



<b>ITEM NUMBER:</b>	<b>7</b>
<b>PLANNING COMMITTEE DATE:</b>	<b>2 July 2025</b>
<b>REFERENCE NUMBER:</b>	<b>UTT/25/0871/FUL</b>
<b>LOCATION:</b>	<b>The Coal Shed Site Linton Road Hadstock</b>

## SITE LOCATION PLAN:



© Crown copyright and database rights 2025 Ordnance Survey 0100018688  
Organisation: Uttlesford District Council Date: 10 January 2025

**PROPOSAL:** Demolition of buildings and structures associated to car repair business (Class B2) and erection of 3 no. residential dwellings (Class C3) and associated works

**APPLICANT:** L Crawley, S Green and A Green

**AGENT:** Marcus Taylor

**EXPIRY DATE:** 10/06/2025

**EOT EXPIRY DATE:** 03/07/2025

**CASE OFFICER:** Ashley Neale

**NOTATION:** Outside Development Limits  
Public Right of Way  
Conservation Area 50m Buffer Zone  
Within 250m of Landfill Site  
Aerodrome Direction  
Mineral Safeguarding Area

**REASON THIS APPLICATION IS ON THE AGENDA:** Councillor Call-in

---

## **1. EXECUTIVE SUMMARY**

- 1.1** The applicant seeks planning permission for the proposed demolition of the existing commercial car repair workshop and its associated structures and hardstanding, and to redevelop the site with 3 no. detached dwellings. The housing mix provides for 2no. 2-bed dwellings and 1no, 3-bed dwelling.
- 1.2** The proposed design of the dwellings is simple and responsive to existing built form in the site's environs and the proposed scale and form of the dwellings would appear sympathetic and low-profile within the site. The appearance and layout of the proposed dwellings would appear as a visual improvement to the existing appearance of the site which currently detracts from the semi-rural nature of the site.
- 1.3** The current commercial buildings at the site are not considered to be of a high environmental value or worthy of retention. The former coal yard site

is a brownfield site and one of the core planning principles of the NPPF includes the encouragement to make a more effective use of land by reusing land that has been previously developed. The site, although semi-rural is not considered isolated from services or amenities and the site would make an efficient use of land on the edge of Hadstock's 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 overall they comply with these policies. The proposals are acceptable and thus are recommended for approval subject to conditions.

## 2. **RECOMMENDATION**

That the Strategic Director of Planning be authorised to **GRANT** planning 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 refers to 'The Coal Shed Site', located to the west of Linton Road (B1052) in the village of Hadstock. The is a former coal distribution and storage facility and is now occupied by a car bodywork repairs workshop. The site area spans 0.16ha and is situated to the northwest of Hadstock's village core. An existing vehicular access point to the site exists off Linton Road.

- 3.2 The site is bounded by established tree and vegetation planting and there is an existing gated access point to the southeast of the site onto access track. To the north and west the site is bordered by arable fields, to the east by paddock land and to the south by what appears to be a cluster of rural buildings possibly making up a farmstead or stables. A Public Right of Way traverses the access track and runs adjacent the site's frontage (PROW 22\_8) and another two Public Right of Ways traverse the site running south-west adjoining the access track (PROW 22\_13 and PROW 22\_14).

## 4. **PROPOSAL**

- 4.1 The proposal seeks to demolish the buildings and structures associated to the car repair business (Class B2) and erect 3 no. residential dwellings (Class C3) and associated works.
- 4.2 The application includes the following supporting documents:
- Application Form
  - Covering Letter
  - Design And Access Statement
  - Planning Statement

- Land Contamination Checklist
- Phase 1 Geo-Environmental Desk Study
- Arboricultural Impact Assessment
- Transport Statement
- Preliminary Ecological Appraisal and BNG Calculation
- BNG Metric
- BNG Condition Assessment Sheets and Methodology
- Proposed Drainage Details
- Suds Proforma
- Biodiversity Checklist

## **5. ENVIRONMENTAL IMPACT ASSESSMENT**

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

## **6. RELEVANT SITE HISTORY**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
UTT/0115/92	Change of use from agricultural to re-siting of approved coal distribution and storage	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 the change of use from a car bodywork repair garage to residential. The indicative plans demonstrated the demolition of all garages, buildings and structures and proposed residential development of no.3 family houses (2no. 2-bed houses and 1no. 3-bed house).
- 7.3** Officer advice was on the proposed scheme was given, without prejudice, on 16th June 2023 (UTT/22/2941/PA) and was generally supportive of the proposals. The principle of development of three dwellings on this brownfield site was considered acceptable. It was confirmed that the need to advertise the existing commercial use for 6 months is not required as it is not designated as an employment site. The design and scale of the dwellings was considered acceptable and it was of the officer's opinion that the scheme would be supported if a formal application was submitted.

## **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. HADSTOCK PARISH COUNCIL**

- 9.1** Hadstock Parish Council neither objected nor supported this planning application and made the following comments:
- Development outside settlement boundary – conflict with Policy S7
  - The drainage strategy is insufficient to manage surface water flood risk/exacerbated by climate change
  - Poor fit with local character - suburbanising.
  - Sets precedent for future development outside village boundary
  - Limited local services and connectivity
  - Lack of highway visibility.
  - No new housing allocated for Hadstock in emerging plan
  - Use of brownfield land is appreciated.

## **10. CONSULTEE RESPONSES**

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

- 10.1.1** Recommend approval subject to attached conditions. Place Services (Ecology) consultee response can be found in Appendix 2 of this report.

### **10.2 UDC Environmental Health**

- 10.2.1** No adverse comments on the proposals subject to pre-commencement conditions regarding contaminated land and construction impacts. UDC Environmental Health consultee response can be found in Appendix 3 of this report.

## **11. REPRESENTATIONS**

- 11.1** A site notice was displayed near the site and twelve neighbours were notified of the application by letter.

### **11.2 Support**

- 11.2.1** There are three letters of support for this application. The following comments were received:
- In sympathy with the rural environment of the village and enhances the overall appearance of the site.
  - Not in an isolated location
  - Would benefit the village

### **11.3 Object**

**11.3.1** There is one letter of objection for this application. The following comments were received:

- Surface water flooding not suitably addressed
- Insufficient access/lack of visibility
- Increase of potholes
- No separation of pedestrian pathways from vehicle access
- Inaccuracies in the planning application regarding traffic movements/sustainability credentials

## **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:  
(a) 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** S7 – The Countryside  
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

**13.3 Neighbourhood Plan**

**13.3.1** There is no made neighbourhood plan for Hadstock.

**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) Accessible Homes

**14.3 A) Principle of Development**

**14.3.1** Uttlesford Local Plan Policy S7 sets out that in the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there or is appropriate to a rural



area. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there. The site is located outside the Development Limits 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.

**14.3.2** Policy S7 is partially compliant with the National Planning Policy Framework (NPPF) which is more permissive and seeks to promote sustainable development, accepting that there are differences in the level of sustainability between countryside and town locations. The policy has consistently been found to have 'moderate weight' at appeal.

**14.3.3** The National Planning Policy Framework is a material consideration and paragraph 11 set out a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- 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.

**14.3.4** Paragraph 79 of the NPPF sets out that where the Housing Delivery Test indicates delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, as set out in footnote 8 of this Framework. This is in addition to the requirements for an action plan and 20% buffer. Given that the latest HDT for Uttlesford was below 75%, situation (b) of Footnote 8 applies, which means that the Council must continue engaging with the presumption in favour of sustainable development under paragraph 11(d) of the NPPF. The age of the Local Plan is also supportive of this.

**14.3.5** Due this position the local plan policies relating to housing are only afforded **limited** weight. The Local Plan cannot be viewed as being fully up to date as such NPPF paragraph 11(d) of the National Planning Policy Framework (NPPF) is still engaged. As such the development should be assessed against the three strands of sustainable development (social, economic and environmental).

**14.3.6** Paragraph 50 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development.

**14.3.7** Sustainable Development:

**14.3.7.1** There is a presumption in favour of sustainable development in the National Planning Policy Framework (NPPF). Sustainable development is defined as being based on three dimensions – economic, social and environmental. The NPPF specifically states that these roles should not be undertaken in isolation, because they are mutually dependent.

**14.3.8** Economic benefits:

**14.3.8.1** The addition of three dwellings would have a limited economic benefit regarding employment opportunities during the construction phase of the development. Once built the occupiers of the dwellings would contribute in a modest way to the local economy predominantly supporting neighbouring settlements. Therefore, there is a minor economic benefit of the development, according with the economic dimension of the NPPF on sustainable development in a limited way.

**14.3.9** Location – isolation, infill, services and facilities:

**14.3.10** Case law defined ‘isolation’ as the spatial/physical separation from a housing settlement or hamlet, meaning that a site within or adjacent to a housing group is not isolated. The site is not ‘isolated’, as it is in close proximity to the village of Hadstock. Paragraph 84 of the NPPF is not applicable.

**14.3.11** Paragraph 6.14 of the Local Plan allows “sensitive infilling of small gaps in small groups of houses outside development limits but close to settlements” if the development is in character with the surroundings and have limited impacts on the countryside. By reason of the development’s position in relation to the neighbouring dwellings, the site is not an infill opportunity, as it is not a gap between existing properties, rather a commercial site outside of the settlement boundary.

**14.3.12** With regards to accessibility and new development in the countryside, there are a lack of local services, amenities, and public transport links in the surrounding locality in Hadstock and thereby future residents would most likely conduct most journeys by private motor vehicle to access Linton and other larger surrounding settlements. In terms of its location, the application site is not the most sustainable location in respect to accessibility to employment, cultural, health and commercial activities to meet the daily needs of future occupiers.

**14.3.13** However, it is noted that the site is approximately 0.8 miles from Linton, a well-sized village with a number of facilities and services, including numerous educational facilities (from primary school to further education

facilities), public houses, shops, restaurants, healthcare services, sports facilities and bus stops. Notwithstanding this, there are no public footpaths to the village along the road from the application site and it is realistic to surmise that there would be some 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 Linton and this limits the harm arising from the need to travel.

**14.3.14** 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. Therefore, whilst not a positive for the proposed development the lack of sustainable transport options cannot be seen as a major negative either. The addition of three more house to the Council’s current lack of housing delivery is a positive and car trips would feature if the site remains in its current use.

**14.3.15** Previously developed land – Effective use of land:

**14.3.16** The site is a former coal yard and is currently used as a commercial car repair workshop (Use Class B2). The site is characterised by several garages, other built structures and hard surfacing and as such, the site is determined to be Previously Developed Land (PDL). The NPPF encourages the use of previously developed land for new development. Policy H1 of the Uttlesford Local Plan also encourages the use of previously developed land. It is therefore necessary to consider the principles expressed in all these policies in regards to the proposed scheme.

**14.3.17** As such and with regards to the principle of the redevelopment of the site, it can be classed as brownfield or previously developed land (PDL) by definition. Redevelopment of PDL for housing purposes as is sought is considered acceptable and the site lies on the outer edge of a small village (Hadstock), and where the re-use of the site for housing purposes would make more effective use of the land in line with the advice contained within paragraphs 124 and 125(c) of the NPPF. Furthermore, the immediate surrounding area along Linton Road is characterised by housing and the proposed residential use of the site would potentially remove any unneighbourly elements attributed to the existing car repair workshop. In these circumstances, the proposal would comply with the NPPF.

**14.3.18** Policy E2 of the Local Plan relates to safeguarding employment land and advises that other uses will be permitted if the employment use has been abandoned or the present use harms the character or amenities of the surrounding area. The Coal Shed site is currently an employment use but does not fall within designated employment land. It should be noted that within this policy there is no requirement for the proposed commercial site to be advertised for 6 months and as such, the loss of the commercial use of the site and redevelopment for housing would not create a conflict with Policy E2.

**14.3.19** Environmental dimension of sustainable development / The Countryside:

The site is located within a plot of land on the north-western edge of the village of Hadstock, outside of the defined development limits. The former coal yard site is a brownfield site and is physically separate from the surrounding arable landscapes to the north and east of the site and is visually prominent within the wider landscape with a distinct commercial/industrial appearance. The introduction of the three dwellings would result in a slight increase in built form at the site and will by virtue result in a conflict with ULP Policy S7. However, the removal of the fairly obtrusive and prominent commercial buildings and replacement with 3no. dwellings is considered to enhance the visual appearance of the site and to better respect the rural landscape which bounds the site. This weighs in favour of the proposal. The principle of residential use at the site in the form of three new 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 the previously developed nature of the land and the established vegetation boundaries to the site.

**14.3.20** Paragraph 17 of the NPPF requires that planning decisions should take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving communities within it. Planning should contribute to conserving and enhancing the natural environment. The landscape performs the function of clearly defining and containing the extent of built form, of which the environs of the site have an intrinsically rural appearance.

**14.3.21** The former coal yard site is a brownfield site and one of the core planning principles of the NPPF includes the encouragement to make a more effective use of land by reusing land that has been previously developed, provided it is not of a high environmental value. The current commercial buildings at the site are not considered to be of a high environmental value or worthy of retention, therefore the redevelopment of site for residential use would make a more sympathetic and efficient use of the land, subject to its overall design and appearance and how it integrates into the rural setting of the site.

**14.3.22** The plans demonstrate that three 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 is fairly modest and would reduce the built footprint on the site than what exists currently. The current state, by way of the garage repair building, shed and concrete hardstanding and block walls cover a footprint of 674m<sup>2</sup> and the proposed dwellings including buildings, access drive, garden paving and driveways would cover a footprint of 624m<sup>2</sup>. The 1.5-storey forms of the buildings proposed with low eaves heights also limits 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 be an improvement of the existing

commercial/industrial appearance of the site which at present feels at odds with the rural character of the site's environs. As such, the proposals would not overly urbanise the character of the site compared to the present character of the site. The introduction of the proposed built form with planting and garden areas at this location are considered to improve the character of the site and to better contribute towards the countryside character of the surrounding area.

**14.3.23**    Conclusion:

Regarding the principle of residential development in the form of three new dwellings at the site, the planning balance under paragraph 11(d) of the NPPF would support the principle of the development (see Conclusions), and as such, the proposed development would accord with paragraph 11 of the NPPF.

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

**14.4.1**        Section 12 (Achieving well-designed places) of the National Planning Policy 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):

**14.4.4**        The proposals seek to utilise an existing access point to form a shared permeably-surfaced drive to serve the detached dwellings and to retain the route of the PROW.

**14.4.5**        With regards to the proposed layout, it is proposed that the 3 no. dwellings are orientated facing north-eastwards over the proposed new drive. The site is divided into three plots, plot one to the south east boundary, plot 2 in the middle and Plot 3 to the north west boundary. The Applicant submits in the Design & Access Statement that this design approach with the alignment of the houses, the shape, dimensions and surrounding aspects of the site lends itself to house forms with narrow frontages and deeper sides arranged in a north east/ south west orientation. This plan form is also reflective of the rural barn typology. The site arrangement provides house frontages facing the new access road (in the existing route location) to the north east, and the rear gardens have a south west aspect which is beneficial for midday, afternoon and evening sun. The rear gardens also adjoin the existing fields and Plot 3 has rear and side gardens.

- 14.4.6** The proposed layout would not necessarily be inconsistent with Policy GEN2. Although, outside the settlement boundary, the layout would be consistent with the linear pattern of development in the surrounding area along Linton Road, and would not appear inconsistent within the site's context. All three plots would create active frontages onto the access drive and PROW and the PROW would remain semi-rural and unobstructed in character. 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.
- 14.4.7** In terms of scale, mass and appearance within the street scene, the proposed new dwellings would all be 1.5 storeys in height. This is proposed to minimize the massing and reduce impact to the rural surroundings. Plots 1, 2 and 3 which would front the new drive and existing PROW comprise 90.5sqm, 83sqm and 115.7sqm of internal space, respectively and would represent 3no. smaller homes. In terms of height in relation to neighbouring properties, Plot 1 has a maximum ridge height of approximately 6.3 metres, Plot 2 has a maximum ridge height of 6.4-metres and Plot 3 has a maximum ridge height of 6.6-metres. The use of a 1.5-storey form provides that all plots have an eaves height of approximately 3.3 metres. Although taller than the existing garage workshop at the site, the dwellings would still appear low-profile in their form and height and would be well-screened from view from the public realm along Linton Road. They would not appear overly dominant nor overbearing and would appear as a small cluster of rural housing just outside of the village's development limits
- 14.4.8** With regards to their appearance within the streetscene, it is considered that only Plot 1 would be partially visible from Linton Road with glimpsed views on the dwelling through the trees and from the PROW. With regards to the frontages of the dwellings fronting the PROW, the design approach for the elevations is contemporary. The elevations for each house repeat the same arrangement of windows, and dormer designs with the Applicant stating that the intention is that all three houses appear as a group, without contrasting features that will visually draw attention or conflict with each other. The simple contemporary approach, combined with the low massing, height and forms would not appear incongruous in the site and assist in minimising the visual presence of the houses amongst the existing trees and wooded character of the surroundings.
- 14.4.9** As such, it is considered that the proposed scale and form of the dwellings would appear sympathetic and low-profile within the site and would not appear overbearing nor incongruous on the character or appearance of the street scene along Linton Road or in the village of Hadstock. The submitted streetscene/elevation plans submitted demonstrate the sympathetic and respectful integration of the three dwellings into the environs and would appear as a visual improvement to the existing appearance of the site.

- 14.4.10** Aforementioned, the proposed buildings internal footprints would provide 90.5sqm (Plot 1, 2-bed), 83sqm (Plot 2, 2-bed), and 115.7sqm (Plot 3, 3-bed) of internal floor space. Each internal 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 both pre-application advice given and to the semi-rural setting of the site. Design justification has been provided by the Applicant in the Design & Access Statement. The character of the site has the feel of a secluded wood, before opening out to the rural fields to the north. The character of the site is distinctly separate from that of Hadstock village and the applicant proposes materials that aim to be natural and visually blend with the surrounding wooded areas and trees. The appearance is designed to be visually sensitive to the rural context without being overly obtrusive.
- 14.4.12** The proposed cladding is vertical timber, dark in colour, for example charred Mokusai or dark stained wood, with lighter wood used around the porch area and to the soffit of the canopy. The roofs will be grey slate colour tiles. Dormers and entrance canopy will be clad in grey zinc. Aluminium slimline windows, and aluminium rainwater pipes and gutters are proposed as black.
- 14.4.13** It is considered that the proposed designs of the dwellings would be of a contemporary design and be distinct from the typical rural North Essex vernacular. However, the materials and appearance proposed would sensitively respond to the character and appearance of the site and the simple built forms proposed would retain the rural wooded character of the site. The slight variations between dwellings would avoid monotony, whilst still appearing coherently as a small cluster of houses to be viewed together. This helps to limit any perceived urbanising feel that the new dwellings would have.
- 14.4.14** 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.

- 14.4.15** The design seeks to create a sympathetically designed scheme of 3no. dwellings within the curtilage of the brownfield site. The design of the dwellings is simple and responsive to existing built form in the site's environs utilising low eaves heights and gable end roofs to reflect the edge of settlement location of the site. The materials seek to reflect the rural, wooded character of the site and seek to blend the dwellings sensitively into the landscape. The density being proposed is not considered overbearing, nor an over-urbanisation of the site when considering the previously developed nature of the site. The proposals represent a simple built form and would not be overly harmful or incompatible within the context of the site.
- 14.4.16** 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 Hadstock and would see a more efficient use of under-utilised, previously developed site outside the development limits to accommodate 3no. small detached dwellings.
- 14.4.17** As such, the proposals are in accordance with Policies S7 & 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 further sets out that new development should not cause any loss of privacy, loss of light or be an overbearing form of development for nearby properties which would result in the loss of amenities of the occupants of the neighbouring properties. With regards to residential amenity, Policy GEN2 also highlights that new developments must provide an environment, which meets the reasonable needs of all potential users.
- 14.5.2** The proposed gardens would exceed the 100m<sup>2</sup> standard for 3+ bedroom properties and the 50m<sup>2</sup> for 2-bedroom properties, as set out in the Essex Design Guide. This would provide sufficient private amenity space for future occupiers of the new dwelling. The shape and form of the proposed gardens would be spacious and expansive. Due to the siting of the new dwellings, lack of sensitive neighbouring uses and their modest scale and form, there are no concerns with regards to overlooking, privacy or having an overbearing impact.
- 14.5.3** Therefore, it is considered that the proposed development would not cause any detrimental impacts to the amenities of neighbouring properties and would provide suitable private amenity space to which meets the needs of all potential users. As such, the proposals accord with Policies GEN2 and GEN4 of the Uttlesford Local Plan (2005).



## **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 proposal seeks to retain use of the existing vehicular access to Linton Road, with some widening to achieve 3.7m width. Existing pedestrian routes are to remain unaltered. The applicant has demonstrated that suitable visibility splays are achievable when egressing the site and a new blockwork surface will form a 'shared access' road along the frontage to the houses, in the location of the existing vehicular route. The PROW will be integrated with the road access, as in the existing arrangement. The new shared surface will be 3.7m wide in accordance with Essex Highways requirements. The new access road surface is located across the house frontages only, and will provide an even and robust surface for vehicles and pedestrians.

**14.6.3** ECC Highways state that from a highway and transportation perspective the Highway Authority has no objections to make on this proposal, subject to the implementation of a compliance related condition relating to parking bays. As such, the proposals accord with 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 of the Local Plan sets out that the number, design and layout of vehicle parking places proposed is appropriate for the location, as set out in Supplementary Planning Guidance "Vehicle Parking Standards". The proposed development would trigger the requirement for two vehicle parking spaces to be provided for each dwelling.

**14.6.5** The Applicant has demonstrated that 2no. spaces would be provided at the site for each dwelling on set-back private driveways. This meets the requirements for 2 and 3-bedroom dwellings, as set out in the Vehicle Parking Standards SPD. As such, the proposed development accords with Policy GEN8 of the Uttlesford Local Plan (2005).

## **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 an Update Preliminary Ecological Appraisal & Biodiversity Net Gain Calculation (Arborterra Ltd., February 2025), Statutory Biodiversity Metric (R. Spring, February 2025) and biodiversity checklist. 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 and recommend approval subject to attached conditions.
- 14.7.3** The mitigation measures identified in the Update Preliminary Ecological Appraisal & Biodiversity Net Gain Calculation (Arborterra Ltd., February 2025) 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 those recorded in the locality.
- 14.7.4** With regard to mandatory biodiversity net gains, Place Services support the submitted Update Preliminary Ecological Appraisal & Biodiversity Net Gain Calculation (Arborterra Ltd., February 2025) and Statutory Biodiversity Metric (R. Spring, February 2025) and 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 principle of sustainable development means that, where practicable, brownfield sites, including those affected by contamination, should be recycled into new uses. Any proposal on contaminated land needs to take proper account of the contamination. Mitigation measures, appropriate to the nature and scale of the proposed development will need to be agreed. Policy ENV14 reinforces that before development, where a site is known or strongly suspected to be contaminated, and this may cause significant harm, a site investigation, risk assessment, proposals and timetable for remediation will be required.
- 14.8.2** UDC's Environmental Health team has reviewed the Applicant's Phase I Geo-Environmental Desk Study, dated 19th February 2025. This identified plausible contaminant linkages which should be further investigated. With consideration to the fact the proposed development is for a very contamination-sensitive end use of residential occupancy with gardens, 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. For these reasons, UDC Environmental Health have no adverse comments to make on the

application and recommend that a pre-commencement condition is attached to any planning consent requiring a Phase 2 Site Investigation, adhering to BS 10175:2011.

- 14.8.3** Overall, the proposal is acceptable in contamination terms with pre-commencement conditions attached 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 application is accompanied by a drainage strategy prepared by Peter Dann Consulting Engineers which identifies the use of permeable paving and attenuated discharge to the existing watercourse to the northeast of the site to accommodate surface water drainage and a connection to the existing foul sewer network in Linton Road to accommodate foul drainage. The Applicant has also completed the SUDs proforma which provides the required information required by Essex LLFA.

- 14.9.4** Given that the proposed development is seeking to intensify the residential use of the site from a commercial unit to 3no. dwellings, reduces impermeable surfacing on the site by approximately 368m<sup>2</sup> (when deducting the permeable paving from the overall hardsurfacing), and introduces a new surface/foul water drainage network, it is considered that surface water runoff has been managed safely and appropriately and the proposals present an improvement of the site's current management of surface water runoff. As such, the proposed development accords with Policy GEN3 of the Uttlesford Local Plan (2005).

## **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, 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) Accessible Homes**

- 14.11.1** Policy GEN2 and the SPD entitled 'Accessible Homes and Playspace' require compliance with the Lifetime Homes standards. However, these standards have effectively been superseded by the optional requirements at Part M of the Building Regulations, as explained in the PPG. Compliance with these requirements could be secured using a condition.

**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 overall, and the NPPF. No material considerations indicate that planning permission should be refused. It is therefore recommended that planning permission be granted 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 Proposed Block Plan drawing no. 2205 PD 203 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.

- 4** All mitigation measures and works shall be carried out in accordance with the details contained in the Update Preliminary Ecological Appraisal & Biodiversity Net Gain Calculation (Arborterra Ltd., February 2025) as already submitted with the planning application and prior to first occupation of any of the dwellings hereby approved.

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)

- 5** Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist, 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 of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

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

REASON: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024, s40 of the NERC Act 2006 (as amended) and GEN7 of the Uttlesford Local Plan (2005).

- 6** Prior to occupation, a “lighting design strategy for biodiversity in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through provision of appropriate lighting plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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) and GEN7 of the Uttlesford Local Plan (2005)

- 7 The development may not be begun unless (a) a biodiversity gain plan has been submitted to the planning authority (see informatives below), and (b) the planning authority has approved the plan (see informatives below).

REASON: In order to accord with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and amended by The Biodiversity Gain (Town and Country Planning) Modifications and Amendments (England) Regulations 2024.

- 8 No development should take place until a Phase 2 Site Investigation, adhering to BS 10175:2011 and following the recommendations of the Phase 1 report, is 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.

REASON: In the interests of protecting future occupants from potentially contaminated or polluted ground in accordance with Policy ENV14 of the Uttlesford Local Plan (2005)

- 9 No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:-

a) Dust mitigation and management measures.

- b) The location and operation of plant and wheel washing facilities
- c) Measure to reduce demolition and construction noise
- d) Hours of operation
- e) Details of a complaints procedure with a designated person on site responsible for complaint handling
- f) Other site specific Environmental Protection issues as requested on a case by case basis
- g) The development shall be undertaken in full accordance with the details approved under Parts a-f

REASON: In the interests of protecting neighbouring occupiers from unacceptable noise, dust and construction impacts, in accordance with Policy GEN4 and ENV11 of the Uttlesford Local Plan (2005).

- 10** Prior to the erection of the development hereby approved (not including footings and foundations) full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include

- i. means of enclosure;
- ii. hard surfacing materials;
- iii. soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

If within a period of 5 years from the date of the planting or establishment of any tree, shrub or plant, that tree, shrub or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective, another tree, shrub or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives written consent to any variation.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN7, GEN8, of the Uttlesford District Local Plan 2005 (as Adopted) and the National Planning Policy Framework.

- 11** The development hereby permitted shall be provided in accordance with the guidance in Approved Document S 2021 and shall be built in accordance with Optional Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with the adopted Uttlesford Local Plan



Policy GEN2, and the adopted Supplementary Planning Document  
'Accessible Homes and Playspace'.

## APPENDIX 1 – ECC HIGHWAYS

Your Ref: UTT/25/0871/FUL  
Our Ref: 61180  
Date: 03/06/2025  
cc. [cclr.martin.foley@essex.gov.uk](mailto:cllr.martin.foley@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/25/0871/FUL

Applicant. L Crawley, S Green and A Green

Site Location. The Coal Shed Site Linton Road Hadstock.

Proposal. Demolition of buildings and structures associated to car repair business (Class B2) and erection of 3 no. residential dwellings (Class C3) and associated works.

**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 Proposed Block Plan drawing no. 2205 PD 203 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.

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

- ii. 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. 8 (Hadstock) and public footpath no.13 (Hadstock) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.
- iii. In this regard the County Council are obliged to ensure that the surface of the right of way is safe and suitable for the public users but are not responsible for making good damage or wear and tear on paths that has been caused by those exercising their private rights. The County Council is also not responsible for providing access suitable for the private rights. For instance, if a public footpath forms vehicular access to land or property, the County Council has no duty to ensure it is suitable for vehicles, because a public footpath carries no public vehicular rights.
- iv. In such circumstances, residents or landowners possessing private rights for vehicular access are entitled to make this access useable for their purposes, but all works must be approved in advance by the Highway Authority, and only suitable contractors may be used, because the right of way is a highway.
- v. 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.
- vi. 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.
- vii. There shall be no discharge of surface water onto the Highway.
- viii. 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.
- ix. 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.
- x. 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.

A handwritten signature in dark ink, appearing to read "F. Masne". The signature is written in a cursive style with a large, stylized "F" and "M".

.....  
pp. Director for Highways and Transportation  
Enquiries to Chioma Cureton

## APPENDIX 2 – PLACE SERVICES (ECOLOGY)

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



Date: 8 May 2025

Our ref: 03634

Ashley Neale  
Uttlesford District Council  
Council Offices  
London Road  
Saffron Walden  
Essex  
CB11 4ER

By email only: Planning Department, [planning@uttlesford.gov.uk](mailto:planning@uttlesford.gov.uk)

---

*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.*

---

**Application:** UTT/25/0871/FUL  
**Location:** The Coal Shed Site Linton Road Hadstock  
**Proposal:** Demolition of buildings and structures associated to car repair business (Class B2) and erection of 3 no. residential dwellings (Class C3) and associated works

Thank you for consulting Place Services on the above application.

<b>No ecological objection</b>	<input type="checkbox"/>
<b>Recommend approval subject to attached conditions</b>	<input checked="" type="checkbox"/>
<b>Further information required/Temporary holding objection</b>	<input type="checkbox"/>
<b>Recommend Refusal</b>	<input type="checkbox"/>
<b>Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment</b>	<input type="checkbox"/>



### **Summary**

We have reviewed the Update Preliminary Ecological Appraisal & Biodiversity Net Gain Calculation (Arborterra Ltd., February 2025) as well as Magic Maps ([magic.defra.gov.uk](https://magic.defra.gov.uk)) to help identify the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures and mandatory Biodiversity Net Gain.

We have also reviewed the information submitted relating to mandatory biodiversity net gains.

We are satisfied that there is sufficient ecological information available to support 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 Update Preliminary Ecological Appraisal & Biodiversity Net Gain Calculation (Arborterra Ltd., February 2025) 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 those recorded in the locality.

We recommend a Wildlife Sensitive Lighting Strategy should be delivered for this scheme to avoid impacts to foraging and commuting bats, especially on the vegetated boundaries. This must follow the [Guidance Note 8 Bats and artificial lighting](#) (The Institute of Lighting Professionals & Bat Conservation Trust, 2023). In summary, it is highlighted that the following measures should be implemented for the lighting design, which could be informed by a professional ecologist:

- Do not provide excessive lighting. Use only the minimum amount of light needed for safety;
- All luminaires should lack UV elements when manufactured. Metal halide, compact fluorescent sources should not be used;
- LED luminaires should be used where possible due to their sharp cut-off, lower intensity, good colour rendition and dimming capability;
- A warm white light source (2700Kelvin or lower) should be adopted to reduce blue light component;
- Light sources should feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats (Stone, 2012);
- Column heights should be carefully considered to minimise light spill and glare visibility. This should be balanced with the potential for increased numbers of columns and upward light reflectance as with bollards;
- Only luminaires with a negligible or zero Upward Light Ratio, and with good optical control, should be considered - See ILP GN01;
- Luminaires should always be mounted horizontally, with no light output above 90° and/or no upward tilt;
- Where appropriate, external security lighting should be set on motion-sensors and set to as short a possible a timer as the risk assessment will allow;
- Only if all other options have been explored, accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it only to where it is needed. However, due to the lensing and fine cut-off control of the beam inherent in modern

LED luminaires, the effect of cowls and baffles is often far less than anticipated and so should not be relied upon solely.

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Update Preliminary Ecological Appraisal & Biodiversity Net Gain Calculation (Arborterra Ltd., February 2025) and Statutory Biodiversity Metric (R. Spring, February 2025). Biodiversity net gains 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).

No biodiversity enhancement measures are identified in the documents provided. We recommend that, to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024), reasonable biodiversity enhancement measures such as bird boxes will need to be provided. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.

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 Update Preliminary Ecological Appraisal & Biodiversity Net Gain Calculation (Arborterra Ltd., February 2025) 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).

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

*"Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist, 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 of proposed enhancement measures by appropriate maps and plans (where relevant);*
- d) persons responsible for implementing the enhancement measures; and*
- e) details of initial aftercare and long-term maintenance (where relevant).*

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

**Reason:** To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024, s40 of the NERC Act 2006 (as amended) and GEN7 of the Uttlesford Local Plan (2005).

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

*"Prior to occupation, a "lighting design strategy for biodiversity in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:*

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and*
- b) show how and where external lighting will be installed (through provision of appropriate lighting plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.*

*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) and GEN7 of the Uttlesford Local Plan (2005).



### **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.

The local planning authority is 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 do not hesitate to contact us if you have any queries in relation to this advice.

**Ella Gibbs MCIEEM BSc (Hons)**  
Senior Ecological Consultant  
Place Services at Essex County Council  
Email: [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 – UDC ENVIRONMENTAL HEALTH

### **Environmental Health Consultee Comments for Planning**

Application Number: UTT/25/0871/FUL

**The Coal Shed Site Linton Road Hadstock**

#### **Consultee**

Name: Rebecca Page  
Title: EHO  
Tel: x  
Email: rpage@uttlesford.gov.uk

Date: 1 May 2025

Demolition of buildings and structures associated to car repair business (Class B2) and erection of 3 no. residential dwellings (Class C3) and associated works

#### **Comments**

##### **Contaminated Land:**

The Phase I Geo-Environmental Desk Study, dated 19<sup>th</sup> February 2025 identified plausible contaminant linkages which should be further investigated. With consideration to the fact the proposed development is for a very contamination-sensitive end use of residential occupancy with gardens, 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. For these reasons, I would recommend that the following condition is attached to any planning consent granted for the outline application as proposed:

No development should take place until a Phase 2 Site Investigation, adhering to BS 10175:2011 and following the recommendations of the Phase 1 report, is 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

### **Construction Impacts:**

This development has the potential to cause noise and dust impacts on surrounding residential properties and conditions are recommended to protect the amenity of existing residential properties close to the site:

*No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:-*

- (a) Dust mitigation and management measures.*
- (b) The location and operation of plant and wheel washing facilities*
- (c) Measure to reduce demolition and construction noise*
- (d) Hours of operation*
- (e) Details of a complaints procedure with a designated person on site responsible for complaint handling*
- (f) Other site specific Environmental Protection issues as requested on a case by case basis*
- (g) The development shall be undertaken in full accordance with the details approved under Parts a-f*

### **External Lighting**

In view of the rural location of the site, it is essential to ensure that any external lighting is properly designed and installed to avoid any adverse impacts on residential neighbours from obtrusive/spill-over light, or glare. The following condition is therefore recommended to secure this:

*Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure, and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Only the details thereby approved shall be implemented.*

### **Informatives**

Asbestos: Under the Control of Asbestos Regulations, a refurbishment and demolition survey is required before the demolition of any buildings which may contain asbestos, and any asbestos found must be safely removed by a trained contractor before work commences. All asbestos removed in relation



to this development shall be done in full consultation with the Health & Safety Executive using a licenced contractor. Contractor details and asbestos disposal records (waste transfer notes) should be submitted to the council upon completion to prevent the asbestos from being buried on site during construction.

**Renewable Technologies:** Energy saving and renewable technologies should be considered for this development such as electric vehicle charge points, solar panels, ground source heat pumps etc in the interests of carbon saving and energy efficiency.

**Contaminated Land Assessment – Environmental Consultant Advice:** Developers must employ a suitably qualified and competent environmental consultant to undertake the contaminated land assessment in accordance with current guidance and best practice. To this end it is recommended that the developer refer to guidance produced by Essex Local Authorities, Environmental Health departments titled - Land Affected by Contamination - Technical Guidance for Applicants and Developers, which is available for viewing or download on the Council's website in the contaminated land section. It is advised that Uttlesford District Council considers that adequate competency of persons submitting land contamination assessment reports is a prerequisite for such reports being accepted for review. It should be noted that the National Planning Policy Framework (NPPF) advises that site investigation information should be prepared by a competent person. In addition, guidance issued by the Environment Agency advises developers on the stages involved when dealing with land contamination and who is considered to be a competent person; <https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm> An example of acceptable qualification would be that of a 'SiLC' (Specialist in Contaminated Land). A further example of demonstrating competence in this field would be to attain qualification as a Suitably Qualified Person under the National Quality Mark Scheme for Contaminated Land Management (NQMS). In the absence of the above competencies, alternatives may be considered on a case-by-case basis