuring that the proposed dwelling would sit respectfully alongside the neighbouring properties, being compatible with the group as a whole and the wider countryside setting.
- 14.4.7** The separate carport is traditional in design and its scale and form ensured it would sit subserviently alongside the proposed dwelling.
- 14.4.8** The Conservation Officer were formally consulted and raised a concern on the impact the new dwelling and additional carport would have on the immediate listed buildings. The Conservation Officer found that the additional car port will be harmful to the significance of the listed Stable and Carriage House and should be omitted from the scheme and therefore, the proposal would fail to preserve the special interest of the listed Stable and Carriage House, contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and will result in a low level of less than substantial harm to its significance in terms of the NPPF4 2024.
- 14.4.9** The agent has since removed the additional carport located to the east of the site. Whilst noting that the proposal would result in a low level of less than substantial harm has been identified to the setting of adjacent grade listed buildings however, on balance, Officers take the view that due to the limited adverse impacts of the proposal, these do not 'significantly or demonstrably' outweigh the benefits of the proposed development.
- 14.4.10** The reimposition of the following conditions i.e., hard and soft landscaping details, rainwater goods, no fixture of water meter boxes on the front façade of the new dwelling would secure the scheme and ensure that it preserve the special interest of the listed buildings, in accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 14.4.11** Subject to the above conditions and modifications, the proposal accords with Section 66(1) of the Planning (Listed Buildings and Conservation

Areas) Act 1990, as well as ULP Policies GEN2 and ENV2 of the Uttlesford Local Plan 2005 (Adopted) and the NPPF 2024.

## **14.5 C) Residential Amenity**

- 14.5.1** Policy GEN2 of the Local Plan states that development should not have a materially adverse impact on the reasonable occupation and enjoyment of any nearby property as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.
- 14.5.2** Whilst noting that the dwelling is situated slightly closer to the neighbouring property at Bury Farm, the dwelling itself would be sited approximately 35m from the shared side boundary with Bury Farm. The new cart lodge proposed would be sited approximately 5.8m from the shared side boundary with Bury Farm.
- 14.5.3** Whilst rear facing windows are proposed and noting that the new dwelling is two storeys in height, a separation distance of at least 35m would be retained between Bury Farm and the proposed dwelling. Regarding the car port, given its single storey nature and sufficient separation distance it is not considered that the proposal would have an adverse impact in terms of loss of outlook, appearing visually overbearing or result to overlooking.
- 14.5.4** The proposed dwelling would be sited approximately 16m from the shared side boundary with the neighbouring property at Coach House and therefore it is not considered that the proposal would have an adverse impact in terms of loss of outlook, appearing visually overbearing or result to overlooking.
- 14.5.5** It is noted that this dwelling will be significantly different from the dwelling that was previously approved and that the scheme does slightly change in size and scale. However, given the spacious size of the plot and its location and set back, this would not cause any harm by way of overbearing, overlooking, and overshadowing. The property complies with the Essex Design Guide overlooking and rear garden distances, as well as the garden amenity size for future occupiers.
- 14.5.6** Overall, the development does not harm residential amenities, and accords with ULP Policies GEN2, H8, GEN4, the SPD Home Extensions, and the NPPF 2024.

## **14.6 D) Highways and Parking**

- 14.6.1** Policy GEN1 requires that access must be capable of carrying the traffic generated by the development safely and that it can be accommodated on the surrounding road network. It is considered that the amount of traffic generated from the development could be accommodated and that there would be no impact upon the surrounding road network.
- 14.6.2** Essex County Council's Highways Authority have been consulted on this proposal; they have no objections subject to conditions.
- 14.6.3** The application does not propose a new access as the proposal will utilise the existing vehicular access. The submitted layout details show that there would be adequate spaces within the site for at least 2no.off street parking. This would comply with current adopted local residential parking standards and ULP Policy GEN8.
- 14.6.4** The proposed dwelling would have adequate space to provide secure cycle storage for at least 2 cycles along with refuse storage bins to provide sustainable methods of transport in accordance with the Essex County Council Parking Standards Design and Good Practice (2024).
- 14.6.5** It is therefore concluded that the proposal accords with Uttlesford Local Plan Policies GEN1 and GEN8.

**14.7.1 E) Flood Risk**

- 14.7.2** The NPPF states that inappropriate development in areas of high risk flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
- 14.7.3** Local Plan policy GEN3 states that outside of flood risk areas development must not increase the risk of flooding through surface water run-off. A flood risk assessment will be required to demonstrate this. Sustainable Drainage Systems should also be considered as an appropriate flood mitigation measure in the first instance.
- 14.7.4** A check of the Environmental Agency's website and the Councils policy maps has identified the site as being located in Flood Zone 1. It is not expected that the proposals would lead to significant harm to increase flood risk of both the application site and the surrounding area and thereby complies with policy GEN3 of the adopted local plan.

**14.8. F) Biodiversity, Ecology and Landscaping**

- 14.8.1** Policy GEN2 of the Local Plan applies a general requirement that development safeguards important environmental features in its setting, whilst Policy GEN7 seeks to protect wildlife, particularly protected species and requires the potential impacts of the development to be mitigated. The NPPF requires development protects and enhances biodiversity.

- 14.8.2** A completed biodiversity questionnaire along with a BNG metric and biodiversity net gain statement has been submitted as part of this application. ECC Place Services Ecology were formally consulted and raised a holding objection due to insufficient ecological information on European Protected Species (Great Crested Newt) and mandatory biodiversity net gain.
- 14.8.3** The agent has since provided an amended preliminary ecological report however, the Ecology Officer still raises concerns. Given that no ecological concerns were identified under the previous approvals, it is not considered that the proposal would have a detrimental impact on ecology, biodiversity or landscaping.
- 14.8.4** Notwithstanding the above, conditions relating to the submission of an ecological appraisal and biodiversity enhancement layout would be secured along with an informative will be added to remind the applicant of their legal responsibilities regarding priority / protected species.

## **15. ADDITIONAL DUTIES**

### **15.1 Public Sector Equalities Duties**

- 15.1.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.
- 15.1.2** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 15.1.3** Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised

### **15.2 Human Rights**

- 15.2.1** There may be 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; however, these

issues have been taken into account in the determination of this application

## **16. CONCLUSION**

**16.1** The following is a summary of the main reasons for the recommendation:

**16.1.2** The principle of the development is already established on site and is considered acceptable to the Local Planning Authority.

**16.1.3** The proposed development would not have an adverse impact on neighbour amenity in terms of loss of light, overlooking or appearing visually overbearing.

**16.1.4** The proposed design and scale are considered to be appropriate for this location.

**16.1.5** The Highways Authority have no objection towards the proposal subject to conditions with any grant of permission, the parking on the site is acceptable.

**16.1.6** On balance, when the proposal is weighed against the public benefits provided, the tilted balance would be engaged. The proposal would secure optimum use of the land.

## **17. CONDITIONS**

### **17.1 Conditions**

1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

3 Prior to the erection of the development hereby approved (not including footings and foundations), a schedule of the types and colours of all external materials, including windows and doors, to be used in the

construction of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policy ENV2 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and in accordance with the National Planning Policy Framework 2024.

- 4 Prior to occupation of the development, details of the following hard and soft landscaping works must be submitted to and approved in writing by the local planning authority:

- Retained features
- New planting
- Hard surfaces
- Boundary treatment

All hard and soft landscape works must be carried out in accordance with the approved details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping must be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased must be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works must be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure compatibility with the character of the area, in accordance with Policy S7, ENV2 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005), and the National Planning Policy Framework 2024.

- 5 All rainwater goods shall be of cast metal and permanently maintained as such.

REASON: In the interests of the appearance of the development in accordance with Policy ENV2 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 6 No electricity, gas or water meter boxes shall be fixed to the road facing elevation of the building.

REASON: In the interests of the appearance of the development in accordance with Policy ENV2 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 7 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 and UDC Local Plan Polies GEN1 and GEN8.

- 8 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans has been provided. The vehicle parking area and associated turning area shall be retained in this form at all times.

REASON: To ensure that appropriate parking and turning is provided occur in the interests of highway safety in accordance with policy DM1 and UDC Local Plan Polies GEN1 and GEN8.

- 9 All mitigation measures and/or works shall be carried out in accordance with the details contained in the with the details contained in the Preliminary Ecological Appraisal (Hybrid Ecology LTD, August 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (as amended) and in accordance with ULP Policy GEN7 of the Uttlesford Local Plan 2005 (adopted) and the NPPF 2024.

- 10 A Biodiversity Enhancement Strategy for protected and Priority species prepared by a suitably qualified ecologist shall be submitted to and approved in writing by the local planning authority following the recommendations made within the Preliminary Ecological Appraisal (Hybrid Ecology LTD, August 2024).

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and



e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

REASON: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (as amended) and in accordance with ULP Policy GEN7 of the Uttlesford Local Plan 2005 (adopted) and the NPPF 2024.

Your Ref: UTT/24/1861/FUL  
Our Ref: 48372  
Date: 03/09/2024  
CC: [cllr.susan.barker@essex.gov.uk](mailto:cllr.susan.barker@essex.gov.uk)



Director for Highways  
and Transportation

To: Uttlesford District Council  
Assistant Director Planning & Building Control  
Council Offices  
London Road  
SAFFRON WALDEN CB11 4ER

County Hall  
Chelmsford  
Essex CM1 1QH

### Recommendation

Application No. UTT/24/1861/FUL

Applicant. Mr Colin Huggett

Site Location. Sheering Hall Bambers Green Road Takeley Essex CM22 6PD.

Proposal. Proposed erection of 1 no. dwelling and 2 no. car ports (variation of approved scheme under UTT/22/2297/FUL)

**From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to the following measures:**

1. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.  
**Reason:** To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1.
2. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans has been provided. The vehicle parking area and associated turning area shall be retained in this form at all times.  
**Reason:** To ensure that appropriate parking and turning is provided occur in the interests of highway safety in accordance with policy DM1.

**The above conditions are required to ensure that the development accords with the National Planning Policy Framework 2023 (NPPF) and the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.**

### Informative:

- i. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org)

- ii. Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.
- iii. There shall be no discharge of surface water onto the Highway.
- iv. The applicant should be made aware of the potential relocation of the utility apparatus in the highway; any relocation shall be fully at the applicant's expense.
- v. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.



pp. Director for Highways and Transportation  
Enquiries to Chioma Cureton  
[chioma.cureton@essex.gov.uk](mailto:chioma.cureton@essex.gov.uk)

## APPENDIX 2 – Place Services Ecology Response



16<sup>th</sup> August 2024

Natasha Vernal  
Uttlesford District Council  
London Road  
Saffron Walden  
CB11 4ER

By email only

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*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.*

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**Application:** UTT/24/1861/FUL  
**Location:** Sheering Hall Bambers Green Road Takeley Essex CM22 6PD  
**Proposal:** Proposed erection of 1 no. dwelling and 2 no. car ports (variation of approved scheme under UTT/22/2297/FUL)

Dear Natasha,

Thank you for consulting Place Services on the above application.

**Holding objection due to insufficient ecological information on European Protected Species (Great Crested Newt and bats) and protected species (reptiles, Badger and nesting birds)**

**Summary**

We have reviewed the documents supplied by the applicant including the Application Form (M. McGarr, July 2024), Block Plan, drawing no. 897/24/002 Rev A (KHA Design Ltd., April 2024), Biodiversity Checklist (English Architectural, July 2024), Biodiversity Metric (Crossland Ecology, June 2024) and Biodiversity Net Gain Statement (Crossland Ecology, June 2024) as well as aerial photographs and Magic Maps ([Magic Map Application \(defra.gov.uk\)](#)) relating to the likely impacts of development on designated sites, protected species and Priority habitats & species and identification of proportionate mitigation and mandatory Biodiversity Net Gains.

We are not satisfied that there is sufficient ecological information available for determination of this application and recommend that a Preliminary Ecological Appraisal (PEA) is undertaken to assess the likely impacts on protected species including bats and Great Crested Newt (GCN). Details of survey results, mitigation & enhancement measures are required to make this proposal acceptable and should be provided prior to determination.

**Protected Species:**

It is noted that the Biodiversity Checklist (English Architectural, July 2024) states that no buildings are to be demolished. However, the baseline habitat map within the Biodiversity Net Gain Statement (Crossland Ecology, June 2024) shows a building, described as a shed in the Biodiversity Metric (Crossland Ecology, June 2024). This building does not appear in the proposed habitat map within the Biodiversity Net Gain Statement (Crossland Ecology, June 2024) and so it is assumed that it will be demolished. However, the Block Plan, drawing no. 897/24/002 Rev A (KHA Design Ltd., April 2024) shows the building as being outside the red line boundary. It should therefore be confirmed whether this building is to be impacted by the proposed development or not.

If the building is being impacted then a Preliminary Roost Assessment (PRA) for bats should be undertaken in line with best practice guidance (Collins, 2023). The PRA can be undertaken at any time of year. If the building is considered to have potential to support roosting bats then further surveys such as emergence surveys should be undertaken, in line with best practice guidance (Collins, 2023), the results of which will be required prior to determination.

We note that hedgerows and trees are included within the Biodiversity Metric (Crossland Ecology, June 2024) and Biodiversity Net Gain Statement (Crossland Ecology, June 2024) but the Application Form (M. McGarr, July 2024) states that there are no trees or hedges at the site and so a full tree survey has not been completed. Given the proposed hard-standing and buildings come in close proximity to the existing trees and hedgerow, it is recommended that advice on root protection areas is sought from an Arboricultural consultant.

It is also noted that the Biodiversity Checklist (English Architectural, July 2024) states there are no ponds within 500m of the site. From aerial photographs and Magic Maps ([Magic Map Application \(defra.gov.uk\)](https://magicmap.defra.gov.uk/)) at least nine ponds can be identified within 250m, the closest of which is only a few metres to the south-west of site. The site also lies within an Amber Risk Zone for the GCN District Level Licensing ([GCN Risk Zones \(Essex\)](https://www.gov.uk/guidance/gcn-district-level-licensing) | [Natural England Open Data Geoportal \(arcgis.com\)](https://www.naturalengland.org.uk/Data/Geoportal/)). Habitats onsite, including the grassland, hedgerows and scrub, could provide suitable terrestrial habitats for this species. It is therefore recommended that further assessment in relation to GCN is undertaken.

To fully assess the impacts of the proposal the LPA needs ecological information for the site, particularly for bats and GCN, European Protected Species. These surveys are required prior to determination because Government Standing Advice indicates that you should "Survey for great crested newts if there's a pond within 500 metres of the development, even if it only holds water some of the year" and "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 likely 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 (as amended) and prevent wildlife crime under s17 Crime and Disorder Act 1998.

The applicant may be interested to know that Natural England's District Level Licensing for GCN is now available in Essex – see <https://www.gov.uk/government/publications/great-crested-newts-district-level-licensing-schemes> - where sites can be registered to be covered by this strategic mitigation scheme. Guidance for developers and registration forms to join the scheme are available and the LPA will need an Impact Assessment and Conservation Payment Certificate (IACPC) document countersigned by Natural England as evidence of site registration prior to determination where this European Protected Species is likely to be present and affected by development.

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

In addition, consideration should be given to Badger, common reptile species, nesting birds and Priority species such as Hedgehog which could be impacted by the proposed removal of habitats onsite.

**Mandatory Biodiversity Net Gains:**

Applications are required to deliver a mandatory 10% measurable biodiversity net gain, unless exempt under [paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990](#) and the [Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#).

Biodiversity net gains is a statutory requirement set out under [Schedule 7A \(Biodiversity Gain in England\) of the Town and Country Planning Act 1990](#). This legislation was inserted into the 1990 Act by Schedule 14 of the Environment Act 2021, and was amended by the Levelling Up and Regeneration Act 2023. The Biodiversity Gain (Town and Country Planning) (Consequential Amendments) Regulations 2024 made consequential amendments to other parts of the 1990 Act.

The [Biodiversity Net Gain Planning Practice Guidance \(PPG\)](#) sets out how mandatory biodiversity net gains should be applied through the planning process and Paragraph: 011 Reference ID: 74-011-20240214 sets out what information should be submitted as part of a planning application if the statutory biodiversity gain condition applies.

Where mandatory biodiversity net gain applies, the planning authority will be required to secure a biodiversity gain condition as a pre-commencement requirement. The biodiversity gain condition has its own separate statutory basis, as a planning condition under [paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990](#). As a result, government have recommended that it is not included in the list of conditions imposed in the written notice when granting planning permission. However, it is highlighted that biodiversity gain condition could be implemented via a separate section of the decision notice. The biodiversity gain condition should secure the provision of a Biodiversity Gain Plan, as well as the finalised full Statutory Biodiversity Metric – Calculation Tool.





As a result, we have reviewed the Biodiversity Metric (Crossland Ecology, June 2024) and Biodiversity Net Gain Statement (Crossland Ecology, June 2024). It is noted the baseline habitat map doesn't seem to match with the Location Plan, drawing no. 897/24/005 Rev A (KHA Design Ltd., April 2024) in relation to the building onsite. One of the hedgerows onsite also appears to comprise native species and is therefore considered a Priority habitat. The LPA should confirm they are satisfied with the native hedgerows being given the strategic significance of being 'formally identified in the local strategy'.

These reasons could be address within the Biodiversity Gain Plan condition, but it is recommended they are addressed as part of this application.

In addition, a [Habitat Management and Monitoring Plan](#) should be secured for all [significant on-site enhancements](#), as well as off-site enhancements. This should be in line with the approved Biodiversity Gain Plan, with the maintenance and monitoring secured via legal obligation or a condition of any consent for a period of up to 30 years. The monitoring of the post-development habitat creation / enhancement will need be provided to the LPA at years 2, 5, 10, 15, 20, 25, 30 any remedial action or adaptive management will then be agreed with the LPA to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

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

**Sue Hooton CEnv MCIEEM BSc (Hons)**  
Principal Ecological Consultant  
Place Services at Essex County Council  
[placeservicesecology@essex.gov.uk](mailto:placeservicesecology@essex.gov.uk)

**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.

## APPENDIX 3 – Built Heritage Response

Place Services  
Essex County Council  
County Hall, Chelmsford  
Essex, CM1 1QH  
T: 0333 013 6840  
www.placeservices.co.uk



FAO:  
Planning Department,  
Uttlesford District Council

Ref: UTT/24/1861/FUL  
Date: 13/08/2024

### HISTORIC BUILDINGS AND CONSERVATION ADVICE

Dear Sir / Madam,

**RE: Sheering Hall, Bambers Green Road, Takeley, Essex CM22 6PD**

Built Heritage Advice regarding Proposed erection of 1 no. dwelling and 2 no. car ports (variation of approved scheme under UTT/22/2297/FUL).

The site affected by this application is undeveloped land within the curtilage of Sheering Hall.

This application has the potential to affect several designated heritage assets including those immediately adjacent to the site. The heritage assets potentially affected are:

- Elder Cottage, Grade II listed (list entry number: 1322568);
- Stable and Carriage House to north of Sheering Hall fronting road, Grade II listed (list entry number: 1112238);
- Three Bay Barn to north east of Bury Farmhouse, Grade II listed (list entry number: 1112239);
- Rose Cottage, Grade II listed (list entry number: 1168819).

The listed Stable and Carriage House is a red brick building with a slate roof which has been dated to the mid-nineteenth century, and has been converted for residential use. Its significance derives primarily from its age, architectural and evidential interest as a functional rural building of traditional materials and construction. The setting of the listed building also contributes to its significance, attributes of which include its historic ownership and functional relationship with listed Sheering Hall (List entry number 1322567) and the listed Wall, 7 Piers, Railings and Gate to Sheering Hall Fronting Road (List entry number 1322567). Other attributes of setting which contribute to understanding its historic function and architectural interest and its significance include its roadside position and prominence in the street scene.

When compared with the approved scheme UTT/22/2297/FUL which included a single car port to the west of the new dwelling, the current proposal with an additional car port located to the east of the new dwelling will increase the proposed quantum of built development and bring built form closer to the listed Stable and Carriage House. In my opinion, the additional car port will distract from the prominence of the designated heritage asset in the street scene and from understanding its historic





function and architectural interest. In my opinion, due to its proximity the additional car port will be harmful to the significance of the listed Stable and Carriage House and should be omitted from the scheme. I also consider that because the development site forms part of the setting of the listed Stable and Carriage house, Elder Cottage, Three Bay Barn and Rose Cottage, the materials palette of the new dwelling and car ports should comprise good quality traditional materials which respect their architectural interest and significance. On this basis, I would not support the proposed use of composite cladding or uPVC/composite windows and entrance door which lack the authentic and non-uniform material qualities of timber weatherboarding and timber doors and windows.

In conclusion, I am unable to support the proposal which, in my opinion, fails to preserve the special interest of the listed Stable and Carriage House, contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and will result in a low level of less than substantial harm to its significance in terms of the National Planning Policy Framework (NPPF, December 2023), making paragraphs 205, 206 and 208 relevant. I do, however, think an acceptable scheme should be achievable with amendments as suggested above.

Yours sincerely,

Caroline Sones BA (Hons) DMS MA MSc IHBC  
Historic Environment Team  
Place Services

*Note: This letter is advisory and should only be considered as the opinion formed by specialist staff in relation to this particular matter*