

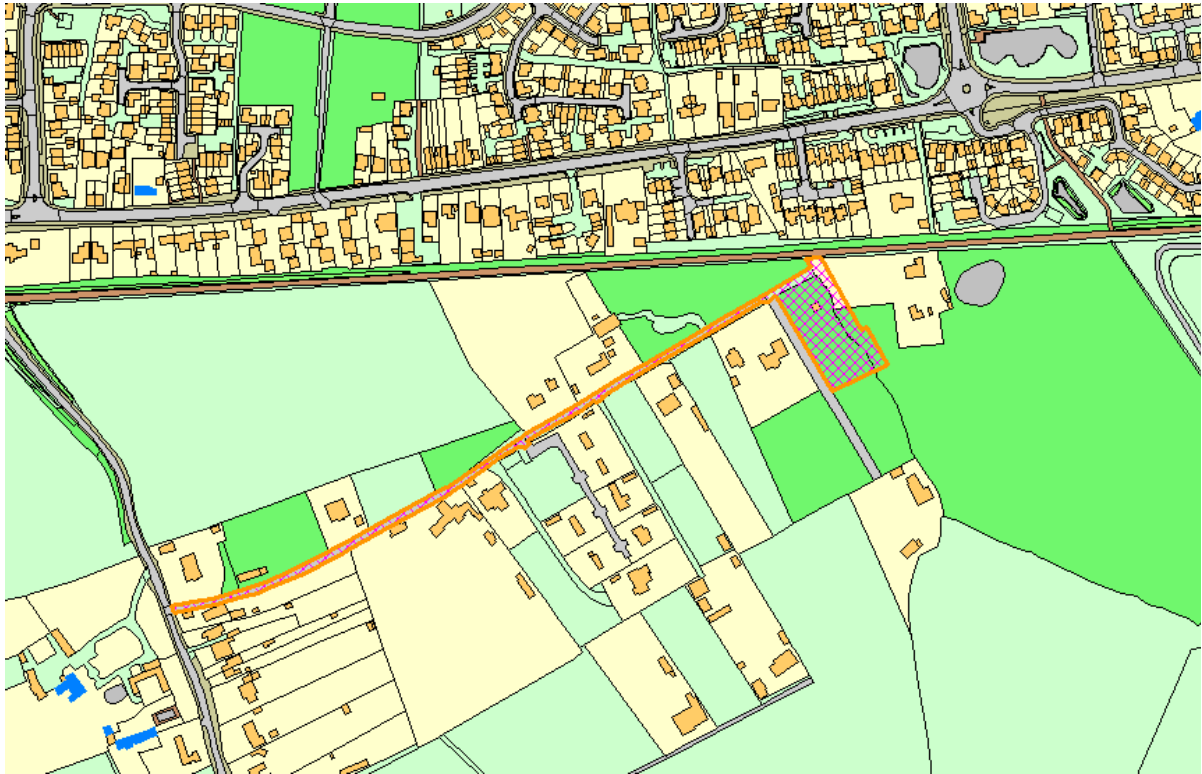
**ITEM NUMBER:** 10

**PLANNING COMMITTEE  
DATE:** 7 May 2025

**REFERENCE NUMBER:** UTT/25/0506/OP

**LOCATION:** Land Between Runnels Hey And Silverthorn,  
Great Canfield Road,  
Great Canfield,  
Essex

**SITE LOCATION PLAN:**



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Organisation: Uttlesford District Council      Date: 17 April 2025

**PROPOSAL:** Outline application with all matters reserved except access and layout for the erection of 1 no. self-build dwellinghouse

**APPLICANT:** Mr Patrick O'Sullivan

**AGENT:** Mr Jonathan Bell

**EXPIRY DATE:** 25.04.2025

**EOT EXPIRY DATE:** 12.05.2025

**CASE OFFICER:** Mark Sawyers

**NOTATION:** Outside of Development Limits  
Within 200m of Parish Boundary  
Within 250m of Landfill Site  
Within 6km of Airport  
Mineral Safeguarding Area - Description: Sand/Gravel  
Within 100m of Local Wildlife Site – Ufd172 (RUNNELS HEY)  
Within 100m of Local Wildlife Site – Ufd196 (FLITCH WAY)  
Within 250m of Local Wildlife Site – Ufd196 (FLITCH WAY)  
Within 250m of Local Wildlife Site – Ufd172 (RUNNELS HEY)  
County Wildlife Sites - Location: RUNNELS HEY  
County Wildlife Sites - Location: FLITCH WAY  
Within 20m of Flitch Way

**REASON THIS APPLICATION IS ON THE AGENDA:** Councillor call- In: Cllr Driscoll

This site has been subject to a recent refusal by the planning inspector. An appeal for development of the site in December 2019 was also refused by the planning inspector.

The reasons for calling in this application are,

1. Policy ENV7 - Impact on the ancient woodland that extends into the proposed application site, and the Flitch Way, Local Wildlife Site that borders the proposed site at the northeast corner.
  2. Policy S7 and GEN1 – Development in the countryside in an unsustainable location.
-

## **1. EXECUTIVE SUMMARY**

- 1.1** Outline planning permission is sought by the Applicant (Mr Patrick O'Sullivan) for the erection of 1-no. self-build dwellinghouse, on the site known as 'Land Between Runnells Hey and Silverthorn.'
- 1.2** The application site lies outside the defined settlement boundary limits and is thereby located within the countryside.
- 1.3** As of 06 January 2025, the Council can demonstrate 3.46 years housing land supply (which includes a 20% buffer). With the Housing Delivery Test (HDT) being at 69%, Footnote 8 of the NPPF) applies meaning the presumption in favour of sustainable development under paragraph 11(d) of the NPPF is engaged.
- 1.4** A similar application has been dismissed at appeal; however the sole reason was on Ecological grounds. The applicant has sought to address the Ecological grounds of refusal and under (APP/C1570/W/24/3339753) the Planning Inspector did not raise any concerns with the principle subject of residential development in this location bar the exception of Ecological Harm.

## **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 as outlined in red on the supporting site plan dwg ref: 2022-686-001 is located to the southern side of the Flitch Way and to the south of Dunmow Road within Great Canfield.
- 3.2** The site relates to an empty plot that was previously used as ancillary amenity space in relation to 'Tree Tops' prior to its sale.
- 3.3** The application site is located in between Runnells Hey (ancient woodland) and a residential property known as Silverthorn.
- 3.4** The application relates to an irregular shaped parcel of land that measures approximately 30 x 80 metres (0.43ha).
- 3.5** The site is accessed via Canfield Drive a long, single track private 'no through' road and the application site is located at the far end approx. 500m from its junction with Canfield Road.

- 3.6** The site is bound to the north and east by trees and vegetation. To the north lies the Flitch Way, to the East lies Ancient Woodland and the residential dwelling known as 'Runnel's Hey', to the South lies the residential dwelling known as 'Twin Pines' and 'Silverthorn' lies to the west of the site.
- 3.7** Apart from mature vegetation in the form of modest size trees and hedgerows located along a large proportion of the boundaries, the site is covered by rough grassland and shrub. No vegetation is covered by tree preservation orders.
- 3.8** Ecological:
- 3.9** Directly to the North lies the Flitch Way, a linear wildlife rich countryside park and an important wildlife corridor and to the East lies the Runnells Hay Local Wildlife Site (LoWS) (Ufd172).
- 3.10** According to the Environmental Agency's Flood Map for Planning, the site is in Flood Zone 1 which is identified as having a low risk of flooding.

#### **4. PROPOSAL**

- 4.1** This planning application is submitted in outline with matters relating to scale, appearance, and landscaping reserved. The Applicant is seeking approval in principle to develop the site for the erection of 1-no. self-build dwellinghouse and for the details of Access and Layout to be granted permission.
- 4.2** This will leave the approval of the scale, appearance, and landscaping to be decided later when further applications (the reserved matters) will be submitted to the Council if this outline permission is granted.
- 4.3** The following Site Location Plan as provided in Figure 1 below illustrates the design approach at this outline application stage.

4.4



**Figure 1: Indicative Site Plan**

4.5

Residential:

4.6

The proposed development demonstrates 1-no. self-build residential dwelling. This would equate to providing a housing density of 1-no. dwelling per acre. At this time, the Uttlesford Adopted Local Plan (2005) does not provide guidance with regards to housing density. Once the new local plan is adopted, it is likely to provide updated guidance of an appropriate housing density for the districts future housing needs.

4.7

Due to the application being Outline in nature, the final number of bedrooms along with the dimensions of the dwelling is yet to be specified. This will be determined at the Reserve Matters stage if outline consent is granted.

4.8

Access:

4.9

As illustrated in Figure 2 below, the proposal seeks to make use of the existing access into the site. This in turn adjoins the private road of Canfield Drive that connects to Great Canfield Road.

4.10



**Figure 2: Location Plan**

## 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**

Reference	Proposal	Decision
UTT/18/3185/FUL	Erection of 1 no. Dwelling and detached garage.	REFUSED (Dismissed at Appeal)
UTT/23/0572/CLE	Use of land as garden	REFUSED
UTT/23/2618/OP	Outline planning application with all matters reserved except access and layout for the erection of 1 no. self-build dwelling	Non-Determination (Dismissed at Appeal)

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

7.1 Pre-application Discussions:

7.2 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 and that good quality pre-application discussions enable better coordination between public and private resources, and improved results for the community.

7.3 Pre-Application advice has not been sought with the Local Planning Authority.

7.4 Community Consultation:

7.5 The Local Planning Authority is not aware of the applicant undertaking a community consultation exercise.

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

### 8.1 **Highway Authority – No Objection**

8.1.1 The Highway Authorities full consultee response can be found in Appendix 1 of this report.

8.1.2 *“From a highway and transportation perspective the Highway Authority has no objections to make on this proposal.”*

## 9. **PARISH COUNCIL COMMENTS**

9.1 Great Canfield Parish Council OBJECTS to this application for the reasons set out below.

- 9.2
- Previous applications and recent appeal APP/C1570/W/24/3339753
  - Runnels Hey – Ancient Woodland
  - Objection Policy S7
  - Objection Policy GEN1(e)
  - Objection Policy ENV9
  - Applicant Status

## 10. **CONSULTEE RESPONSES**

### 10.1 **UDC Environmental Health – No Objection**

10.1.1 No Objections subject to the following Conditions:

- 10.1.2
- Contaminated Land
  - External Lighting

### 10.2 **UDC Landscape Officer/Arborist**

- 10.2.1
- The LPA’s Landscaping Officer has confirmed that this scheme is acceptable.
  - The 15m buffer from the edge of the ancient woodland of Runnels Hay has been included.
  - The design and access statement (J Bell Design and Conservation Ltd, 24 February 2025) notes there is minimal impact to existing trees



- The design and access statement also notes the opportunity for additional planting to the frontage which would be a positive outcome.
- The future location and design of proposed boundary treatments such as fencing and gates should be designed with care to ensure all existing trees are retained and protected.

### **10.3 Place Services (Ecology) – No Objection**

**10.3.1** No Objections subject to the following Conditions:

- 10.3.2**
- All mitigation measures and/or works shall be carried out in accordance with the supplied details.
  - Submission of a Biodiversity Enhancement Strategy for protected, Priority & threatened species.
  - Submission of a Lighting Design Scheme for biodiversity.

### **10.4 BAA Aerodrome Safeguarding – No Objection**

**10.4.1** No Objection subject to being consulted at the Reserved Matters stage.

**10.4.2** Due to the proximity to Stansted Airport the applicant should be made aware that the following details will be scrutinised at the Reserved Matters stage:

- 10.4.3**
- Building Heights
  - Landscaping
  - Lighting
  - Construction

### **10.5.1 Cadent Gas – No Objection**

**10.5.2** No Objection, Due to the proximity of a 250mm PE IP pipeline in the works area, the following should be adhered to:

- 10.5.3**
- Nothing to be built on or placed/stored on or over the pipelines in or on top of the pipeline or easements for all assets in the works area.
  - No mechanical excavation within 3m of the IP pipeline.
  - The ground levels must not be altered over the pipelines or in the easement.
  - Nothing to be built or positioned over the pipeline, or in the easement of the above said pipeline.

**11.        REPRESENTATIONS**

**11.1**        Site notice/s were displayed on site and 27 notifications letters were sent to nearby properties.

**11.2        Support**

**11.2.1**      Not Applicable

**11.3        Object**

- 11.3.1**
- Harm to Policy ENV9
  - Contrary to Policy GEN7
  - Increased Traffic
  - Damage to the Lane
  - Recent Dismissed Appeal on Ecology Grounds
  - Loss of Natural Environment
  - Loss of Privacy
  - Loss of Light and Overshadowing
  - Noise and Disturbance
  - Increase in Urban Sprawl

**11.4        Comment**

- 11.4.1**
- The required statutory consultations have been undertaken.
  - The material consideration will be considered in the following 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.

## **12.4 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)  
Uttlesford Design Code (adopted July 2024)  
Felsted Neighbourhood Plan (made February 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 Local Plan 2005**

<b>13.2.1</b>	S7	The Countryside
	GEN1	Access
	GEN2	Design
	GEN3	Flood Protection
	GEN4	Good Neighbourliness
	GEN5	Light Pollution
	GEN7	Nature Conservation
	GEN8	Vehicle Parking Standards
	H9	Affordable Housing
	H10	Housing Mix
	ENV3	Open Space and Trees
	ENV4	Ancient Monuments and Sites of Archaeological Importance
	ENV9	Historic Landscape
	ENV10	Noise Sensitive Development
	ENV13	Exposure to Poor Air Quality
	ENV14	Contaminated land

- 13.3** 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 playspace  
Supplementary Planning Document – Developer's contributions  
Essex Design Guide

Uttlesford Interim Climate Change Policy (2021)  
Uttlesford 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) Suitability and Location**
  - C) Countryside Impact**
  - D) Character and Design**
  - E) Archaeological**
  - F) Neighbouring Amenity**
  - G) Access and Parking**
  - H) Landscaping, Arboriculture, and Open Space**
  - I) Nature Conservation, Historic Landscape**
  - J) Contamination**
  - K) Flooding and Drainage**
  - L) Other Issues**
  - M) Planning Balance**

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

**14.3.1** Emerging local plan and housing land supply:

**14.3.2** The development plan for the site is the Uttlesford District Local Plan (2005) (the Local Plan). The Emerging Local Plan was submitted to the Secretary of State on 18 December 2024. However, due to its early stage of preparation, it carries limited weight when considering the proposed development. As such the relevant saved policies contained within the Local Plan are the most relevant to the assessment of this application. Those of most relevance should be given due weight according to their degree of consistency with the NPPF under paragraph 232.

**14.3.3** Housing Land Supply:

**14.3.4** As of 06 January 2025, the Council can demonstrate 3.46 years housing land supply (which includes a 20% buffer). With the Housing Delivery Test (HDT) being at 69%, Footnote 8 of the NPPF) applies meaning the presumption in favour of sustainable development under paragraph 11(d) of the NPPF is engaged.

**14.3.5** Paragraph 11 of the NPPF (2024) requires the decision maker to grant planning permission unless having undertaken a balancing exercise there are (a) adverse impacts and (b) such impacts would 'significantly and demonstrably' outweigh the benefits of the proposal.

**14.3.6** Planning History:

**14.3.7** The application site has been subject to a previous Full Application and a an Outline Application for the residential development for a single dwelling house, both were subsequently dismissed at appeal.

**14.3.8** Both reasons for refusal are referenced below:

**14.3.9** UTT/18/3185/FUL - Erection of 1 no. Dwelling and detached garage.

**14.3.10**

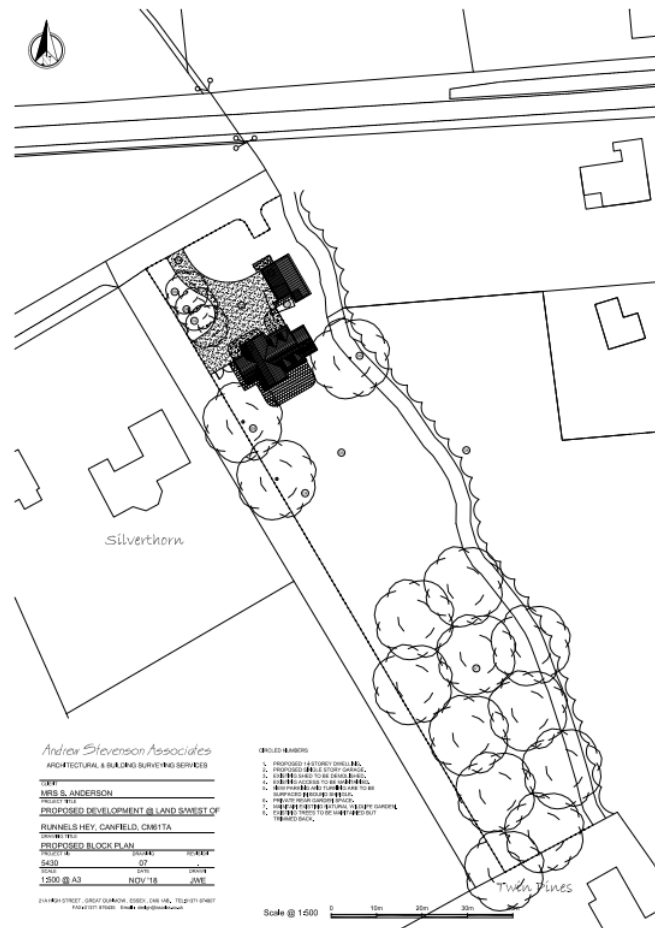


Figure 3 – Proposed Site Plan

**14.3.11** This application was refused for the following reasoning:

**14.3.12** Recommendation for Refusal 1 - *“The proposal would represent an inappropriate form of development within the countryside where this would be contrary to the countryside protection aims of ULP Policy S7, which states that the countryside shall be protected for its own sake. The proposed development in the form of a single dwelling will result in the introduction of built form to the site and as such will result in a significant harm to the open characteristics and appearance of the rural countryside setting. The proposal is therefore contrary to ULP Policies S7, the aims of the NPPF.”*

**14.3.13** On the 31st December 2019 the appeal against the LPA's refusal was Dismissed.

- 14.3.14** In summing up the appeal, the inspector stated that *“The Council acknowledges that it is unable to demonstrate that it has a five year supply of housing land and as a result the tilted balance in paragraph 11 d) ii. of the Framework needs to be applied.”* Taking the current application into consideration the LPA is unable to at the current time to demonstrate a 5-year land supply.
- 14.3.15** The inspector stated that they *“do not consider it to be previously developed land in terms of the definition in the Framework.”*
- 14.3.16** And within their closing remarks stated that *“The proposal would be harmful to the character and appearance of the area and therefore contrary to the environmental objective of planning. I find that this adverse impact of the development would significantly and demonstrably outweigh the benefits, as set out above, when assessed against the policies in the Framework taken as a whole. The proposal would be contrary to the development plan and this conflict is not outweighed by other material considerations including the Framework.”*
- 14.3.17** UTT/23/2618/OP - Outline planning application with all matters reserved except access and layout for the erection of 1 no. self-build dwelling.



Figure 4 – Proposed Site Plan

- 14.3.19** This application was the subject of Non-Determination, if the application had been determined under the LPA's delegated powers the following reasoning would have been put forwards:
- 14.3.20** Recommendation for Refusal 1 - *“The proposal would represent an inappropriate form of development within the countryside where this*

would be contrary to the countryside protection aims of ULP Policy S7, which states that the countryside shall be protected for its own sake. The proposed development in the form of a single dwelling will result in the introduction of built form to the site and as such will result in a significant harm to the open characteristics and appearance of the rural countryside setting. The proposal is therefore contrary to ULP Policies S7, the aims of the NPPF.”

- 14.3.21** Recommendation for Refusal 2 - *“Insufficient information has been submitted with this application to enable the Local Planning Authority to assess the impacts of the proposal on designated sites (LoWS) and Priority habitats (Ancient Woodland). In the absence of this information, the proposal would conflict with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework 2023.”*
- 14.3.22** In summing up the appeal, the inspector stated that *“The proposal would be likely to have a harmful effect on ecology, the LWS and the Ancient Woodland and Lowland Mixed Deciduous Woodland Priority habitat bordering the site. As a result, protected species and their habitats are likely to be negatively affected by the proposal. This harm brings the scheme into conflict with the development plan taken as a whole. Substantial weight is afforded to this conflict.”*
- 14.3.23** And that *“The Council does not have an up to date five-year Housing Land Supply. Notwithstanding the respective positions of the main parties on this matter, the Framework indicates that the presumption in favour of sustainable development does not apply where the application of policies that protect areas or assets of particular importance provides a strong reason for refusing the development proposed. Irreplaceable habitats such as ancient woodland are an example of such areas/assets, and the proposal is contrary to the relevant policies of the Framework in regard to these.”*
- 14.3.24** And within their closing remarks stated that they *“consider that the harm identified in relation to the effect of the proposal on ecology, the LWS and the Ancient Woodland and Lowland Mixed Deciduous Woodland Priority habitat bordering the site, clearly outweighs the limited scheme benefits in this case.”*
- 14.3.25** Taking the Inspector's decision into account, the first reason for refusal, related to ULP S7 (Countryside Impact), was addressed during the appeal process. The Inspector did not have any concerns regarding countryside Impact. This left the second reason for refusal, which pertained to the lack of ecological information. This matter is discussed within Section I of this report.
- 14.3.26** Given the five-year span between the first application in 2019 and the second in 2024, the Local Planning Authority (LPA) considers that the second appeal supersedes the 2019 decision. This is due to the

significant changes in the LPA's five-year land supply and the permissions granted along Canfield Drive during this period.

**14.3.27** It is noted that a number of dwellings have been granted in the vicinity of the application site:

- UTT/21/2793/FUL - Proposed erection of 1 no. dwelling and garage.
- UTT/21/3299/FUL - Proposed construction of 1 no. dwelling and garage.
- UTT/21/3300/FUL - Proposed construction of 1 no. dwelling and garage.
- UTT/23/0473/FUL - Erection of 1no. detached dwelling and garage.
- UTT/24/0668/FUL - Erection of 1 no. detached dwelling to replace static home.

**14.3.28** Several of these applications have been tested at appeal, initially refused on sustainability grounds. However, a number have been allowed at appeal due to the proximity to Takeley and other dwellings.

**14.3.29** The application site is located outside development limits of any defined villages of towns within the district and thereby it is designated as being within the countryside where ULP (2005) Policy S7 applies. It is acknowledged that Policy S7 is not fully consistent with the NPPF (2024), in that protecting the countryside for its own sake is more restrictive than the Framework.

**14.3.30** The “Planning Balance” is undertaken further below in this report, but before doing so a wider assessment of the proposal has been undertaken against all relevant considerations to determine if there are impacts, before moving to consider if these impacts are adverse and would ‘significantly and demonstrably’ outweigh the benefits of the proposal in the planning balance.

**14.3.31** In summary, the Officer does not consider the appeal decision to represent a clear reason for not allowing development on this site subject of this application. The harm to S7 fell away during the previous appeal and the Ecological Refusal reason is discussed within section I of this report.

**14.3.32** As with all applications and as referenced by the Inspector within the above referenced appeal, the development proposed in this current application will be assessed on its own merits.

#### **14.4 B) Suitability and Location**

**14.4.1** The National Planning Policy Framework (NPPF) provides a framework for the development of locally prepared plans and the government’s planning policies and how these are expected to be applied.



- 14.4.2** Paragraph 7 of the NPPF states that: ‘the purpose of the planning system is to contribute to the achievement of sustainable development’. It identifies that to deliver sustainable development, the planning system must perform three distinct objectives, these being social, economic, and environmental and that these must be taken collectively in decision making and not in isolation.
- 14.4.3** Furthermore, Planning Practice Guidance (PPG) provides additional advice on various planning issues associated with development, including those linked to sustainability and underpins the policies within the NPPF.
- 14.4.4** The site is located outside the Development Limits of Little Canfield and therefore in the countryside for the purposes of the Local Plan. The proposal conflicts with the restrictive approach to housing development in the countryside advocated by Policy S7.
- 14.4.5** Local Amenities and Facilities:
- 14.4.6** The site is located between Takeley and Little Canfield, under the previous application that was the subject of non-determination and subsequent appeal under (UTT/23/2618/OP) neither the Planning Officer nor the Planning Inspector disputed that the location is not sustainable.
- 14.4.7** The site is sited within a sustainable location with a number of local facilities nearby and good public transport links. Within the applicants Transport Statement they have identified a number of schools, employment sites and shops within the vicinity of the site along with confirmation of the sites transport links.
- 14.4.8** In addition to local facilities, there is also a mix of employment opportunities in both Takeley, Little Canfield and within the envelope of Stansted Airport located to the North.
- 14.4.9** Pedestrian and Cycling:
- 14.4.10** ‘Canfield Drive’ is a private road that is in close proximity to the B1256 and footway that links the site with Takeley and Little Canfield.
- 14.4.11** Currently there is an existing bridleway to the North of the site (Flitch Way) that links Braintree to Bishops Stortford along approximately 15 miles of former railway line that runs west to east to the North of the application site.
- 14.4.12** Public Transport:
- 14.4.13** Takeley is served by a regular bus service that runs between Stansted airport and Braintree, with connections beyond this.

- 14.4.14** The nearest bus stops to the application site is located approximately 900m to the north west of the site with the majority of the route along the private drive of 'Canfield Drive' with approximately 300m of the route along the section of 'Great Canfield Road' that does not benefit from streetlights or pavements.
- 14.4.15** The nearest train station is Stansted Airport Rail Station, located approximately 3.5km north west of the site and is accessible via a regular bus. The West Anglia Main Line serves the station connecting Cambridge to London and trains operate twice an hour with the Stansted Express service running four times an hour.
- 14.4.16** Other Opportunities:
- 14.4.17** The application site lies approximately 7km east of the town of Bishops Stortford and 5.5km to the west of Great Dunmow. These larger towns would provide further opportunities for future residents of the development to access larger amenities and services to meet their daily requirements.
- 14.4.18** As such it is regarded that the application site would not be significantly divorced or isolated and that it would be capable of accommodating the development proposed.
- 14.4.19** Social and Economic Benefits:
- 14.4.20** Paragraph 83 of the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The purpose of paragraph 78 is to support new development in rural areas, in recognition of the benefits it can bring to rural communities. New homes create additional population, and rural populations support rural services through spending (helping to sustain economic activity) and through participation (in clubs and societies for example). There is no reason to suppose that the additional occupants of the properties on the application site would not use local facilities and participate in village life in the same way that other residents do.
- 14.4.21** Through the additional population and activity generated, the application scheme contributes to the social and economic objectives of sustainable development.

## **14.5 C) Countryside Impact**

- 14.5.1** Landscape Character is defined as 'a distinct, recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse'. The landscape character is that which makes an area unique.

- 14.5.2** It can be reasonably be perceived that both Takeley and Little Canfield have developed over time. Certainly, the modern parts of Little Canfield have clustered and the features of the local amenities within the village such as the local shops and school.
- 14.5.3** The site is not within any landscape designation and is not part of a valued landscape for the purposes of paragraph 187(a) of the National Planning Policy Framework (NPPF). However, the site is clearly a locally valued landscape for residents and users of the countryside in the surrounding area.
- 14.5.4** Within the inspector's decision under (APP/C1570/W/24/3339753) they stated that:
- 14.5.5** *"A number of appeal decisions along Canfield Drive are referred to including the previously refused application at the site which was upheld at appeal (APP/C1570/W/193234963). These are cited with reference to the impact on the character of the countryside, the site being sustainable and understanding the weight afforded to Policy S7 of the ULP. Given that I have found no conflict with Policy S7 of the ULP, and it is not disputed that the site is in a sustainable location, these decisions do not have a bearing on this appeal."*
- 14.5.6** In summarising the Inspectors assessment of the Protection of the Countryside and their assessment of ULP S7:
- 14.5.7** The appeal site is a long, narrow plot surrounded by large, detached residential properties on three sides. It is accessed via Canfield Drive, a private road, and features a small Nissen Hut and verdant surroundings with trees and woodland. The site is close to a built-up area but lies outside the settlement boundary, thus classified as countryside under Policy S7 of the Uttlesford Local Plan (ULP).
- 14.5.8** Policy S7 aims to protect the countryside, allowing development only if necessary or appropriate to a rural area, including sensitive infilling. The appeal site qualifies as infill development, fitting the pattern of nearby properties and retaining its verdant nature. The proposal is consistent with Policy S7, ensuring the protection and enhancement of the countryside's character.
- 14.6** **D) Character and Design**
- 14.6.1** In terms of design policy, good design is central to the objectives of both National and Local planning policies. The NPPF requires policies to plan positively for the achievement of high quality and inclusive design for the wider area and development schemes.
- 14.6.2** Section 12 of the NPPF highlights that the Government attaches great importance to the design of the built development, adding at Paragraph 131 'The creation of high quality, beautiful and sustainable buildings and

places is fundamental to what the planning and development process should achieve'. These criteria are reflected in policy GEN2 of the adopted Local Plan.

- 14.6.3** The design and access statement provides details of the rationale behind the proposed development. This follows an assessment of the constraints and opportunities of the site, the design and appearance of the residential units, landscape objectives, access.
- 14.6.4** This is an outline application where appearance, scale, and landscaping are reserved matters.
- 14.6.5** Layout:
- 14.6.6** Layout is a matter for consideration and is not reserved. The constraints of the site with the established landscaping to the boundaries that screen the site along with the Flitch Way, requires that the north and south of the site do not introduce built form leave the centre of the site as the obvious siting for the dwelling.
- 14.6.7** The main built form would be primary located within the middle of the site loosely where the current nissan hut resides and this would follow the linear line of development that flanks the south of Canfield Drive.
- 14.6.8** To the east there is a 15m buffer zone protecting the Ancient Woodland from any additional built form encroaching within the woodland.
- 14.6.9** The proposal demonstrates that the proposal would be complimented by additional tree planting to help integrate the development into the landscape and to provide an additional buffer, whilst ensuring that any development resides outside the root protection areas in order to ensure that the trees are not harmed.
- 14.6.10** Due to the constraints of the site, it is possible to provide a development which respects the frontage distances as well as providing sufficient parking to comply with the adopted local plan. The proposed new dwelling would be set back from the front of the site allowing for car parking to be sited to the front of the dwelling, ensuring that the 15m buffer zone is retained and allowing as much private rear gardens as possible to the rear of the dwelling.
- 14.6.11** The layout responds to the site constraints and the arrangement of the proposed dwelling has considered the site's specific context, specifically with respect to providing an appropriate interface between the proposed residential development, the adjacent Ancient Woodland along with not impeding on the Flitch Way to the North.
- 14.6.12** The proposed development would equate to providing a housing density of 1-no. dwelling per acre. At this time, the Uttlesford Adopted Local Plan (2005) does not provide guidance with regards to housing density. Once

the new local plan is adopted, it is likely to provide updated guidance of an appropriate housing density for the districts future housing needs.

**14.6.13** The layout of the proposals consisting of the dwelling's central location and its position setback from its boundaries is deemed to be appropriate. This allows for appropriate private garden space, off street parking and protection to existing vegetation.

**14.6.14** Scale:

**14.6.15** Information with regards to the scale of the final dwelling has not been advanced at this stage. However, it is expected that the scale of the dwelling would be comparable to other dwellings within the vicinity.

**14.6.16** Appearance:

**14.6.17** Information with regards to the architectural design of the final dwelling has not been advanced at this stage. However, it is expected that the design of the dwelling would reflect the local vernacular in terms of style, form, size, height, and good quality external materials taken from the local pallet, thereby matching, and complementing neighbouring dwellings in the area.

**14.6.18** There is no reason to suggest the design of the residential dwelling would not be appropriately designed, however, the final design and appearance of the proposal would need to be assessed at reserve matter stage.

## **14.7 E) Archaeological**

**14.7.1** The site the subject of this application is not within an Archaeological area of interest. Due to the significant separation distance from the nearest known Archaeological area, it is not considered that the proposal would directly impact these assets.

## **14.8 F) Neighbouring Amenity**

**14.8.1** The NPPF requires a good standard of amenity for existing and future occupiers of land and buildings. Policies GEN2 and GEN4 of the Local Plan states that development shall not cause undue or unacceptable impacts on the amenities of nearby residential properties.

**14.8.2** The application is seeking outline permission and layout is a matter for reserve consideration at a later date and therefore it is not possible to fully assess the impact it would have on the amenity of neighbouring occupiers.

**14.8.3** However, in respect to layout, it is regarded that the site is well distanced from neighbouring properties adjacent and adjoining site and that the proposals could be designed appropriately such that it is not anticipated

that the proposed development would give rise to any unacceptable impact on the amenities enjoyed of these neighbouring properties.

**14.8.4** A Construction Environmental Management Plan has been submitted along with this application in order to ensure that there would not be a significant adverse impact to surround occupiers in relation to noise and disturbance during the construction phase of the development.

**14.8.5** Appearance and Scale are set for reserve matters and thereby currently there is no indication in respect to the size and window positioning on each of the dwellings. As such, details such as visual blight, loss of privacy and light would need to be assessed as part of future reserve matters applications.

#### **14.9 G) Access and Parking**

**14.9.1** Paragraph 115 of the NPPF states that: "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

**14.9.2** Paragraph 116 of the NPPF stipulate that development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas, address the needs of all users, create places that are safe, secure, and attractive, allows efficient delivery of service and emergency vehicles and designed to cater for charging of plug-in and other low emission vehicles.

**14.9.3** Policy GEN1 of the Uttlesford District Local Plan is broadly consistent with the aims and objectives of the NPPF as set out above. It requires developments to be designed so that they do not have unacceptable impacts upon the existing road network, that they must compromise road safety and take account of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired and encourage movement by means other than a vehicle.

#### **14.9.4** Proposed Vehicle Access:

**14.9.5** The proposal seeks to use the existing access onto Canfield Drive, which subsequently connects to Great Canfield Road.

Essex County Council has been consulted regarding this proposal. As the access in question is situated within a private road, and of low intensification they have not raised any objections.

#### **14.9.6** Parking:

**14.9.7** Policy GEN8 of the Local Plan states that development will not be permitted unless the number, design and layout of vehicle parking

places proposed is appropriate for the location as set out in the Supplementary Planning guidance 'Vehicle Parking Standards'.

**14.9.8** The adopted Uttlesford parking standards recommended the following number of spaces per dwelling:

- 1-no. space for each 1-bedroom unit.
- 2-no. spaces for dwellings consisting of two-three bedroom dwellings.
- 3-no. spaces for four+ bedroom dwellings.

**14.9.9** In addition, each dwelling should be provided with at least 1 secure cycle covered space.

**14.9.10** There are 2-no. parking spaces demonstrated on the indicative plans, it is noted that there is sufficient room within the redline to provide additional parking if required or in order for visitor parking to avoid parking on the road.

**14.9.11** As the final number of bedrooms has not yet been determined, the required number of vehicle spaces cannot be fully assessed at this time. However, at the reserved matters stage, there will be an opportunity to ensure that the proposed level of parking complies with the adopted Uttlesford parking standards.

## **14.10 H) Landscaping, Arboriculture, and Open Space**

**14.10.1** Landscaping is set as a reserve matter; however, the layout and design of the development, including landscaping, should seek to reflect the vernacular of the locality. Native species should be provided for structural planting and linked to existing vegetation to be retained.

**14.10.2** In good landscape design, both soft landscaping and hard landscaping are essential elements, and both need consideration. The principal aims of a good quality landscape plan are to secure a coordinated and high standard of landscape management for the landscape areas within the site, to ensure the successful integration of the residential development with the surrounding landscape and to protect and enhance nature conservation interests in accordance with the design objectives. It is suggested that a high-quality landscape plan be supported in support of the proposals.

**14.10.3** It is understood that the proposals will, where possible, include the retention of trees along the site boundaries.

**14.10.4** The Landscaping Officer from Uttlesford District Council (UDC) has been consulted to ensure that sufficient information is provided with any reserved matters application, subject to the approval of this outline permission.

- 14.10.5** The Landscaping Officer has stated that the scheme is acceptable, and that the 15m buffer zone has been included in order to distancing the proposed development away from the Ancient Woodland. They have also noted that the proposal would cause minimal impact to the existing trees as well as the provision of new planting towards the site frontage.
- 14.10.6** The Landscaping Officer has also advised that the future location and design of proposed boundary treatments such as fencing and gates should be designed with care to ensure all existing trees are retained and protected. However, it is noted that landscaping is a reserved matter and will be assessed and conditioned at the reserved matters stage.
- 14.10.7** Based on the information provided, it is evident that the proposal is situated outside any root protection areas, and development in this location will not result in the detriment or loss of trees. The proposal also demonstrates the ability to provide an adequate 15-meter buffer zone between the development and the adjacent ancient woodland.

**14.11 I) Nature Conservation, Historic Landscape**

- 14.11.1** ULP Policy GEN2 applies a general requirement that development safeguards important environmental features in its setting.
- 14.11.2** ULP Policy GEN7 seeks to protect wildlife, particularly protected species and requires the potential impacts of the development to be mitigated.
- 14.11.3** ULP Policy ENV9 is concerned with proposals that could harm significant local historic landscapes, historic parks and gardens, and protected lanes will not be allowed unless the need for the development is greater than the site's historic significance.
- 14.11.4** Paragraph 193 (a) of the Framework states that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or compensated for, then planning permission should be refused.
- 14.11.5** The application site itself is not subject of any statutory nature conservation designation, but the eastern boundary is set within an area of Ancient Woodland and the site fronts onto the Flitch Way.
- 14.11.6** The Applicant has submitted the following documents in support of their application:
- Letter from (ACJ Ecology), dated 14 February 2025.
  - Precautionary Method Statement for Great Crested Newts (ACJ Ecology) dated February 2025).
  - Precautionary Method Statement for badgers (ACJ Ecology), dated February 2025.
  - Construction Environmental Management Plan (CEMP) (ACJ Ecology), dated February 2025)



- Preliminary Ecological Assessment (ACJ Ecology), dated March 2023.

These have been submitted in order to ascertain the likely impacts of development on protected and Priority species & habitats and identification of appropriate mitigation measures.

**14.11.7** Following this submission, the County Ecologist has confirmed following:

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

**14.11.9** *“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.”*

**14.11.10** *“The mitigation measures identified in the Precautionary Method Statement for Great Crested Newts (ACJ Ecology, February 2025), Precautionary Method Statement for badgers (ACJ Ecology, February 2025), Construction Environmental Management Plan (CEMP) (ACJ Ecology, February 2025) and the Preliminary Ecological Assessment (ACJ Ecology, March 2023) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly Great Crested Newts, badgers and nesting birds.”*

**14.11.11** With regards to the proximity to the Runnells Hay Local Wildlife Site (LoWS) (Ufd172), under (UTT/23/2618/OP) Place Services Ecology were unable to determine whether the required 15m buffer had been considered.

**14.11.12** The Applicant has submitted a Tree Protection Plan, and within their Supporting Statement and Arboricultural Report they have demonstrated a 15m Buffer Zone is to be maintained between the development area and the edge of the woodland.

**14.11.13** Taking the above information into consideration, the applicant has submitted sufficient information in order to overcome the previous Ecological recommendation of Refusal under (UTT/23/2618/OP).

**14.11.14** The proposed residential development in this application is intended to be a self-build dwelling. This development is deemed to qualify for one of the exemptions under the Biodiversity Net Gain regulations.

**14.11.15** As such, the identified mitigation measures can be secured via a planning condition if members of the planning committee are mindful to recommend approval.

**14.12 J) Contamination**

**14.12.1** The proposed site is located approximately 250m from a former landfill and is also near an old railway line.

**14.12.2** Due to the fact that the proposed development concerns residential development, it is imperative to ensure that any contamination risks that may be present on site are identified, assessed and where necessary remediated to a suitable standard in accordance with Policy ENV14 of the adopted Local Plan.

**14.12.3** Environmental Health have been consulted on the proposals, and subject to the following conditions they have raised no objections:

- 14.12.4**
- Submission of a Phase 1 Desk Study
  - Submission of External Lighting Details

### **14.13 K) Flooding and Drainage**

**14.13.1** 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.

**14.13.2** The Environment Agency's (EA) indicative Fluvial and Tidal Flood Mapping demonstrates that the proposed development is located within Flood Zone 1 in accordance with the Flood Risk and Coastal Change PPG as per Figure 5 below.

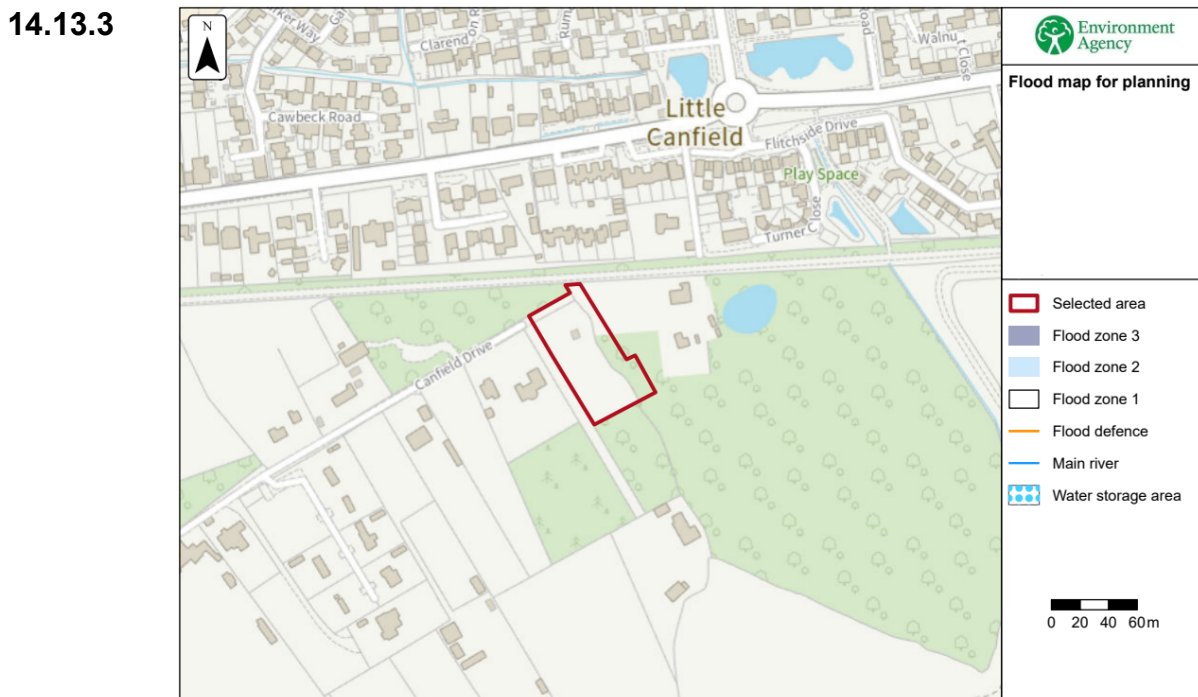


Figure 5: Environment Agency 'Flood map for Planning'

**14.13.4** The NPPF sets out the need of Sequential Testing. The Sequential Test aims to direct new development to areas with the lowest probability of flooding. The development area of the site has been identified as located within Flood Zone 1. It is therefore considered to pass the Sequential Test and the need for Exception Testing is not required.

**14.13.5** Due to the size and scale of the proposed development, the potential to cause a significant increase in surface water runoff rates and volumes, that could lead to the overloading of sewers, watercourses, culverts, and other drainage infrastructure is minimal for developments within Flood Zone 1.

**14.13.6** The proposed development would therefore accord with Policy GEN3 in terms of flooding and drainage.

**14.14 L) Other Issues**

**14.14.1** Energy and Sustainability:

**14.14.2** Council's Supplementary Planning Document 'Uttlesford Interim Climate Change Policy (2021)' seeks new development proposals to demonstrate the optimum use of energy conservation and incorporate energy conservation and efficiency measure.

**14.14.3** The potential methods and techniques incorporated into the final design and layout of the proposals will help deliver a development that would reduce fuel use and greenhouse gas emissions, minimise energy use and input of raw materials and incorporates principles of energy conservation in relation to the design, siting, and orientation of the buildings.

**14.14.4** However, it should be acknowledged that measures such as incorporating high efficiency lighting, use of high efficiency heating systems, water control, and requiring EV charging infrastructure for the dwelling are all required under the current building regulations. Other measures including the installation of Mechanical Ventilation and Heat Recovery systems are also encourage as part of the building regulations.

**14.14.5** Air Quality:

**14.14.6** Policy ENV13 'Exposure to poor air quality' seeks to protect users (occupiers) from extended long-term exposure to poor air quality.

**14.14.7** The overall impact in terms of air quality issues is neutral and this is confirmed by the Council's Environmental Health Officer who raised no objections in respect to air quality.

**14.15 M) Planning Balance**

- 14.15.1** The NPPF describes the importance of maintaining a five-year supply of deliverable housing sites. As the council is currently unable to demonstrate a five-year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).
- 14.15.2** Paragraph 11 (d) of the NPPF advises:
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8) granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed (7) or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 14.15.3** Therefore, a tilted balance approach should be applied in the assessment of the proposed development and whether the potential harm the development might cause 'significantly and demonstrably' outweighs the potential positive outcomes of the development as a whole.
- 14.15.4** The development will result in a small level of economic and social benefit. Together these elements are considered to carry limited weight in support of the scheme.
- 14.15.5** Positives:
- The proposal could provide a small contribution towards the wider local economy during construction, via employment for local builders and suppliers of materials, and post-construction via reasonable use of local services. – **limited weight**.
  - 1-no. new dwelling in this location could be considered to be a more efficient use of land rather than its current use. – **limited weight**.
  - The addition of 1-no. new dwelling in this location it would contribute to the Local Planning Authority land supply and the LPA's Self-build register. – **moderate weight**.
  - Recent Appeal and Planning Permissions in the locality have established that the location is sustainable. – **significant weight**.
- 14.15.6** Negatives:

- The proposed scheme would urbanise and domesticate the site. – **limited weight.**
- Impact upon the openness of the countryside. – **limited weight.**

**14.15.7** Taking both the positives and negatives of the proposal into account it is concluded that the benefits brought by the development set out in this application will outweigh the negatives of the development as a whole and as such the Tilted Balance is engaged in this respect.

**14.15.8** I have had regard to section 38(6) of the Planning and Compulsory Purchase Act (PCPA) 2004 which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Other material considerations which I have taken into account include the NPPF and associated planning guidance.

**14.15.9** The principle of development is considered to be acceptable and would be in accordance with Uttlesford Local Plan Policy S7 and the National Planning policy Framework.

## **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:

**16.2** The principle of the development is acceptable to the Local Planning Authority.

**16.3** The proposed siting of the dwelling is considered to be within a sustainable location.

**16.4** The proposed dwelling is not considered to impact the countryside setting.

**16.5** Design and Scale are Reserved Matters, but no objections have been raised towards the Layout of the proposal, and they are considered to be appropriate for this location.

**16.6** No Archaeological objections are evident within the site boundaries.

**16.7** No objections have been raised with regard to the impact on neighbouring dwellings due to the separation between the dwellings.

**16.8** The Highways Authority have no objection towards the proposal and the parking on the site is acceptable.

**16.9** Landscaping is a Reserved Matter, however no objections have been raised.

**16.10** No Ecological objections have been raised, the previous Ecological Refusal reasons under (UTT/23/2618/OP) have been addressed.

**16.11** No objections, subject to conditions to ensure the site is not contaminated have been raised by Environmental Health.

**16.12** No objections have been raised with regards to flooding.

**16.13** No objections have been raised by Environmental Health.

**17. CONDITIONS**

**1** Approval of the details of scale, landscaping and appearance (hereafter called "the Reserved Matters") must be obtained from the Local Planning Authority in writing before development commences and the development must be carried out as approved.

REASON: In accordance with Article 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2** Application for approval of the Reserved Matters must be made to the Local Planning Authority not later than the expiration of three years from the date of this permission.

REASON: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3** The development hereby permitted must be begun no later than the expiration of two years from the date of approval of the last of the Reserved Matters to be approved.

REASON: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4** 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 .

- 5** Prior to Commencement no development approved by this permission shall take place until a Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination has been submitted to and approved in writing by the Local Planning Authority. This report shall adhere to BS10175:2011.

Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175:2011 shall submitted to and approved in writing by the Local Planning Authority.

Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 remediation scheme shall be submitted for approval in writing by the Local Planning Authority. This scheme shall detail measures to be taken to mitigate any risks to human health, groundwater and the wider environment.

Any works which form part of the Phase 3 scheme approved by the local

authority shall be completed in full before any permitted building is occupied.

Prior to occupation the effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

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 in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

**6 CONCURRENT WITH RESERVED MATTERS PRIOR TO  
OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME**

A lighting design scheme for biodiversity in accordance with Guidance Note GN:08/23 (Institute of Lighting Professionals) 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 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.

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 and s40 of the NERC Act 2006 (as amended) and to protect the amenities of neighbouring occupants in accordance with Policies GEN2, GEN4 and GEN7 of the Uttlesford Local Plan (2005).

**7 CONCURRENT WITH RESERVED MATTERS PRIOR TO ANY WORKS  
ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY**

A Biodiversity Enhancement Strategy for protected, Priority & threatened 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) timetable for implementation;
- 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, Priority and threatened species and allow the LPA to discharge its duties under the NPPF 2024 and s40 of the NERC Act 2006 (as amended) and GEN7 of the Uttlesford Local Plan (2005).

- 8** Prior to first occupation of the development, the vehicle parking spaces shown in the Proposed Site Plan drawing no: 2022-686-002 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).

- 9** The dwellinghouse granted by virtue of this permission, shall not be occupied until the nissan hut as indicated on the (plan no's: 2022-686-001 and 2022-686-002) has been completely demolished and all of the debris associated with the demolition has been completely removed from the site.

REASON: To prevent countryside setting and in order to protect the site from becoming overdeveloped, in accordance with Policies S7 and GEN2 of the Uttlesford Local Plan (2005).

- 10** Prior to Occupation, the development shall be constructed to provide sound attenuation against external noise in accordance with BS8233:2014. The following levels shall be achieved: Maximum internal night noise levels of 30dB<sub>L</sub>Aeq,T for living rooms and bedrooms with windows open (or closed with provided acoustic mechanical ventilation

including heat recovery). For bedrooms at night individual noise events (measured with F time-weighting) shall not (normally) exceed 45dBLA<sub>max</sub>. Maximum living room day (07.00-23.00 hrs) noise levels of 35 dB LA<sub>eq</sub> shall be achieved. External amenity areas shall be designed to achieve levels not exceeding 55 dB LA<sub>eq</sub> (day).

The development shall not be carried out other than in accordance with the approved scheme which shall be completed before any part of the accommodation hereby approved is occupied.

REASON: To ensure future occupiers enjoy a good acoustic environment, in accordance with policy ENV10 which requires appropriate noise mitigation and sound proofing to noise sensitive development.

- 11** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Precautionary Method Statement for Great Crested Newts (ACJ Ecology, February 2025), Precautionary Method Statement for badgers (ACJ Ecology, February 2025), Construction Environmental Management Plan (CEMP) (ACJ Ecology, February 2025) and the Preliminary Ecological Assessment (ACJ Ecology, March 2023) 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), s40 of the NERC Act 2006 (as amended) and Policy GEN7 of the Uttlesford Local Plan (2005).

- 12** The residential unit hereby permitted shall be constructed as a self-build and custom housebuilding dwelling within the definitions of self-build and custom housebuilding dwelling in the 2015 Self-Build and Custom Housebuilding Act (as Amended by the 2016 Housing and Planning Act:

The first occupation of the residential unit hereby permitted shall be by a person or persons who had a primary input into the design and layout of the dwelling.

The Council shall be notified of the persons who intended to take up first occupation of the residential unit hereby permitted at least two months prior to the first occupation.

REASON: To ensure the development complies with the self-build and custom house building definition and to help meet the Councils self-build requirement in accordance with Policies H9 and H10 of the Uttlesford District Local Plan (as Adopted) and the National Planning Policy Framework.

## APPENDIX 1 – ECC HIGHWAYS COMMENTS



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**From:** Chioma Cureton - Strategic Development Officer <Chioma.Cureton@essex.gov.uk>

**Sent:** 04 April 2025 13:01

**To:** Mark Sawyers <MSawyers@uttlesford.gov.uk>

**Cc:** Planning <planning@uttlesford.gov.uk>; Councillor Susan Barker <cllr.Susan.Barker@essex.gov.uk>; Transport Development Admin Assistant <transport.develop@essex.gov.uk>

**Subject:** >> UTT/25/0506/OP (33558) 4A

Dear Mark,

I hope you are well.

Thank you for application UTT/25/0506/OP, , from a highway and transportation perspective the Highway Authority has no objections to make on this proposal as it is not contrary to the relevant transportation policies contained within the Highway Authority's Development Management Policies, National Planning Policy Framework 2024 (NPPF) , adopted as County Council Supplementary Guidance and Uttlesford Local Plan Policy GEN1.

Please note. Canfield drive is a Private Road.

Kindest regards

Chioma Cureton  
Strategic Development Officer



T: 07990 392 463

[chioma.cureton@essex.gov.uk](mailto:chioma.cureton@essex.gov.uk)

[www.essex.gov.uk/highways](http://www.essex.gov.uk/highways)



The Highway Authority is now charging for all pre-planning application advice, full details can be found here [Pre-App Charging](#)  
I work 18 hours per week – usually Tues, Wed, Thurs, and Fridays although this may vary.