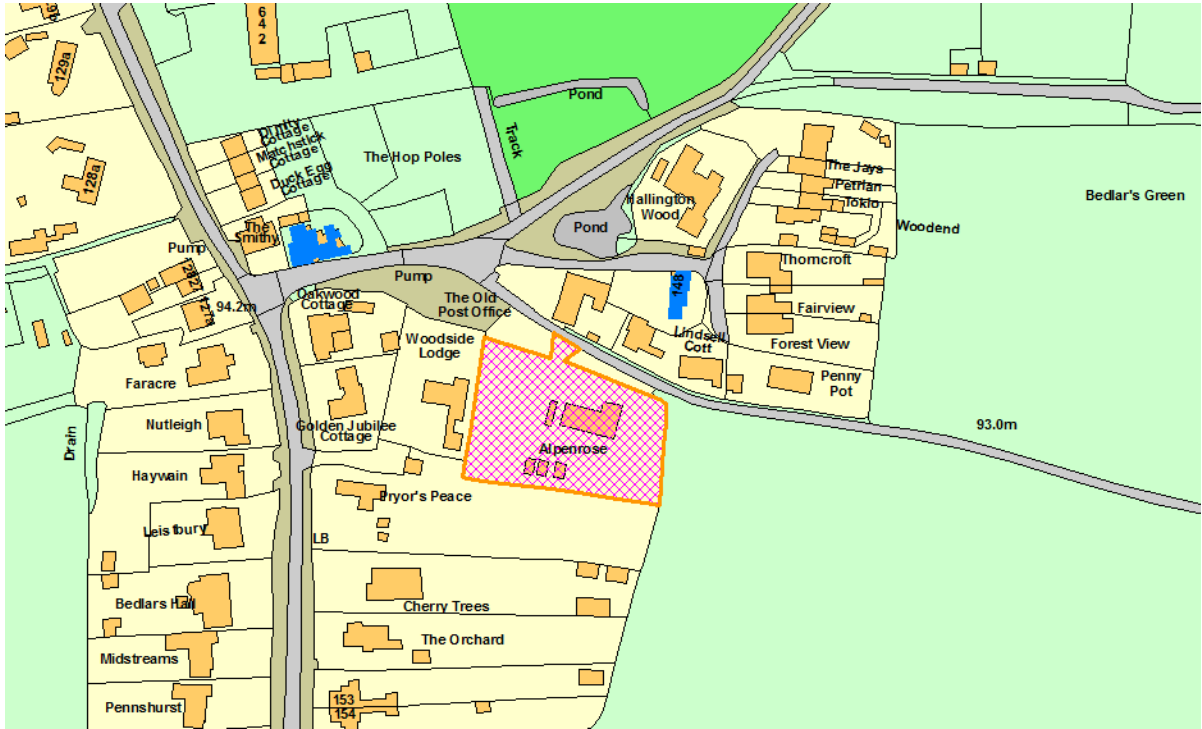


<b>ITEM NUMBER:</b>	<b>9</b>
<b>PLANNING COMMITTEE DATE:</b>	<b>7 May 2025</b>
<b>REFERENCE NUMBER:</b>	<b>UTT/24/2820/FUL</b>
<b>LOCATION:</b>	<b>Alpenrose Bedlars Green Great Hallingbury Essex CM22 7TP</b>

**SITE LOCATION PLAN:**



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Organisation: Uttlesford District Council Date: 10/01/2025

**PROPOSAL:** Proposed demolition of existing bungalow and erection of 4 no. detached dwellings.

**APPLICANT:** Mr Nicholas Champion

**AGENT:**

**EXPIRY DATE:** 02/01/2025

**EOT EXPIRY DATE:**

**CASE OFFICER:** Ashley Neale

**NOTATION:** Within Development Limits  
Within 6km of Stansted Airport  
Within 500m of S.S.S.I.  
Stansted Airport LEQ

**REASON THIS APPLICATION IS ON THE AGENDA:** Councillor Call-in Cllr Driscoll  
GEN2 Design, GEN7/ENV8 Ecology Biodiversity/Nature Conservation; GEN 8 Vehicle Parking Standards; H3 Outside Settlement Limits; H10 Housing Mix

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## **1. EXECUTIVE SUMMARY**

- 1.1** The applicant seeks planning permission for the proposed demolition of the existing dwelling of Alpenrose and the redevelop the site with the erection of 4 no. detached dwellings.
- 1.2** The proposed design of the dwellings is simple and responsive to existing built form in the site's environs and uses a stepped-down approach to scale to reflect the edge of settlement location of the site. The density being proposed is not considered overbearing, nor an over-urbanisation of the site when considering existing densities within Bedlar's Green. The proposals represent a relatively large but simple built form and is not deemed to be overly harmful or incompatible within the context of the site.
- 1.3** The intensification of residential use at the site with regards to in scale, bulk and footprint than the existing bungalow would accord with ULP Policy S3. The principle of residential use at the site with a net increase of 3 dwellings will not necessarily have overly harmful impact with

regards to encroachment or changing the wider landscape character of the area as a result of established vegetation boundaries to the site and its association with the curtilage of Alpenrose. The site, although semi-rural is not considered isolated from services or amenities and the site would make an efficient use of land within an existing settlement boundary.

- 1.4 The proposals have been assessed against the relevant policies contained within the Development Plan and the NPPF. It has been concluded that they comply and in accordance with these policies and guidance. In conclusion, it has been found that the proposals are acceptable and thus are recommended for approval subject to conditions.

## 2. **RECOMMENDATION**

<p>That the Strategic Director of Planning be authorised to <b>GRANT</b> permission for the development subject to those items set out in section 17 of this report – Conditions</p>
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## 3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 This application relates Alpenrose spans hectare 0.23 (ha) in size and is situated to the east of Bedlar's Green, Great Hallingbury. The site is located within the settlement boundary and comprises a relatively large residential plot, in which a single storey 5no. bed house, with adjoining but separate garage, sits. The existing property has a footprint of 156m<sup>2</sup>, with the adjoining garage having a footprint of 25m<sup>2</sup>. The property is surround by a large area of garden and amenity space. To the rear of the property are three shed buildings used for storage. An established vehicular access provides direct access to the adjoining lane which connects to Tilekiln Green. This lane forms the start of a Public Right of Way (Ref: PROW20).

- 3.2 The site is bounded by agricultural fields to the east and residential properties to the north, south and west. The site's boundaries include established trees, hedges and other vegetation to the east and south and a fence to the west. The site has an open frontage to the north.

## 4. **PROPOSAL**

- 4.1 The proposal seeks to demolish the existing detached bungalow and redevelop the site with the erection of 4 no. detached dwellings.
- 4.2 The application includes the following supporting documents:  
Application form  
Biodiversity checklist  
Planning Statement

Transport Statement  
 Design and Access Statement  
 Landscape Plan  
 Moodboard to Accompany the Landscape Plan  
 Preliminary Ecological Appraisal  
 Biodiversity Metric Calculation Tool  
 Biodiversity Net Gain Plan  
 Structural Survey  
 Pre App Response  
 New Build Design Samples  
 Certificate B  
 Land Registry Map Search  
 Photographs

## 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**

6.1	Reference	Proposal	Decision
	DUN/0357/64	Site for four dwellings	REFUSE
	DUN/0266/62	Site for four dwellings	REFUSE
	DUN/0061/55	Dwellinghouse and garage	APPROVE WITH CONDITIONS
	DUN/0136/53	Site for erection of bungalow	APPROVE WITH CONDITIONS
	DUN/0139/52	Site for proposed bungalow and temporary bungalow until such a time as licence is granted	APPROVE WITH CONDITIONS

## 7. **PRE-APPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

- 7.1 Paragraph 39 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.
- 7.2 Pre-application advice was sought for an outline permission for the demolition of the existing dwelling and the construction of 4no. new homes and associated development. The indicative layout demonstrated 4no. dwellings sited in a linear pattern fronting the highway.

- 7.3** Officer advice was on the proposed scheme was given on 16th August 2023 (UTT/23/0338/PA) and was generally unsupportive of the proposals. The principle of development was considered not to be acceptable due to the lack of services and amenities in the immediate area and the additional strain on the local road network caused by 4no. dwellings. It was concluded that two dwellings would be preferred over four.

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

### **8.1 Highway Authority**

- 8.1.1** From a highway and transportation perspective the Highway Authority stated that the impact of the proposal is acceptable to the Highway Authority subject to compliance conditions. The Highway Authorities consultee response can be found in Appendix 1 of this report.

## **9. GREAT HALLINGBURY PARISH COUNCIL**

- 9.1** The Great Hallingbury Parish Council object to this planning application for the following reasons:
- There will be too many houses for the plot,
  - poor access and parking issues on the green.
  - no access to a public highway.
  - damage to the green during construction
  - The environmental survey results states that there are no badgers and bats, but they can be clearly seen from the badger sets at the back of the plot.
  - It needs to be connected to mains drainage.
  - It also needs to be not too close to the neighbouring property.

## **10. CONSULTEE RESPONSES**

### **10.1 Place Services (Ecology)**

- 10.1.1** No objection subject to securing biodiversity mitigation and enhancement measures, including mandatory biodiversity net gains. Place Services (Ecology) consultee response can be found in Appendix 2 of this report.

### **10.2 MAG Aerodrome Safeguarding**

- 10.2.1** No objection subject to conditions managing lighting, wildlife, materials and construction management. MAG Aerodrome Safeguarding consultee response can be found in Appendix 3 of this report.

### **10.3 National Trust**

**10.3.1** No objection subject to securing a financial contribution of £4,185.00 (£1,395/net new dwelling) to the National Trust for use at Hatfield Forest towards visitor and botanical monitoring and mitigation works. Natural Trust consultee response can be found in Appendix 4 of this report.

**10.3.2** No legal agreement has currently been secured. However, a pre-commencement condition is proposed to secure the aforementioned contribution – please refer to Condition 13 set out within Section 16 of this report.

## **11. REPRESENTATIONS**

**11.1** A site notice was displayed near the site.

### **11.2 Support**

**11.2.1** There are no letters of support for this application.

### **11.3 Object**

**11.3.1** There are three letters of objections for this application. The following comments were received:

- Overdevelopment of the site
- Insufficient access
- Too many houses already built in the area
- Increased vehicle movements
- Damage to the village green
- Plot 1 is too close to adjacent dwelling – issues with loss of light and overlooking
- Increased light pollution
- Public Footpath impact
- Heritage impact
- Ecological impact

## **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  
The provisions of the development plan, so far as material to the application:

(aza) a post-examination draft neighbourhood development plan, so far as material to the application,  
any local finance considerations, so far as material to the application,  
and  
any other material considerations.

### **12.3 The Development Plan**

- 12.3.1** 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 (December 2024).

### **13.2 Uttlesford District Local Plan (2005)**

- 13.2.1** S3 – Other Development Limits  
GEN1 – Access  
GEN2 – Design  
GEN3 – Flood Protection  
GEN4 – Good Neighbourliness  
GEN5 – Light Pollution  
GEN7 – Nature Conservation  
GEN8 – Vehicle Parking Standards  
ENV3 – Open Spaces and Trees  
ENV7 – Protection of the Natural Environment  
ENV8 – Other Landscape Elements of Importance  
ENV10 – Noise Sensitive Developments  
ENV12 – Groundwater Protection  
ENV14 – Contaminated Land  
H3 – New Houses within Development Limits

### **13.3 Neighbourhood Plan**

- 13.3.1** There is no made neighbourhood plan for Great Hallingbury.

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



- 13.4.1** Essex Design Guide  
Supplementary Planning Document – Home Extensions  
Supplementary Planning Document – Uttlesford District-Wide Design  
Code (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) Design, Character and Appearance**  
**C) Residential Amenity**  
**D) Transport and Parking**  
**E) Biodiversity**  
**F) Land Contamination**  
**G) Flood Risk/Drainage**  
**H) Lighting**  
**I) Aerodrome Safeguarding**

**14.3 A) Principle of Development**

- 14.3.1** The proposal is located within the development limits of Great Hallingbury (Bedlars Green). As a result, Local Plan Policy S3 applies. Policy S3 supports development within the development limits of Great Hallingbury (Bedlars Green) particularly where proposals are compatible with the settlements character.

- 14.3.2** Policy H3 also sets out that infilling with new houses will be permitted on land within settlements if the development would be compatible with the character of the settlement and, depending on the location of the site, its countryside setting. Windfall sites will be permitted if they meet all the following relevant criteria:

- a) The site comprises previously developed land;
  - b) The site has reasonable accessibility to jobs, shops and services by modes other than the car, or there is potential for improving such accessibility;
  - c) Existing infrastructure has the capacity to absorb further development, or there is potential for its capacity to be increased as necessary;
  - d) Development would support local services and facilities; and
  - e) The site is not a key employment site.
- f) Avoid development which makes inefficient use of land.

- 14.3.3** In addition to the this, the latest HDT for Uttlesford was 46% and therefore situation (b) of Footnote 8 applies. This means that adopted development plan policies are considered out-of-date and this means that the Council must continue engaging with the presumption in favour of sustainable development under paragraph 11(d) of the NPPF. Due

this position the local development plan policies can only be afforded **limited** weight.

- 14.3.4** With regards to criteria of Policy H3, the site currently comprises an existing residential dwelling, detached garage and three shed outbuildings to the rear of the main house. By definition, the site constitutes some previously developed land (PDL). The NPPF encourages the use of previously developed land for new development. Policy H3(a) of the Uttlesford Local Plan also encourages the use of previously developed land, however, it should be noted that the entire curtilage of the site cannot be deemed to be PDL, only those areas on site containing built structures or surfacing are considered PDL. Nevertheless, the proposed development accords with Policy H3(a) as the application does comprise previously developed land.
- 14.3.5** The settlement of Bedlars Green (and the wider settlement of Great Hallingbury) is limited in terms of amenities with a public house, village hall, church and private preparatory primary school. Transport connectivity to other villages and towns is limited with a semi frequent bus service (every two-hours) to Bishop's Stortford via the 315 bus route. Notwithstanding the above, access to sustainable modes of transport (walking and cycling and some bus accessibility) would not be impossible, however, it is realistic to surmise that there would be a heavy reliance on the private car. Although cycling or walking would not be impossible, car journeys are more likely but would be short given the proximity to Bishop's Stortford and Stansted Airport, this limits the harm arising from the need to travel. Weight is given to sensitive development of dwellings within the development limits of rural settlements but close to larger, more sustainable settlements and will be acceptable if development would be in character with the surroundings and have limited impact on the countryside.
- 14.3.6** However, an existing residential dwelling exists at the site and the proposal seeks to demolish this dwelling and replace it with 4no. new dwellings. The principle of residential use at the site is already established and the assessment at hand relates to whether the residential intensification of the site would be appropriate in this location. The NPPF does acknowledge that *'opportunities to maximise sustainable transport solutions will vary between urban and rural areas'* with rural areas naturally much more likely to have to make use of a car. The net increase of 3no. dwellings at the site is not considered to put an unnecessary strain on existing infrastructure and would have a minimal impact locally. The proposed development therefore accords with criteria (b), (c) and (d) of Policy H3.
- 14.3.7** With regards to criteria (e) and (f) of Policy H3, the site is located within a plot of land forming the curtilage of an existing dwelling (Alpenrose). The site is not a key employment site and residential use of the land is already established. The site is physically separate from the

surrounding arable landscapes to the east of the site and is visually connected with the existing residential development within Bedlar's Green. The site forms the edge of the development limits and its eastern boundary runs adjacent to land designated as open countryside. However, existing boundary treatments and dense vegetation along this boundary provides a distinct separation between the existing settlement and the open countryside. Nevertheless, the character of the site takes a semi-rural feel and any proposed development should be compatible with both the setting and character of the existing settlement and the countryside, as per the provisions of Policy H3.

- 14.3.8** The intensification of residential use at the site with regards to in scale, bulk and footprint than the existing bungalow will not necessarily result in a conflict with ULP Policy S3 or H3. The principle of residential use at the site with a net increase of 3 dwellings will not necessarily have overly harmful impact with regards to encroachment or changing the wider landscape character of the area as a result of established vegetation boundaries to the site and its association with the curtilage of Alpenrose. The site, although semi-rural is not considered isolated from services or amenities and the site would make an efficient use of land within an existing settlement boundary. With regards to the density of development being proposed (equivalent to 17.4 dph), the nature of the proposed development would not appear visually intrusive or overbearing when considering the existing pattern of development within Bedlar's Green.
- 14.3.9** As such, and as result of the site's containment within the settlement of Bedlars Green, the visual impact of the proposals on the character of the surrounding rural landscape is very limited and is not considered to be unacceptable. The plans demonstrate that the 4no. 1.5-storey dwellings could be integrated into the land subtly and sympathetically which would be well screened by existing vegetation around the site boundaries. The overall scale of the dwellings being proposed reduces the level of harm to the openness of the countryside. The proposal would result in a slightly increased domestic appearance of the overall site but would not be out of place within this edge of settlement location given the existing residential use of the site, nor would not overly alter or urbanise the character of the site. Therefore, as the site is not a key employment site and the level of development being proposed is considered to make a more efficient use of the land, the proposed development accords with criteria (e) and (f) of Policy H3.
- 14.3.10** To conclude, the introduction of the proposed built form at this location would cause a minimal change to the character of the site by creating somewhat of an increased domesticated appearance, but it would not be excessive nor detrimental to the character of the settlement or the countryside. Regarding the principle of residential redevelopment in the form of a demolishing the existing dwelling and the erection of 4no. detached dwellings at the site, within an existing area of partially

previously developed land and amenity land associated with Alpenrose, the proposed development accords with the criteria of Policy H3.

#### **14.4 B) Design, Character and Appearance**

**14.4.1** Section 12 (Achieving well-designed places) of the National Planning Policy Framework attaches great importance to the design of the built environment. The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

**14.4.2** Policy GEN2 states that development will not be permitted unless its design is compatible with the scale, form, layout, appearance and materials of surrounding buildings; it safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate; and it provides an environment, which meets the reasonable needs of all potential users.

#### **14.4.3 Design (Form, Scale, Appearance and Layout):**

The proposed development involves the demolition of Alpenrose and its associated structures and the erection of 4 new detached dwellings on the southern side of the byway, opposite The Old Post Office and to the east of Woodside Lodge. The proposals seek to utilise an existing access point to form a shared drive to serve the detached dwellings.

**14.4.4** With regards to the proposed layout, it is proposed that the 4no.dwellings are orientated around a central access drive/forecourt with Plot 1 facing east, Plots 2 and 3 facing west and Plot 4 facing north. The Applicant submits in the Design & Access Statement that this design approach with the alignment of the houses focussing on a central forecourt will be conducive to the creation of a socially inclusive community and a sense of well-being. The orientation of Plot 1 was also re-configured so as to avoid any overlooking of the adjacent property at Woodside Lodge following discussions with neighbours and the Council. Whilst this layout addresses some of the site's constraints, the central forecourt with parking spaces dominating its character is not considered to promote a strong sense of urban design nor to reflect the existing pattern of development along the lane.

**14.4.5** Notwithstanding the above, and on balance, the proposed layout would not necessarily be inconsistent with Policy GEN2. Although the layout is not considered to be wholly consistent with the pattern of development in the surrounding area, its design approach is reflective of the site's context. Plots 1 and 2 would still create active frontages onto the lane by way of fenestration placements, the PROW would remain semi-rural and unobstructed in character by way of the central forecourt providing

ample vehicle parking and the orientation of dwellings responds to adjacent dwellings. As such, the proposed layout would safeguard important environmental features in its setting, enabling their retention and would help to reduce the visual impact of new buildings or structures.

- 14.4.6** In terms of scale, mass and appearance within the street scene, the proposed new dwellings would mostly be 1.5 storeys in height with Plot 4 largely being a typical 2-storey dwelling. This is proposed to respect the edge of settlement context of the site and to provide a stepped down approach to scale and form moving eastwards across the site. The 2-storey mass of Plot 4 seeks to replicate the two-storey form of Woodside Lodge whilst Plots 1, 2 and 3 which front the northern and eastern site boundaries scale down to 1.5-storey in height. In terms of height in relation to neighbouring properties, Plot 1 has a maximum ridge height of approximately 7.1 metres and Plot 2 has a maximum ridge height of 7.8-metres. The use of a 1.5-storey form provides that both plots (the two most visually prominent plots have an eaves height of approximately 3.3 metres. Height measurements of Woodside Lodge and The Old Post Office are not provided, however their two-storey forms would present themselves as taller and more prominent than the proposed dwellings at the application site.
- 14.4.7** As such, it is considered that the proposed scale and form of the dwellings would appear subservient and sympathetic within the existing building line along the road and would not appear overbearing nor incongruous. The submitted indicative streetscene plans submitted within the accompanying Moodboard and Landscape Plans demonstrates the sympathetic and respectful integration of the four dwellings into the existing built form of its environs.
- 14.4.8** The property of Woodside Lodge is sited on the adjacent plot to the west of the application site and is sited in very close proximity to the highway boundary. Whilst views from Woodside Lodge and The Old Post Office onto the application site would be significantly altered and the four dwellings would be clearly visible, the siting and orientation of the dwellings and the separation distances and between the frontages of the new dwellings and existing adjacent dwellings is not considered to be abnormal, nor inappropriate with regards to overbearing.
- 14.4.9** The south-western corner of Plot 1 would be approximately 7 metres from the north-western corner of Woodside Lodge, but at an almost 90 degree angle to one another as to avoid frontages facing each other. Therefore, perceived impacts of overlooking or privacy issues are considered limited when also combined with the dense boundary treatment between the properties. There are no concerns with the positioning or siting of Plots 2, 3 or 4 with regards to overlooking or overbearing impacts, and as above, the stepped down approach to design mitigates harm and would create a sympathetic redevelopment of the site that is responsive to the site's context and its constraints.

- 14.4.10** The proposed building footprints would be fairly generous and provide a 4-bedroom layout internally each with a kitchen/dining room, lounge, bathrooms and utility room providing internal space reasonable to provide a high-quality of living space for future occupants. In terms of layout, the internal spaces comply with the standards as set out in the Nationally Described Space Standards. The rear amenity spaces proposed also far exceed the 100m<sup>2</sup> minimum space standard set out in the Essex Design Guide.
- 14.4.11** The material palette is also considered to respond to the semi-rural setting of the site incorporating natural red clay tiles and a combination of TBS Textured Red blend brick, cream render and black weatherboarding finishes. The applicant has demonstrated the design evolution process in the Design and Access Statement and justifies the overall final design approach and how it responds the context and identity of the site, particularly with regards to design precedents and typologies within Bedlar's Green and the surrounding settlements.
- 14.4.12** It is considered that the proposed designs of the dwellings would be of a traditional design and are in keeping with the rural North Essex vernacular common in the area. Variety is introduced in the use of external materials and whilst simple built forms and materials are proposed, there is slight variations that avoid monotony and help to limit any perceived urbanising feel that the new dwellings would have.
- 14.4.13** District-Wide Design Codes *ID1.1C and ID1.2C: Code for responding to existing local character and identity* sets out that Applicants must demonstrate a relationship to their area's history, culture and local character and must use a variety of materials and architectural detailing that are traditional to Uttlesford. District-Wide Design Code *C1C.1C: Code for understanding and relating the site, to its local and wider context* also sets out that proposals for new development must demonstrate an understanding of the key contextual features of the site including landscape, nature, boundary features, the layout of streets and buildings, their typical form and details. This Design Code is reflective of Policy GEN2 which encourages that new development is compatible with the scale, form, layout, appearance and materials of surrounding buildings.
- 14.4.14** The final design seeks to create a sympathetically designed scheme of 4no. dwellings within the curtilage of Alpenrose. The design of the dwellings is simple and responsive to existing built form in the site's environs and uses a stepped-down approach to scale to reflect the edge of settlement location of the site. The density being proposed is not considered overbearing, nor an over-urbanisation of the site when considering existing densities within Bedlar's Green. The proposals represent a relatively large but simple built form and would not be overly harmful or incompatible within the context of the site.

**14.4.15** In this case, the proposed appearance of the dwelling would not necessarily be at odds with the aforementioned policies and design codes. The layout of the proposed dwellings would respect the existing settlement character and pattern of Bedlar's Green and would see a more efficient use of under-utilised space within the development limits to accommodate 4no. detached dwellings. The design approach would be more reflective of the existing character and design of Bedlar's Green and represent a more appropriate built form and style than that of the existing bungalow of Alpenrose.

**14.4.16** As such, the proposals are in accordance with Policies S3 & GEN2 of the Uttlesford Local Plan (2005), and the NPPF. Meaningful reference to relevant to the Uttlesford District-Wide Design Code (2024) has been made and overall, the proposed development is considered to represent a high-quality of design.

## **14.5 C) Residential Amenity**

**14.5.1** Policy GEN2 states that development will not be permitted unless it minimises the environmental impact on neighbouring properties by appropriate mitigating measures and it would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

**14.5.2** Due to the scale, design, position and separation distances of the proposed dwelling in relation to the neighbouring dwellings, there are no concerns with potential overshadowing, overlooking and overbearing effects. Concerns were raised within neighbour consultee comments with regards to potential loss of light, overlooking and privacy issues with regards to the siting of Plot 1 on the adjacent dwelling of Woodside Lodge. This was due to inappropriate separation distance of approximately 5-metres between dwellings. Following these comments, the Applicant submitted a revised site layout which repositioned Plot 1 further north and out of alignment with the side elevation of Woodside Lodge. The revised site layout demonstrates that there would be no window or door openings immediately fronting Woodside Lodge. Neighbours were re-consulted on the revised site layout and no further comments were received. As such, this was considered to reduce any potential impacts with regards to loss of light and overlooking.

**14.5.3** The scale of the 4no. dwellings when compared to the existing bungalow of Alpenrose represents a significant increase in scale and built form at the site. However, the design of the dwellings takes a 1.5 storey form, and would not be overbearing compared to the 2-storey forms of Woodside Lodge and The Old Post Office adjacent and opposite the site.

**14.5.4** The Essex Design Guide requires the provision of private amenity space of 100m<sup>2</sup> for three or more bedrooms. The indicative plans demonstrate

that these standards of private amenity space are exceeded for the new dwelling.

- 14.5.5** As such, it is officer's opinion that the proposed design would not adversely impact on the residential amenities of neighbouring occupiers. As such, the proposed development accords with Policies GEN2 and GEN4 of the Uttlesford Local Plan (2005) in this respect.

## **14.6 D) Transport and Parking**

- 14.6.1** Policy GEN1 of the Local Plan lists several criteria regarding access with which development must comply for it to be considered acceptable. Access to the main road network must be capable of carrying the traffic generated by the development safely and the traffic generated by the development must be capable of being accommodated on the surrounding transport network. The design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired, whilst also encourages movement by means other than driving a car.

- 14.6.2** The Applicant has submitted that the existing access to Alpenrose would be utilised, and the access point is to remain unchanged. The applicant has demonstrated that suitable visibility splays are achievable when egressing the site and the public footpath (PROW 20) would also remain unaltered. Comments from Great Hallingbury Parish Council regarding access to the adopted highway further up towards the green are noted, however, the red line boundary has been amended to demonstrate vehicle access to the adopted highway. The Applicant has served the appropriate Certificate B on the National Trust who own this strip of the byway and has provided detail on the existing Deed of Easement with the National Trust which provides a clear and unrestricted access from Alpenrose to the Public Highway over the National Trust land.

- 14.6.3** ECC Highways were consulted on the proposals and stated that from a highway and transportation perspective the Highway Authority has no objections to make on this proposal, subject to the implementation of compliance related conditions, as it is not contrary to the relevant transportation policies contained within the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

- 14.6.4** Policy GEN8 states that development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location. The proposals demonstrate three vehicle parking spaces to be allocated for each 4-bedroom dwelling. 2no. visitor parking bays are also provided. The proposed layout of the site focusses around a central forecourt which is dominated by parking spaces which is generally considered inappropriate. Nevertheless, the proposed



allocated spaces for each dwelling are clear and legible and are positioned in association with the dwellings as to avoid a parking cluster.

- 14.6.5** The proposal would be capable of meeting the Uttlesford Residential Parking Standards (2013), the Essex County Council Parking Standards (2009), and on balance, the proposed development meets the requirements of Policy GEN8 of the Local Plan.

## **14.7 E) Biodiversity**

- 14.7.1** Policy GEN7 sets out that development that would have a harmful effect on wildlife or geological features will not be permitted unless the need for the development outweighs the importance of the feature to nature conservation.

- 14.7.2** The application is supported by a Preliminary Ecological Appraisal and Preliminary Roost Assessment (Ecology Ltd, October 2024) as well as a Statutory Biodiversity Metric - calculation tool (Completed by Waris Khan, MSc Ecologist, MCIEEM) and the Biodiversity Net Gain Plan (Ecology Ltd, October 2024) submitted to demonstrate how mandatory biodiversity net gains will be achieved. Place Services Ecology have been consulted on the proposed development and are satisfied that there is sufficient ecological information available to support determination of this application. They have no objection subject to securing biodiversity mitigation and enhancement measures, including mandatory biodiversity net gains. The mitigation measures identified in the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Ecology Ltd, October 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species include badgers, hedgehogs and nesting birds.

- 14.7.3** The proposed reasonable biodiversity enhancements which have been recommended in the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Ecology Ltd, October 2024) are supported in order to secure net gains for biodiversity, as outlined under Paragraph 187d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be secured by a condition of any consent

- 14.7.4** With regard to mandatory biodiversity net gains, it is highlighted that the Statutory Biodiversity Metric - calculation tool (Completed by Waris Khan, MSc Ecologist, MCIEEM) and the Biodiversity Net Gain Plan (Ecology Ltd, October 2024) are supported. Biodiversity net gain is a statutory requirement set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990 and we are satisfied that submitted information provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement.

- 14.7.5** As such, it is considered that the proposals, with conditions attached, the proposed development is capable of according with Policy GEN7 of the Uttlesford Local Plan (2005).

**14.8 F) Land Contamination**

- 14.8.1** The Council has no reason to believe this site is contaminated and is not aware of any potentially contaminative past use, however, it is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site. UDC Environmental Health were consulted on the proposal and recommend a condition be applied to any grant of planning permission to ensure that if during site investigation any land contamination is identified, the applicant must notify the LPA immediately and remediate the land.

- 14.8.2** Overall, the proposal is acceptable in contamination terms and accords with Policy ENV14 and the NPPF.

**14.9 G) Flood Risk/Drainage**

- 14.9.1** Policy GEN3 sets out that within areas of the floodplain beyond the settlement boundary, commercial industrial and new residential development will generally not be permitted. Other developments that exceptionally need to be located there will be permitted subject the outcome of a flood risk assessment. Paragraph 170 of the NPPF (2024) also sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future) and that where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

- 14.9.2** The application site and the location of any proposed development is located entirely within Flood Zone 1 where there is deemed to be a very low risk of flooding. As a result, a Flood Risk Assessment was not required to be submitted with the application. As such, the proposed development accords with Policy GEN3 and the NPPF.

- 14.9.3** The Applicant has not provided a Surface Water Drainage Strategy with the application, however, given that the proposed development seeking to intensify the residential use of the site from 1no. dwelling to 4no. dwellings, it is deemed necessary that additional surface water runoff is managed safely and appropriately. As such, to mitigate any potential impacts, a Surface Water Drainage Strategy can be implemented as a pre-commencement condition. As such, the proposed development is capable of according with Policy GEN3 of the Neighbourhood Plan through the implementation of a suitable pre-commencement condition.

**14.10 H) Lighting**

**14.10.1** Policy GEN5 states that development shall not be permitted unless the lighting is shown to be necessary and glare and light spillage are shown to be minimised. The Applicant's plans do not demonstrate any external lighting to be installed at the proposed dwelling and therefore no lighting scheme can be assessed against Policy GEN5. In view of the semi-rural location of the site, near Stansted Airport, it is essential to ensure that any external lighting is properly designed and installed to avoid any adverse impacts on residential neighbours or on aerodrome safety from obtrusive or spillover light, or glare and a condition be implemented to any permission to ensure that any potential future external lighting at the site is subject to approval by the LPA.

**14.10.2** As such, with necessary conditions attached, the proposals are capable of according with Policy GEN5 of the Local Plan and the NPPF.

**14.11 I) Aerodrome Safeguarding**

**14.11.1** The application site falls within 6km radius of Stansted Airport and as a result MAG Aerodrome Safeguarding Authority were consulted on the proposed development.

**14.11.2** The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict with aerodrome Safeguarding criteria. They have no objection subject to conditions managing lighting, wildlife, materials and construction management. These conditions will be implemented to any grant of planning permission in order to ensure there are no adverse impacts on aerodrome safety.

**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** In conclusion, the proposal accords with the development plan and the NPPF. No material considerations indicate that planning permission should be refused otherwise. It is therefore recommended that planning permission be approved with conditions.

## **17. 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 first occupation of the development, the vehicle parking spaces shown in the Revised Block/Roof /Location Plan drawing no. JG 0724.01 B has been constructed appropriately hard surfaced ready for use. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking and turning area shall not be used for any purpose other than the parking and turning of vehicles that are related to the use of the development.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the

Development Management policies and Policy GEN8 of the Uttlesford Local Plan (2005).

- 4** The public's rights and ease of passage over public footpath (Great Hallingbury no 12) shall be maintained free and unobstructed at all times.

REASON: To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with Policies DM1 and DM11 of the Development Management Policies and Policy GEN1 of the Uttlesford Local Plan (2005).

- 5** Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.

REASON: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport and Policy GEN5 of Uttlesford Local Plan (2005).

- 6** No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Local Planning Authority, these details shall include:
- Any earthworks- Grassed areas - green roofs
  - The species, number and spacing of trees and shrubs
  - Details of any water features
  - Drainage details including SUDS

REASON: Flight safety - birdstrike avoidance - to avoid endangerment of aircraft and the operation of Stansted Airport through the attraction of birds and an increase in the bird hazard risk at and around the application site

- 7** Prior to PV installation, the submission of an Aviation Perspective Glint and Glare Assessment of the proposed solar installations submitted to the LPA in consultation with the aerodrome safeguarding authority for Stansted Airport (STN); demonstrating no harmful impact to operations at STN.

REASON: To ensure no detrimental impact to aviation operations at STN caused by glint or glare to critical aviation receptors.

- 8** If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

REASON: To protect human health and the environment

- 9** No development shall take place until a comprehensive Construction Management Plan has been submitted to and approved in writing by the local planning authority, in consultation with Stansted Airport. The Construction Management Plan is to include at least the following topics:
- Control of dust and smoke
  - The process for notifying the airport prior to the use of frequency emitting devices
  - Measures to prevent foreign object debris (including airborne tarpaulins)
  - Principles for utilising temporary construction lighting (capped at horizontal with no light spill above the horizontal).
  - Procedures for drone usage (if required) in consultation with Stansted Airport
  - Commitment relating to the notification of tall equipment as per CAA CAP 1096
  - Procedures for gas venting in consultation with Stansted Airport.
  - Food waste to be contained within covered bins to prevent birds scavenging detritus and food waste, to ensure the risk of bird strike at Stansted Airport is not increased.
  - Measures to prevent puddling or ponding of water which can act as an attractant to birds hazardous to aviation.

REASON: Flight safety – Construction activities can pose a risk to aviation operations unless managed safely.

- 10** No works on site shall commence until a detailed Surface Water Drainage Strategy (demonstrating the disposal of surface water by means of sustainable methods of urban drainage systems) has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with such approved details.

REASON: To avoid and/or mitigate and prevent any additional surface water run-off in accordance with Policy GEN3 of the Local Plan (2005) and Policy ASH11 of the Ashdon Neighbourhood Plan.

- 11** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Ecology Ltd, October 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: To conserve and enhance 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), s40 of the NERC Act 2006 (as amended) and Policy GEN7 of the Uttlesford Local Plan (2005)

- 12** A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority. 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
  - d) appropriate maps and plans;
  - e) persons responsible for implementing the enhancement measures;
  - f) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and 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 Policy GEN7 of the Uttlesford Local Plan (2005)

- 13** No works on site shall commence until appropriate arrangements to secure the following financial contributions have been secured:
- A financial contribution of £4,185.00 (£1,395/net new dwelling) to the National Trust for use at Hatfield Forest towards visitor and botanical monitoring and mitigation works.

REASON: To address recreational impacts of the proposed development at Hatfield Forest. In accordance with The Hatfield Forest Mitigation Strategy.

## APPENDIX 1 – ECC HIGHWAYS

Your Ref: UTT/24/2820/FUL  
Our Ref: 60165  
Date: 04/03/2025  
cc. 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/24/2820/FUL

Applicant. Mr Nicholas Champion

Site Location. Alpenrose Bedlars Green Bedlars Green Great Hallingbury  
Essex CM22 7TP.

Proposal. Proposed demolition of existing bungalow and erection of 4 no.  
detached dwellings.

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

1. Prior to first occupation of the development, the vehicle parking spaces shown in the Revised Block/Roof /Location Plan drawing no. JG 0724.01 B has been constructed appropriately hard surfaced ready for use. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking and turning area shall not be used for any purpose other than the parking and turning of vehicles that are related to the use of the development.  
**Reason:** To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management policies.
2. The public's rights and ease of passage over public footpath (Great Hallingbury no 12) shall be maintained free and unobstructed at all times.  
**Reason:** To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with Policies DM1 and DM11 of the Development Management Policies.

**The above conditions are required to ensure that the development accords with the National Planning Policy Framework 2024 (NPPF) and the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and Uttlesford Local Plan Policy GEN1.**

### Informative:

- i. It is noted that the applicant has not shown ownership or control over the private access track from its connection with the public highway at Bedlars Green. Proof of access should be provided to the Local Planning Authority prior to commencement of development.



- ii. 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)
- iii. The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath no.12 (Great Hallingbury) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.
- iv. The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure. Please note that Essex County Council will only maintain the surface of Public Footpath no.12 Gt Hallingbury to a standard commensurate with its use as a right of way for pedestrians only.
- v. 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.
- vi. There shall be no discharge of surface water onto the Highway.
- vii. 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.
- viii. The (rural/remote) location of the site is such that access to key facilities, public transport, employment, and leisure opportunities is limited and for the vast majority of journeys the only practical option would be the car. This should be taken into consideration by the Planning Authority when assessing the overall sustainability and acceptability of the site.
- ix. 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.

*FMasne*

## APPENDIX 2 – PLACE SERVICES (ECOLOGY)



2 December 2024

Ashley Neale  
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/24/2820/FUL  
**Location:** Alpenrose Bedlars Green Bedlars Green Great Hallingbury Essex CM22 7TP  
**Proposal:** Proposed demolition of existing bungalow and erection of 4 no. detached dwellings.

Dear Ashley,

Thank you for consulting Place Services on the above application.

**No objection subject to securing biodiversity mitigation and enhancement measures, including mandatory biodiversity net gains.**

### **Summary**

We have reviewed the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Ecology Ltd, October 2024) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures.

In addition, we have also reviewed the Statutory Biodiversity Metric - calculation tool (Completed by Waris Khan, MSc Ecologist, MCIEEM) and the Biodiversity Net Gain Plan (Ecology Ltd, October 2024) submitted to demonstrate how mandatory biodiversity net gains will be achieved.

We are satisfied that there is sufficient ecological information available for determination of this application.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.



The mitigation measures identified in the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Ecology Ltd, October 2024) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species include badgers, hedgehogs and nesting birds.

We also support the proposed reasonable biodiversity enhancements which have been recommended in the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Ecology Ltd, October 2024) in order to secure net gains for biodiversity, as outlined under Paragraph 180d of the National Planning Policy Framework (December 2023). The reasonable biodiversity enhancement measures should be secured by a condition of any consent.

In addition, the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Ecology Ltd, October 2024) advises the hedgerows and adjacent mature trees form strong linear features which connect the site with the wider landscape providing suitable commuting and foraging habitat for bats on site. These linear features form a network between the site and other notable habitats including Hatfield Forest NNR/SSSI and Hallingbury Park, therefore the likelihood of commuting and foraging bats being present is considered to be high. Therefore, if any external lighting is to be proposed, it is advised that a sensitive lighting scheme is developed to minimise any impacts. This must follow the [Guidance Note 8/23 Bats and artificial lighting](#) (The Institute of Lighting Professionals & Bat Conservation Trust). In summary, it is highlighted that the following measures should be implemented for the lighting design, which could be informed by a professional ecologist:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Warm-White lights should be used preferably at 2700k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effect on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- If light columns are required, they should be as short as possible as light at a low level reduces the likelihood of any ecological impact. However, the use of cowls, hoods, reflector skirts or shields could also be used to prevent horizontal spill.
- Movement sensors and timers could be used to minimise the 'lit time'.

With regard to mandatory biodiversity net gains, it is highlighted that we support Statutory Biodiversity Metric - calculation tool (Completed by Waris Khan, MSc Ecologist, MCIEEM) and the Biodiversity Net Gain Plan (Ecology Ltd, October 2024). Biodiversity net gain is a statutory requirement set out under [Schedule 7A \(Biodiversity Gain in England\) of the Town and Country Planning Act 1990](#) and we are satisfied that submitted information provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:

- a) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- b) Pre and post development habitat plans.
- c) Legal agreement(s)
- d) Biodiversity Gain Site Register reference numbers (if using off-site units).
- e) Proof of purchase (if buying statutory biodiversity credits at a last resort).

We note a habitat map of the pre-development baseline has not been supplied in line with the Biodiversity Net Gain PPG. This should ideally be in line with UK Habitats Classification v2 criteria.



However, we are satisfied that the habitats have been assessed appropriately, so we do not consider it reasonable to object to secure this additional information.

In addition, a [Habitat Management and Monitoring Plan](#) (HMMP) should be secured for all [significant on-site enhancements](#). However, we note that the post-intervention values have been provided and that no significant on-site enhancements are proposed in the proposals. As a result, we are satisfied that HMMP is not likely to be required by legal obligation or a condition of any consent for a period of up to 30 years.

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

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013.

We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

#### **Recommended conditions**

##### **1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS**

*"All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Ecology Ltd, October 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination."*

**Reason:** To conserve and enhance 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), s40 of the NERC Act 2006 (as amended)

##### **2. PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY**

*"A Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority."*

*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;*
- d) persons responsible for implementing the enhancement measures;*
- e) details of initial aftercare and long-term maintenance (where relevant).*

*The works shall be implemented in accordance with the approved details prior to occupation and 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).





### 3. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

*"A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting plans, drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory."*

*All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority."*

**Reason:** To 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), s40 of the NERC Act 2006 (as amended)

#### **Biodiversity Gain condition**

Natural England advises that 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](#). The condition is deemed to apply to every planning permission granted for the development of land in England (unless exemptions or transitional provisions apply), and there are separate provisions governing the Biodiversity Gain Plan.

Local planning authority are strongly encouraged to not include the biodiversity gain condition, or the reasons for applying this, in the list of conditions imposed in the written notice when granting planning permission. However, it is highlighted that biodiversity gain condition could be added as an informative, using [draft text](#) provided by the Secretary of State:

#### ***"Biodiversity Net Gain***

*The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:*

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and*
- (b) the planning authority has approved the plan.*

*The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be Uttlesford District Council.*

*There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.*

*Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply."*



Please contact us with any queries.

Yours sincerely,

**Melissa Wilson ACIEEM BSc (Hons)**  
Assistant 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 – MAG AERODROME SAFEGUARDING



08/11/2024

STANSTED AIRPORT AERODROME SAFEGUARDING AUTHORITY PLANNING APPLICATION CONSULTATION RESPONSE – under Circular 1/2003 Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002				
Planning Authority:		UDC		Application No: UTT/24/2820/FUL
Development Proposal:		Proposed demolition of existing bungalow and erection of 4 no. detached dwellings.		
Location:		Alpenrose Bedlars Green Bedlars Green CM22 7TP		
OS Co-ordinates (Eastings/Northings):		552480 / 220257		
Our Reference:		STN 2024-274		
No Objection	Informatives	Need to engage with MAG Safeguarding	Request Conditions	Objection
	X		X	

### Consultation Response:

Black – Conditions

Green – Informatives

The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict with aerodrome Safeguarding criteria. We have no objection subject to the following:

#### Height

No comments

#### Lighting

-Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.

Reason: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport.

-No lighting directly beneath any roof lights that will emit light upwards – only downward facing ambient lighting to spill from any roof lights upwards – ideally, automatic blinds to be fitted that close at dusk.

Reason: Flight safety - to prevent distraction or confusion to pilots using Stansted Airport.

#### Wildlife

-No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Local Planning Authority, these details shall include:

- Any earthworks- Grassed areas - green roofs
- The species, number and spacing of trees and shrubs
- Details of any water features

- Drainage details including SUDS

Reason: Flight safety - birdstrike avoidance - to avoid endangerment of aircraft and the operation of Stansted Airport through the attraction of birds and an increase in the bird hazard risk at and around the application site.

#### Communication, Navigation, and Surveillance systems

-The use of radio frequency (RF) emitting devices in this location has the potential to interfere with Stansted Airport's Communication, navigation, and surveillance (CNS) equipment. RF devices are to be approved by Stansted Airport prior to energisation.

Reason: Flight safety – In the interests of maintaining the integrity of CNS equipment critical to aviation operations.

#### Materials

-Prior to PV installation, the submission of an Aviation Perspective Glint and Glare Assessment of the proposed solar installations submitted to the LPA in consultation with the aerodrome safeguarding authority for Stansted Airport (STN); demonstrating no harmful impact to operations at STN.

Reason: To ensure no detrimental impact to aviation operations at STN caused by glint or glare to critical aviation receptors.

#### Tall Equipment

The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

#### Construction Management

No development shall take place until a comprehensive Construction Management Plan has been submitted to and approved in writing by the local planning authority, in consultation with Stansted Airport. The Construction Management Plan is to include at least the following topics:

- Control of dust and smoke
- The process for notifying the airport prior to the use of frequency emitting devices
- Measures to prevent foreign object debris (including airborne tarpaulins)
- Principles for utilising temporary construction lighting (capped at horizontal with no light spill above the horizontal).
- Procedures for drone usage (if required) in consultation with Stansted Airport
- Commitment relating to the notification of tall equipment as per CAA CAP 1096
- Procedures for gas venting in consultation with Stansted Airport.
- Food waste to be contained within covered bins to prevent birds scavenging detritus and food waste, to ensure the risk of bird strike at Stansted Airport is not increased.
- Measures to prevent puddling or ponding of water which can act as an attractant to birds hazardous to aviation.

Reason: Flight safety – Construction activities can pose a risk to aviation operations unless managed safely.

#### Other Comments

The development lies within the flight restricted zone established for Stansted Airport. The applicant's attention is drawn to the procedures for drone notifications, please see: <https://nsf.nats.aero/drones-and-model->



[aircraft/#:-:text=You%20must%20ensure%20you%20always%20adhere%20to%20the%20Drone%20Code](#)

**It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Stansted Airport, or not attach conditions which Stansted Airport has advised, it shall notify Stansted Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.**

## APPENDIX 4 – National Trust

### Comments for Planning Application UTT/24/2820/FUL

#### Application Summary

Application Number: UTT/24/2820/FUL

Address: Alpenrose Bedlars Green Bedlars Green Great Hallingbury Essex CM22 7TP

Proposal: Proposed demolition of existing bungalow and erection of 4 no. detached dwellings.

Case Officer: Ashley Neale

#### Customer Details

Name: Sandra Green NATIONAL TRUST

Address: C/O Paycocke's, 25 West Street Coggeshall CO6 1NS

#### Comment Details

Commenter Type: Member of Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: The proposed development is approximately 375m from the SSSI, National Nature Reserve areas and ancient woodland of Hatfield Forest which extends over 424 hectares, including Wall Wood and Woodside Green. The area has been owned and managed by the National Trust since 1924. Of greatest significance is that Hatfield Forest is the finest surviving example of a small Medieval Royal Hunting Forest. The Forest's ecological and historic importance is reflected in its designations - for its considerable ecological significance and especially for its veteran trees and old growth woodland on undisturbed soils.

The forest is experiencing rapid and unsustainable growth in visitor numbers which is putting it under considerable pressure and there are signs that the SSSI, NNR and other designated/protected features there are being damaged. In order to advance its understanding of these issues as well as an understanding of visitor numbers, origin and behaviour when visiting the Forest, the Trust, with support from Natural England

(NE), commissioned consultants Footprint Ecology to undertake visitor surveys and prepare an impact management report to help build a practical strategy for the Forest going forward. This established a 'Zone of Influence' (ZOI), within which this site falls. A copy of this report (the Hatfield Forest 'Visitor Survey and Impact Management Report 2018' & 2022 update) has been sent to your Council. Natural England has also written to your Council to alert you to this evidence and advise that where relevant, planning decisions are informed by this.

The Footprint Ecology report describes the issues arising from recreational pressure in more detail and recommends the development of a strategy to mitigate these impacts in order that new development can meet planning policy requirements (including NPPF para.180-186). There are also duties on LPA's under section 28G(2) of the Wildlife and Countryside Act 1981 to take reasonable steps as part of the authority's functions to

further the conservation and enhancement of SSSI's. Furthermore, there is a specific obligation on an authority under section 281 where it is proposing to permit an operation likely to damage a SSSI, to give Natural England prior notice.

Having regard to the evidence and in accordance with the above requirements and the advice of Natural England, it is considered that the impacts of the development on Hatfield Forest should be addressed. New housing development within the ZOI will contribute further (both individually and cumulatively) towards recreational pressure on the Forest.

Based on recommendations set out in the 'Visitor Survey and Impact Management Report', and as referred to in Natural England's letter, the National Trust, in consultation with Natural England, East Herts, Epping Forest, Harlow and Uttlesford Councils has prepared a costed Mitigation Strategy. This includes a costed package of mitigation measures.

For the proposed development we consider the following mitigation would be appropriate:

Off-Site Mitigation

- A financial contribution of £4,185.00 (£1,395/net new dwelling) to the National Trust for use at Hatfield Forest towards visitor and botanical monitoring and mitigation works. This would be proportionate with contributions secured for other developments.

The Hatfield Forest Mitigation Strategy is being used by the property team to address recreational impacts at Hatfield Forest. A copy of this can be provided if required. The Strategy seeks a proportion of costs to be met through developer contributions, the rest would met by the National Trust.

As an indication of some costs, the Mitigation Strategy sets out that independent Visitor Surveys will take place every 5 years at a cost of £30,900, annual Impact Surveys will take place at a cost of £2522 and soil compaction analysis will take place annually at a cost of £3090.

If, however, appropriate mitigation is not secured to address the issue set out above then the National Trust objects to this application.

Should the application be approved, we anticipate that a CEMP would be conditioned. The verge immediately to the west of the access is in National Trust ownership. Contractors etc. should not park on the verge, this should be addressed as appropriate in the CEMP.