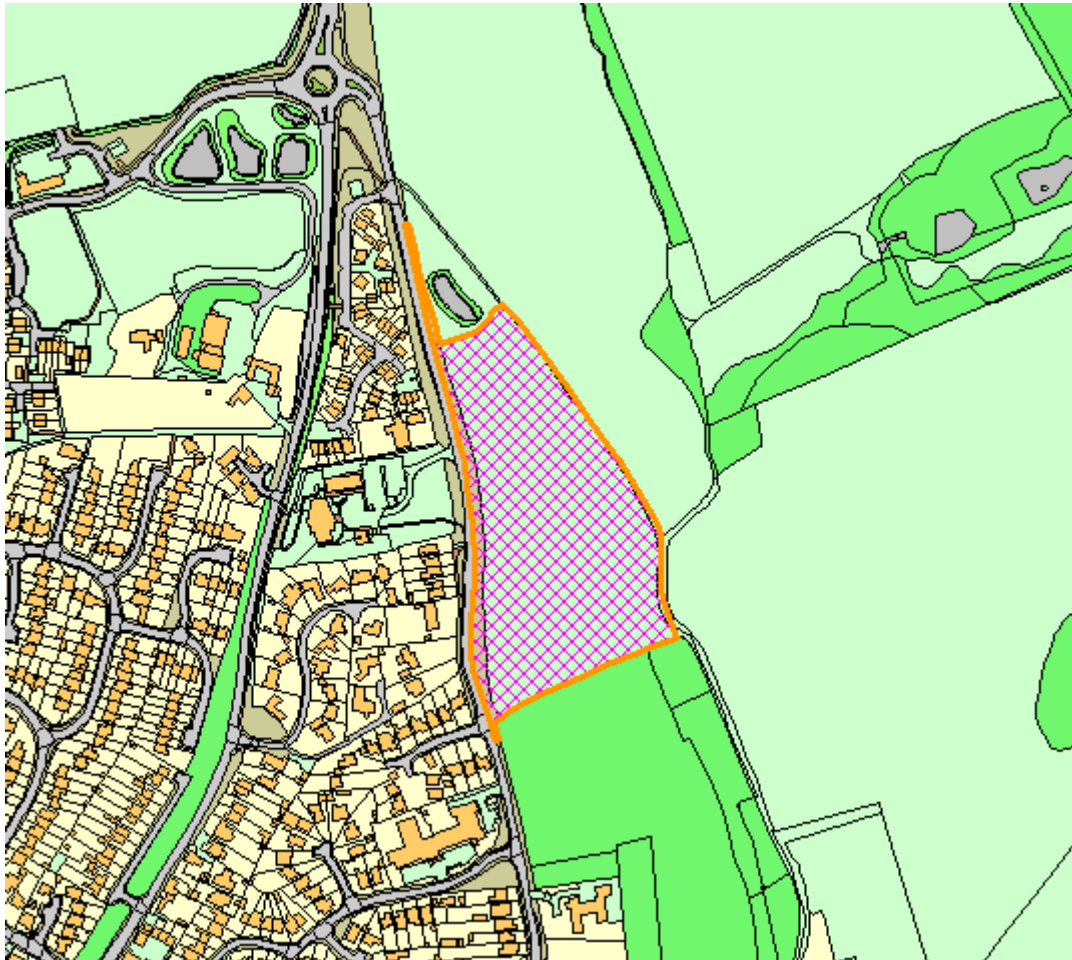


<b>ITEM NUMBER:</b>	<b>5</b>
<b>PLANNING COMMITTEE DATE:</b>	17 September 2025
<b>REFERENCE NUMBER:</b>	UTT/25/1061/FUL
<b>LOCATION:</b>	East Of High Lane, Stansted

**SITE LOCATION PLAN:**



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Organisation: Uttlesford District Council      Date: 24 June 2025

**PROPOSAL:** Proposed erection of 56 no. dwellings, (including affordable housing) formation of site accesses, open space, landscaping and associated infrastructure.

**APPLICANT:** Bloor Homes (Eastern)

**AGENT:** Pegasus Group

**EXPIRY DATE:** 22.07.2025

**EOT EXPIRY DATE:** 26.09.2025

**CASE OFFICER:** Genna Henry

**NOTATION:**

- Outside Development Limits
- Flood Risk Zone 2 / 3
- Classified Road
- Stanstead Airport with 6km
- Groundwater Protection Zone
- Agricultural Land (grade 3)

**REASON THIS APPLICATION IS ON THE AGENDA:** Major Development.

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## **1. EXECUTIVE SUMMARY**

- 1.1** Full planning permission is sought for the erection of 56no. dwellings with the provision of 3no. vehicle access roads proposed to the east of High Lane. Other associated works include pedestrian footways, public open space provisions, attenuation basins and landscaping.
- 1.2** The site comprises of a triangular shaped plot approximately 3.26 ha of agricultural land and located outside the development limits of Stansted Mountfitchet but adjacent to existing residential settlements.
- 1.3** By reason of the development proposing a residential scheme in a rural context there are adverse impacts of the development. However, Officers are of the view that the location of the site is suitable for development due to the residential character of the western portion of High Lane and other developments that are currently under construction directly south of the site. Given the context of the immediate locality a

residential development in this location will extend built form in this area but will appear largely as an edge of settlement development.

- 1.4** Furthermore, the sustainability credentials of the site have been assessed and deemed appropriate. The application site is a reasonable distance to amenities/services from Stansted Mountfitchet and with good connections to a bus network, highways connections and rail services.
- 1.5** The application site is a Regulation 19 Local Plan site, allocated for residential development. However, due to the status of the emerging Local Plan limited weight has been afforded to this factor.
- 1.6** The original submission was for 57no. residential units but following the outcomes from consultee comments revisions were made and the scheme was reduced to 56no. units.
- 1.7** The Council does not have a 5 Year Housing Land Supply and the adverse impacts of the scheme have been assessed in the context of the presumption in favour of sustainable development. Consequently, it has been concluded that the benefits outweigh the adverse impacts of the scheme.

## **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) Completion of a s106 Obligation Agreement in accordance with the Heads of Terms as set out
- B) Conditions

**And**

If the freehold owner shall fail to enter into such an agreement, the Strategic Director of Planning shall be authorised to **REFUSE** permission following the expiration of a 6-month period from the date of Planning Committee.

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

- 3.1** The enquiry site lies East of High Lane, Stansted Mountfitchet and is a triangular shaped plot comprising of approximately 3.26ha of land in agricultural use, outside development limits, and therefore within the countryside. South of the site lies a parcel of land that has recently been approved for residential development (refs UTT/22/0457/OP and UTT/23/3236/DFO). Northwest of the application site is a new development granted in 2019 for 35 dwellings (UTT/18/1993/FUL).

- 3.2** The site also lies adjacent to a classified (B road) road, although, High Lane has a number of residential properties lining the road. The site is also within 200m of Aubrey Buxton Nature Reserve to the east, Alsa Woodland to the north, and the Ugley Brook runs north-south towards the eastern boundary. As such, the eastern boundary is adjacent to an area within Flood Risk Zone 3.
- 3.3** The site is also within 1km of Stansted Mountfitchet railway station to the south with access to other amenities and services within the village of Stansted Mountfitchet towards Lower Street, identified as a local centre. In addition, there are other village facilities along Cambridge Road. In terms of connectivity, from the centre of Stansted Mountfitchet there are convenient routes onwards towards the M11, Bishops Stortford and Stansted Airport. Also, a Public Right of Way (PROW) lies (FP\_17\_45) approximately 100m of the application site which connects to a wider PROW network. There is an Auction house on Cambridge Road, northwards which has a café, garden centre and a pre-school next door.
- 3.4** The site is within 3km of Stansted Airport.
- 3.5** The site is designated within the Council's Emerging Local Plan (eLP) and has been subject of discussions within the Examination in Public (EiP).

#### **4. PROPOSAL**

- 4.1** The application site seeks permission for 56no. residential units with 3no vehicle accesses proposed along High Lane, along with a 2m wide footway that will extend south from the primary access and additional footpaths to be provided along the western boundary of the application site. The footway will also link to an internal footpath which also provides connections to the committed development to the south<sup>1</sup> currently under construction.
- 4.2** The vehicle accesses to be provided along the High Lane frontage will be differentiated in terms street hierarchies. A primary access is proposed to the south opposite the property known as Tally-Ho and will serve the majority of dwellings (46no). The other two vehicle accesses will function as two separate drives both serving 5no residential units each.
- 4.3** The proportion of the site allocated for residential development will be 1.87ha (57.36%) with 1.14ha designated as Green Infrastructure (34.97%) and 0.25ha of the site will comprise of Highway Infrastructure (7.67%). The residential units will be concentrated towards the northern, western, central and southern boundaries of the site. The public open space will be focused towards the rear of the site towards the east. A

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<sup>1</sup> See LPA refs: UTT/22/0457/OP and UTT/23/3236/DFO.

sustainable drainable basin is proposed to the south-east of the site and a pump station proposed along the southern boundary. The developable area is circa 31 dwellings per hectare.

**4.4** The applicant also maintains that the existing landscape buffer will be retained fronting High Lane except where new vehicle accesses are proposed. To further enhance the site frontage supplementary soft landscaping is proposed for amenity purposes.

**4.5** 22 dwellings will be allocated as affordable housing which complies with ULP (2005) Policy H9. The tenure mix will be split as 70% affordable social rent / 30% affordable home ownership (including First Homes). The affordable housing units will mostly be situated to the south of the site but distributed in a tenure blind manner and will be dispersed among some market housing.

**4.6 List of Plans**

- Site Location Plan P22-3238\_DE\_0008\_C\_01 C
- Site Layout P22-3238\_DE\_07\_M\_01 J M
- Land Use Plan P22-3238\_DE\_07\_A\_15 – A
- Enclosures Plan P22-3238\_DE\_07\_B\_06 A B
- Street Hierarchy Plan P22-3238\_DE\_07\_B\_07 A B
- Building Heights Plan P22-3238\_DE\_07\_B\_08 A B
- Affordable Housing Plan P22-3238\_DE\_07\_B\_09 A B
- M4(2) & M4(3) Housing Plan P22-3238\_DE\_07\_B\_10 A B
- Parking Strategy Plan P22-3238\_DE\_07\_B\_11 A B
- Back-to-Back Distances Plan P22-3238\_DE\_07\_B\_12 A B
- Refuse Strategy Plan P22-3238\_DE\_07\_B\_13 A B
- Surface Finishes Plan P22-3238\_DE\_07\_B\_14 A B
- Materials Plan P22-3238\_DE\_07\_E\_03 C E
- Garden Areas Plan P22-3238\_DE\_07\_H\_02 F H
- PROW Plan P22-3238\_DE\_0008\_\_05 –
- Regulating Plan P22-3238\_DE\_17\_B\_06 A B
- House Type Pack Part 1 - Danby Brick P22-3238\_DE\_0016\_B\_01 A B
- House Type Pack Part 1 - Bepton Brick P22-3238\_DE\_0016\_B\_02 A B
- House Type Pack Part 1 - Kempton Brick P22-3238\_DE\_0016\_B\_03 A B C
- House Type Pack Part 1 - Kempton Brick V2 P22-3238\_DE\_0016\_\_55
- House Type Pack Part 2 - Lebberton Render P22-3238\_DE\_0016\_A\_04 – A
- House Type Pack Part 2 - Lebberton Boarding
- House Type Pack Part 3 - Hove Brick P22-3238\_DE\_0016\_\_39

- House Type Pack Part 4 - Honiton Brick P22-3238\_DE\_0016\_B\_07 A B
- House Type Pack Part 5 - Honiton Boarding P22-3238\_DE\_0016\_B\_08 A B
- House Type Pack Part 5 - Whitby Brick P22-3238\_DE\_0016\_B\_09 A B
- House Type Pack Part 6 - Whitby Boarding P22-3238\_DE\_0016\_B\_10 A B
- House Type Pack Part 7 - Wayfield Render P22-3238\_DE\_0016\_B\_11 A B
- House Type Pack Part 8 - Leighton Brick P22-3238\_DE\_0016\_B\_12 A B
- House Type Pack Part 9 - Horsham Brick P22-3238\_DE\_0016\_B\_13 A B
- House Type Pack Part 10 - Horsham Boarding P22-3238\_DE\_0016\_B\_14 A B
- House Type Pack Part 10 - Horsham Render P22-3238\_DE\_0016\_B\_15 A B
- House Type Pack Part 11 - Portland Brick P22-3238\_DE\_0016\_B\_16 A B
- House Type Pack Part 12 - Portland Boarding P22-3238\_DE\_0016\_B\_17 A B
- House Type Pack Part 13 - Symons Render P22-3238\_DE\_0016\_\_40
- House Type Pack Part 13 - Symons Weatherboarding P22-3238\_DE\_0016\_\_41
- House Type Pack Part 13 - Tiverton Brick P22-3238\_DE\_0016\_A\_20 – A
- House Type Pack Part 14 - Typton Brick P22-3238\_DE\_0016\_\_42 –
- House Type Pack Part 14 - Tring Elevations Brick P22-3238\_DE\_0016\_\_43 –
- House Type Pack Part 14 - Tring Floor Plan P22-3238\_DE\_0016\_\_44 –
- House Type Pack Part 15 - Sansom Semi Brick P22-3238\_DE\_0016\_\_45 –
- House Type Pack Part 15 - Sansom Elevations End Brick P22-3238\_DE\_0016\_\_46
- House Type Pack Part 15 - Sansom Plans End P22-3238\_DE\_0016\_\_47 –
- House Type Pack Part 16 - Sansom Elevations Mid Brick P22-3238\_DE\_0016\_\_48

- House Type Pack Part 16 - Sansom Plans Mid P22-3238\_DE\_0016\_\_49
- House Type Pack Part 16 - Sutherland Semi Brick V1 P22-3238\_DE\_0016\_\_50
- House Type Pack Part 17 - Sutherland Semi Brick V2 P22-3238\_DE\_0016\_\_51
- House Type Pack Part 17 - Sutherland Semi Render P22-3238\_DE\_0016\_\_52
- House Type Pack Part 18 - Swenson Elevations Brick P22-3238\_DE\_0016\_\_53
- House Type Pack Part 18 - Swenson Floor Plans Brick P22-3238\_DE\_0016\_\_54
- House Type Pack Part 18 - Single Garages P22-3238\_DE\_0016\_A\_32 - A
- House Type Pack Part 18 - Single Parking Garages P22-3238\_DE\_0016\_A\_33 – A
- House Type Pack Part 18 - Twin Garages P22-3238\_DE\_0016\_A\_34 – A
- House Type Pack Part 18 - Twin Parking Garages P22-3238\_DE\_0016\_A\_35 – A
- House Type Pack Part 18 - Double Garage P22-3238\_DE\_0016\_A\_36 – A
- Schedule of Accommodation 31.07.2025 - Relating to Site Layout Revision M
- Illustrative Site Sections P22-3238\_DE\_0009\_A\_04 – A
- Illustrative Street Scenes P22-3238\_DE\_0009\_C\_03 B C
- Illustrative Street Scenes P22-3238\_DE\_0009\_B\_05 A B
- Landscape Masterplan EA199-LS-101A – A
- Site Landscaping 1 of 3 EA199-LS-001a – A
- Site Landscaping 2 of 3 EA199-LS-002a – A
- Site Landscaping 3 of 3 EA199-LS-003a – A
- High Lane Access Arrangement ZD921-PL-SK-250 P01 P04 P05
- Southern Footway Improvements ZD921-PL-SK-256 P01 P03

## **5. ENVIRONMENTAL IMPACT ASSESSMENT**

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

## **6. RELEVANT SITE HISTORY**

- 6.1** N/A



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

**7.1** Paragraph 40 of the NPPF (2024) states '*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** The applicant has sought pre-application advice from the LPA which has been appended to the Planning Statement.

**7.3** The application has also been furnished with a 'Statement of Community Involvement' (July 2025) outlining the programme of public consultation with the local community and stake holders.

**7.4** The supporting documentation also demonstrates how the applicant has also engaged with the Local Planning Authority<sup>2</sup> and the Parish Council.

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

### **8.1 ECC Highways**

**8.1.1** No objection, subject to conditions and informatives.

### **8.2 National Highways**

**8.2.1** No objections.

### **8.3 Environment Agency**

**8.3.1** No objections raised.

### **8.4 Local Flood Authority**

**8.4.1** No objections, subject to conditions.

### **8.5 Environment Agency**

**8.5.1** No objection, subject to conditions.

### **8.6 Natural England**

**8.6.1** No objection, subject to appropriate mitigation of the following;

- Financial contribution towards Strategic Access Management and Monitoring (SAMMs) measures identified by National Trust as landowners of £1,329.36 per residential dwelling; and

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<sup>2</sup> Both Development Management and Policy Officers

- The provision of on-site Accessible Natural Greenspace (ANG) of sufficient high quality and size; and
- A signposted circular dog walking route of 2.3-2.5km from the new development which potentially make use of pedestrian/highways links in the local area.

**8.6.2** The mitigation measures identified above ought to be secured either through a planning condition or planning obligations.

## **8.7 Manchester Airport Group (MAG)**

**8.7.1** No objections, subject to conditions and informatives.

## **8.8 National Air Traffic Services (NATS)**

**8.8.1** No objection

## **9. PARISH COUNCIL COMMENTS**

**9.1** No objections, but raised concerns of whether the proposed footpath complies with Secured by Design Principles and the UDC Design Code (Policy P1.2C) on both footpath and bicycle routes.

**9.2** The proposed garages do not meet design standards and will not count towards parking provision. This will still constitute tandem parking.

**9.3** As per the Landscape Officer request, street facing hedges should be not be private ownership.

**9.4** A contribution of £50,000 to be included within the s106 agreement, for to the installation of a Natural Flood management scheme for Ugley Brook.

## **10. CONSULTEE RESPONSES**

### **10.1 UDC Conservation**

**10.1.1** No objections, but specific 3D sketch visualisations within the Design & Access Statement would have been beneficial. The proposed development will not result in harm to the setting of designated heritage assets.

### **10.2 UDC Environmental Health**

**10.2.1** No objections, subject to noise, CEMP, contamination and external lighting details and relevant informatives.

### **10.3 UDC Housing Officer**

- 10.3.1** No objections, as the applicant provides policy compliant 40% affordable housing with appropriate property sizes and house types.
- 10.4 UDC Landscape Officer**
  - 10.4.1** No objections, subject to landscape improvements.
- 10.5 UDC Urban Design**
  - 10.5.1** No objections, but concerns with the triple tandem parking layout some plots.
- 10.6 UDC Waste Services**
  - 10.6.1** A late consultation response has been sent; no comments have been received at the time of writing.
- 10.7 NHS**
  - 10.7.1** Contributions required.
- 10.8 Place Services (Ecology)**
  - 10.8.1** No objection, subject to conditions
- 10.9 Place Services (Archaeology)**
  - 10.9.1** No objections, subject to conditions.
- 10.10 ECC Minerals and Waste**
  - 10.10.1** No objections.
- 10.11 ECC Education**
  - 10.11.1** Contributions required
- 10.12 Essex Police (Secured by Design)**
  - 10.12.1** No objection, advisory comments raised and a condition to secure by design.
- 10.13 National Trust**
  - 10.13.1** No objection, subject to the following reasons and relevant mitigation;
  - 10.13.2** The site is within 8km from the SSSI, National Nature Reserve areas and ancient woodland of Hatfield Forest. The impacts of the development on Hatfield Forest should be addressed and new housing proposed within the Zone of Influence will contribute further (both

individually and cumulatively) towards recreational pressure on the Forest.

**10.13.3 On-site mitigation**

- High quality, informal, semi-natural areas to be provided prior to first occupation of the dwellings (including a dog walking circuit and dogs off lead area);
- Any other on-site mitigation as advised by Natural England

**10.13.4 Off-site mitigation**

- A financial contribution of £75,773.52 (£1,329.36/per dwelling) to the National Trust for use at Hatfield Forest towards visitor and botanical monitoring and mitigation works.

**10.14 Cadent Gas**

**10.14.1** No objection, subject to informatives and associated guidance.

**10.15 Gigaclear**

**10.15.1** Advisory comments with associated guidance.

**10.16 UK Power Networks**

**10.16.1** Advisory comments with associated guidance.

**10.17 Thames Water**

**10.17.1** No objection, but concerns raised, subject to informatives.

**11. REPRESENTATIONS**

**11.1** A site notice was displayed, the application was advertised in the local press and notification letters sent to nearby properties. The overall consultation period expired 21.08.2025.

**11.2 Support**

- 11.2.1**
- Closing High Lane would be beneficial from an environmental perspective
  - Reducing speed limit from 40mph – 30mph along High Lane is a proactive step to protect current and new residents
  - The recognition of the east side parking bays opposite 1-4a High Lane shows consideration for existing residents as this area is utilised as parking area, shows residents will not be negatively impact by development

### **11.3 Object**

- 11.3.1**
- Some of the documents submitted are not visible relating to bin collections and potential closure of High Lane
  - Objections to blocking up High Lane
  - Highway safety concerns
  - Increased traffic generations
  - Provisions of three vehicle ingress/egress will cause unnecessary and potentially unsafe situations
  - Concerns with bin collection and the proposed vehicle accesses
  - Concerns with traffic calming measures along High Lane especially when road works and when M11 has issues
  - The existing layby on High Lane is informally used by existing residents and there are concerns the layby also be used as overflow parking for the new development (i.e. there is a footpath from development site providing direct access);
  - Reassurances the improvements to the existing High Lane layby would be reserved for existing residents at 1-4a High Lane;
  - The hedge and trees should not be removed during construction
  - Need for two build out traffic calming measures might be excessive
  - High Lane closure will not be appropriate, recent closures due to road works has caused traffic in surroundings roads including Chapel Hill
  - Any works to improve a local Public Right of Way and access to the will needs to be followed through by developers

### **11.4 Officer Comment**

**11.4.1** At the time of writing, Officers are seeking specific comments from UDC waste collections if there are any specific concerns with the proposal.

**11.4.2** Revised plans have been submitted since the initial proposal. The informal layby will be reduced in sizes, however, Highways Officers have been consulted and have agreed the revisions are acceptable. Conditions/planning obligations have been requested to formalise the revised layby parking arrangements for existing High Lane users.

**11.4.3** The applicant has provided plans to demonstrate indicative connections can be made to the nearby PROW. Although due to land ownership issues and the distance from the nearest PROW, the LPA cannot insist the developer provides connections.

## **12. MATERIAL CONSIDERATIONS**

**12.1** In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the "Considerations and Assessments" section of the report. The

determination must be made in accordance with the plan unless material considerations indicate otherwise.

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

- a) The provisions of the development plan, so far as material to the application:
  - (a) a post-examination draft neighbourhood development plan, so far as material to the application,
- b) any local finance considerations, so far as material to the application, and
- c) any other material considerations.

### **12.3 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 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
	GEN6	Infrastructure Provision
	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
ENV5	Protection of Agricultural Land
ENV7	The protection of natural environmental designated sites
ENV8	Other landscape elements of importance for nature conservation
ENV10	Noise Sensitive Development
ENV11	Noise Generators
ENV12	Groundwater protection
ENV13	Exposure to Poor Air Quality
ENV14	Contaminated land
ENV15	Renewable Energy

### **13.3 Stansted Mountfitchet Neighbourhood Plan**

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

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

**13.4.1** Uttlesford Local Residential Parking Standards (2013)  
 Essex County Council Parking Standards (2009)  
 Supplementary Planning Document – Accessible homes and playspace (2005)  
 Supplementary Planning Document – Developer's contributions (2023)  
 Essex Design Guide  
 Uttlesford Interim Climate Change Policy (2021)  
 Uttlesford District Council 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, Appearance and Layout**
  - C) Residential Amenity**
  - D) Landscaping, Ecology and Biodiversity**
  - E) Highways, Access and Parking**
  - F) Flood Risk and Site Drainage**
  - G) Environmental Health and Contamination**
  - H) Planning Obligations and s106 Agreement**
  - I) Other Matters**

**14.3 A) Principle of development**

#### **14.3.1 Isolated Homes**

**14.3.2** The application site is situated to the east of High Lane comprising of grade 3 agricultural land and, therefore, the site is clearly within the countryside. Despite the sites designation outside development limits of Stansted Mountfitchet the application site is situated opposite existing residential sites on the western side of High Lane. Furthermore, a

committed development to the south of the site<sup>3</sup> is currently under construction for residential development.

**14.3.3** Notwithstanding the site comprising of grade 3 (good to moderate quality) (Agricultural Land Classification 2010, Natural England), and despite the potential loss of the districts best and most versatile agricultural land (BMV), good quality agricultural land is plentiful within the locality. Thus with regards to Policy ENV5 meaning this policy conflict holds limited weight. Furthermore, the location of the site is situated along High Lane where the western boundary is mostly residential in character with a Catholic Church opposite.

**14.3.4** Recent case law (Braintree DC v SSCLG [2018] EWCA Civ. 610) defines 'isolation' as the spatial/physical separation from a settlement or hamlet, meaning that a site within or adjacent to a housing group is not isolated. Moreover, the NPPF discourages new isolated new homes in the countryside (unless exceptions applied), in accordance with para. 84 of NPPF (2024). In this particular case, the application site is located to the east of High Lane and outside the development limits Stansted Mountfitchet, whereas the western side of High Lane is mostly within the development limits of Stansted Mountfitchet. Thus, a residential development at this site would not necessarily appear at odds within the immediate locality and, as such, Officers consider the proposals would form an edge of settlement development. For these reasons, the Council cannot conclude the site would comprise of isolated homes within the countryside.

**14.3.5** Irrespective of the Council's position, the site is ultimately outside development limits and the sustainability of the site does come into question. Furthermore, the NPPF (2024) acknowledges that 'opportunities to maximise sustainable transport solutions will vary between urban and rural areas' (para. 110).

**14.3.6** ***Sustainable Location***

**14.3.7** As noted above, the NPPF acknowledges opportunities that maximise sustainable transport solutions varies between urban and rural areas, but paragraph 115 of the NPPF (2024) goes further to ensure sustainable modes are prioritised taking account of the vision for the site, the type of development and its location.

**14.3.8** In reality, given the relatively rural location of the site occupants of the proposed dwellinghouses would most likely still use a car/cars for most of their journeys to access services and will be increased. Admittedly, this cannot be said to be a positive attribute of the development, although the NPPF does acknowledge that 'opportunities to maximise sustainable transport solutions will vary between urban and rural areas' (para. 110).

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<sup>3</sup> See footnote 1



#### **14.3.9**      *Location – Services and facilities*

**14.3.10**      Stansted Mountfitchet is the nearest settlements that provides access to services and facilities and is one of the larger settlements in the district. There are bus stops for route no. 301 approximately 400m north of the application site near Alsa Street. The bus serves routes between Bishop Stortford and Saffron Walden<sup>4</sup>. As of August 2025 the 301 route runs an hourly bus service Monday-Saturday. Stansted Mountfitchet Railway Station provides services to London Liverpool Street Stansted Airport and Cambridge.

**14.3.11**      The applicant has outlined the site's sustainability credentials and summarised nearby facilities within Table 1 of their Planning Statement. Given the sites proximity to an existing settlement and the development site is within 1km from Stansted Mountfitchet village Officers consider the site is within a reasonable distance to day-to-day amenities and services. Furthermore, in order to facilitate pedestrian movement towards the village a 2m footway is proposed along the southern boundary which also aids connection to internal footpaths within the application site the committed developments to the south.

**14.3.12**      Core Policy 16 (Stanstead Mountfitchet and Elsenham Area Strategy) and 'Appendix 4A – Stansted Mountfitchet Indicative Framework' of the emerging Local Plan allocates this site<sup>5</sup> for residential development, thus, the Council has previously assessed the sites sustainability credentials during the plan making stage. While the emerging Local Plan is yet to be adopted, an Examination in Public (EiP) has been held in June 2025 and, at present, the Council are not aware of any objections or concerns that have been raised in relation to appropriateness nor the sustainability of the site. Also, as the applicant has summarised the key services and facilities within the Stansted Mountfitchet area, Officers are also of the view the sustainability of the site is reasonable for a site within a countryside location having particular regard to para. 110 of the NPPF (2024).

**14.3.13**      Moreover, Core Policy 17 of the emerging Local Plan also requires (i) that an active travel route will be delivered along High Lane and Lower Street and (ii) the delivery of strategic cycling and walking infrastructure improvements. Also, para. 7.26 of the eLP preamble states that 'development proposals will deliver an active travel route from the strategic sites along High Lane into the village centre and railway station'.

**14.3.14**      In light of the above, and despite the edge of settlement location, the site is within a reasonable distance from shops, amenities and services to the south. Although, limited weight can be afforded to EiP policies and, therefore, on balance Officers are of the view the application site will be

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<sup>4</sup> Bus route 301 also provides access to Stansted Mountfitchet, Widdington, Newport, Audley End (Railway Station), Saffron Walden and Saffron Walden Hospital

<sup>5</sup> Regulation 19 site allocation

a suitable location for housing. Therefore, the proposals accord with ULP Policy GEN1(e) and paragraphs 110 and 115(a) of the NPPF (2024).

#### 14.3.15 ***Impact to the countryside and the emerging Local Plan***

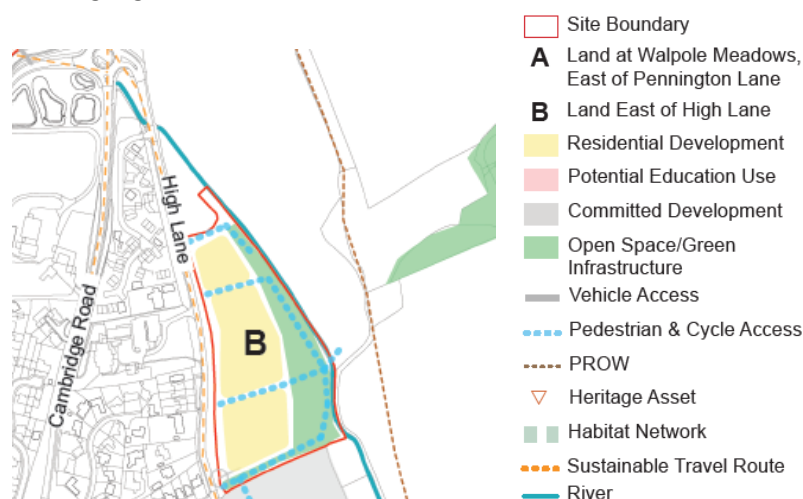
14.3.16 The relevant aspects of the adopted (2005) Uttlesford Local Plan Policy S7 generally consistent with the NPPF (2024) states '*Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there*'.

14.3.17 The NPPF (2024) states that planning decisions should contribute to and enhance the natural environment by recognising the intrinsic character and beauty of the character of the countryside (para. 187(b)).

14.3.18 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.*'<sup>6</sup> The landscape character is that which makes an area unique.

14.3.19 To reiterate, at this stage, Officers cannot afford full weight to the emerging Local Plan but for context the strategic layout at Appendix 4A (Site B) of eLP Core Policy 16 will be useful to review. Extracts are below of the proposed site layout compared with layout strategic layout of Stansted Mountfitchet from the eLP. Local Plan evidence, which is a material consideration, suggests the site is capable of sustainable development.

#### 14.3.20 ***Emerging Local Plan – Stansted Mountfitchet (Site B)***



**Figure 1: Emerging Local Plan Stansted Mountfitchet (Site B)**

#### 14.3.21 ***Proposed Site Layout (current application)***

<sup>6</sup> The Countryside Commission and Scottish Natural Heritage (2002) Landscape Character Assessment: Guidance for England and Scotland (CAX 84) , the Countryside Commission and Scottish Natural Heritage, April 2002.



site would fall within LCA A2: Stort River Valley and the Landscape Guidelines for this area states that 'the overall strategy for Story River Valley LCA is to enhance the rural character of the farmed landscape with its historic villages. Seek to conserve inter-valley and cross-valley views and strengthen landscape patterns by integrating urban fringe elements, conserving semi-natural habitats and restoring hedgerows and tree cover.'

- 14.3.26** The application site provides a rural setting and approach to Stansted Mountfitchet from the north and likely plays an important part in views from the settlement, with long views across the river valley to the east. The public right of way network in the vicinity provides access to the surrounding countryside. Within the LVIA the applicant states that the degree of change upon LCA A2 'Stort River Valley' (as defined within the LCA 2023) would have a minor adverse minor impact. In consultation with the Council's Landscape Officer, no adverse comments have been received with regards to the impacts to the landscape.
- 14.3.27** In terms of visual implications of the development, the site has been assessed in relation to a number viewpoints within the vicinity including views from nearby public footpaths (no's 17, 19 and 41). The impacts to these footpaths have been identified with a major adverse impact at Year 1 but with proposed landscaping these have been identified to reduce to Moderate Adverse at Year 10. Therefore, Officers appreciate that as landscaping and planting matures along the eastern boundary over time the visual impacts of the development will naturally reduce. In terms of the western boundary fronting High Lane, there are existing mature vegetation along the site boundary and the proposals will ultimately retain this frontage with additional planting to enhance the landscaping. The vehicle and pedestrian accesses into the site will be the only instances where vegetation will be removed.
- 14.3.28** In light of the above, Officers are of the view that the impacts to the countryside location along with the visual impacts have been duly assessed. Thus, despite the loss of BMV agricultural land and the sites inherent rural qualities, the view harm to the landscape character and any subsequent visual implications are not deemed severe. Conversely, it is agreed that the application does form a logical extension of residential development along High Lane especially as developments have been consented to the south of the site and, moreover, the site is naturally constrained by the existing road and existing landscape features along the eastern boundary. The proposed development will effectively sit comfortably alongside other residential sites and would not appear out of character within the immediate locality. Moreover, while not yet adopted, the application site is allocated within the eLP and therefore some weight will be afforded to this.

#### **14.3.29     *Housing Land Supply***

- 14.3.30**     The proposals cannot be tested against a fully up-to-date Development Plan and, in addition, the Council is currently unable to demonstrate a 5 Year Housing Land Supply. In either scenario or both, in this case, paragraph 11 of the NPPF (2024) is fully engaged along with the ‘titled balance’ in favour of the proposals as per para. 11(d)(ii).
- 14.3.31**     Paragraph 11 requires the decision maker to grant planning permission unless there are (a) adverse impacts, or whether (b) such impacts would ‘significantly and demonstrably’ outweigh the benefits of the proposal.
- 14.3.32**     At present, the Council’s Five Year Housing Land Supply stands at 3.46 years and the Housing Delivery Test figures have been recalculated by the Ministry of Housing, Communities & Local Government and is currently stand at 69%.
- 14.3.33**     Notwithstanding the countryside location, Officers do not consider the development would constitute an isolated development with reasonable sustainability credentials. The applicant has assessed the landscape and visual impacts resulting from the development and the major adverse impacts identified will reduce over time. Appropriate mitigation has been proposed for the development, but the adverse impacts of the development will be appropriately addressed within the planning balance.
- 14.3.34**     Therefore, as the tilted balance is engaged and as the recent revised wording of para. 11(d)(ii) maintains the LPA ought to have due regard to, inter alia, sustainable locations and providing affordable homes<sup>7</sup>, Officers view that the principle of the development could be acceptable given that policy compliant affordable housing has been proposed and the development and the sustainability of the site has been judged as reasonable for a countryside location. Following the technical assessments of the proposals below, the planning balance will conclude whether any of the adverse affects will significantly and demonstrably outweigh the benefits of the proposals.
- 14.3.35**     In light of the above, and in principle, the proposal is deemed acceptable subject to any further adverse impacts being significantly and demonstrably outweighed by the benefits. Overall, the proposals are in accordance ULP (2005) S7, GEN2(b) and the NPPF (2024).

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

##### **14.4.1           Design / Appearance**

- 14.4.2**     In terms of design policy, good design is central to the objectives of both National and Local Planning Policies. The NPPF (2024) requires policies

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<sup>7</sup> These ought to be provided individually or in combination as per para 11(d)(ii)

to plan positively for the achievement of high quality and inclusive design for the wider area and development schemes.

- 14.4.3** Section 12 of the NPPF highlights that the Government attaches great importance to the design of the built development, adding at para. 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. In addition, at para. 135 it also states that planning decisions should ensure developments *'function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development'*. These criteria are reflected in Policy GEN2 of the adopted Local Plan.
- 14.4.4** The Design & Access Statement (DAS) and plans submitted indicates a range of house types proposed mostly 2-storey in height with 3no. 1-storey units proposed that will be built in accordance to meet Building Regulation M4(3) – Wheelchair User Dwellings. The proposed heights of the dwellings will be consistent with the surrounding built form along High Lane. Overall, it has been stated within the DAS that the design solution for the site reflects the variety in townscape forms that are reflected within Stansted Mountfitchet and the areas immediately adjacent.
- 14.4.5** The existing built form along the western side of High Lane varies in architectural styles; ranging from the more recent development along King Charles Drive, the Roman Catholic Church, the properties at 1-4a High Lane, the detached properties at Long View, Five Pennies and Tally-Ho, and the properties along the cul-de-sac at Birchalls.
- 14.4.6** Overall, the density of the proposal will be 31dph and which broadly consistent with the surrounding area and also in accordance with the Uttlesford District-Wide Design Code (2024). At para. 7.11 of the DAS it is stated that the densities along the eastern and northern site boundaries will be lower to soften the transition to the rural context. These properties along these boundaries comprise of the 3-4bed dwellings which are accessed by the private drives.
- 14.4.7** Marker buildings have been introduced to the development which will be positioned within key locations to contribute to placemaking, site legibility and wayfinding as well as contributing to visual amenity. Four marker buildings are proposed at plots 12, 16, 29 and 48. These buildings have been positioned in prominent positions within the development, such as, north of the primary access from High Lane, north of the shared surface adjacent to pedestrian access from High Lane and at the northern and southern boundaries along the site. P.1 of the Design Code states that marker buildings will front onto important spaces, at key street intersections or at the site's primary access point and will feature cream render or black/white weatherboarding. Marker buildings will be further distinguished by a varied roof form, the inclusion of double/single

frontage gable, open gables and hipped roofs to reinforce the distinctiveness of marker buildings.

**14.4.8** The range of house types proposed, along with the varied materials palettes, are considered appropriate in this location and would assimilate well into the immediate locality. In addition, the proposed scales and sizes are of the dwellings would generally be consistent with the surrounding properties on the western side of High Lane. The materials plan extracted below demonstrates the varied materials palette and the range of houses types proposed. The illustrative street scene images also provides a snapshot of the house typologies proposed;

#### 14.4.9 *Materials Plan*



**Figure 3: Materials palette**

#### 14.4.9 *Illustrative Street Scenes*



**Figure 4: Section B-BB (North eastern boundary of High Lane)**





**Figure 5: Section E-EE (Internal view south of primary street)**

**14.4.10** The Council's Urban Design Officer has been consulted on this application and has also been involved during the pre-application discussions. The Design Officer supports the proposals and maintains the development would broadly be in compliance with the Uttlesford Design Code (2024), although highlights there are some areas of non-compliance. In terms of design, it was originally stated that plots 21-22 presented a blank façade and encouraged the applicant to swap the house type for one suitable for corner locations i.e. with windows to habitable rooms in the flank wall. Since the initial submission the applicant has updated the plans for plots 21-22 which now has windows at ground and first floor. The former windows will serve the lounge area and the latter window will serve a bathroom. The Urban Design Officer now maintains the proposal complies with B2.4C of the Design Code.

**14.4.11** Layouts

**14.4.12** The proposed development for 56no residential units provides permeability into the site by creating a primary vehicle/pedestrian access(es) along the eastern boundary towards the southern end. The primary access would be positioned directly opposite the property known as Tally-Ho and leads onto the primary street into the development site. The primary street would split into two separate shared surface roads each connecting onwards to footpaths that will ultimately lead onto the shared private drives areas.

**14.4.13** The primary street would serve the majority of dwellings, i.e. 46 plots, and will also serve the southern and central portions of the site where the density is increased. The northern vehicle access to the private drives would be north of Churchfield House, whereas the central vehicle access would slightly overlap with the vehicle access to the St. Theresa of Lisieux Catholic Church but positioned further south. A pedestrian access will link to the footpath with the shared drive areas. Onwards modes of sustainable travel are encouraged by providing a footway into the adjacent site to the south, provision of a pedestrian crossing along High Lane and provides potential connections towards the Public Rights of Way network to the east (PROW no. 17\_45, 19\_45, 18\_45, 41\_45).

**14.4.14** A multifunctional public open space is proposed comprising of formal and informal amenity greenspaces, landscape buffers, sustainable drainage systems and recreational pedestrian paths. As demonstrated above in figures 1 and 2, the proposed site layout is broadly consistent with layout as indicated in Core Policy 16 (appendix 4a) of eLP in terms



of the layout of residential development, the provision of open green space and the pedestrian access points onto High Lane.

- 14.4.15** Overall, the pedestrian footpaths and public open space would experience sufficient natural surveillance as the residential units would overlook the open space to the rear and open views into the countryside. Other informal open space areas around the site would experience sufficient surveillance, although there is a potential blind spot behind the pump station but this area is populated with trees and will blend into the landscaped boundaries along the south eastern corner of the site.
- 14.4.16** The public open space would be positioned towards the eastern boundary with the sustainable drainage basin situated directly south and the pumping station situated in the southeastern corner of the plot. A hedging closure will be proposed along the western edge of the public open space area, but the Landscape Masterplan (drawing no. EA199-LS-101A) indicates native species trees are proposed that will exceed heights of 4 metres which would reduce the natural surveillance.. Therefore, Officers consider hedges and/or trees are maintained at reduced heights might be more suitable for this location, but view this could be managed by a suitably worded planning condition. Conversely, along the eastern boundary fronting High Lane mostly a 0.45m timber knee rail is proposed will provide a degree of separation from the site boundary but as it will be a low level boundary it would not appear harshly from the adjacent highway.
- 14.4.17** The means of enclosure proposed internally between dwellings along the sides and rear will be a 1.8m high timber close boarded fences. The site section plan demonstrates how the topography of the site will affect the layout of the dwellings, particularly the dwellings to the north and some of the central areas. The Urban Designer Officer has commented that these sections demonstrate the substantial level changes across the site and how the applicant proposes to negotiate the level changes through retaining structures within the back gardens. It has been noted that the gardens on the eastern regions could experience overlooking but vertical retaining structures in the region of 3-4metres are proposed and, as a result, the Design Officer suggests that gardens ought to be terraced to manage the change in land levels. Although, trees will be planted to soften the vertical retaining structures in affected gardens and the applicant further suggests hedge planting will be introduced at the top of retaining walls to soften views. While the vertical retaining walls are not ideal, Officers are of the view that measures can be taken to soften the vertical retaining structures in gardens affecting to the eastern boundary and managed by an appropriately worded planning condition.
- 14.4.18** The back-to-back distance plans demonstrates that houses will be sufficient distances from the dwellings at the rear of each site. The areas of the private amenity spaces will be sufficient and in most instances complies with H2 of the Uttlesford Design Code (2024), although, plots

32-33 do not comply with the minimum garden depths but does exceed the minimum area required.

- 14.4.19** The materials for the roads vary according to the street hierarchy plans. The private drives will be finished in burnt oak block paving, shared drives finished in brindle block paving, while the primary road/street, footpaths, parking bays will be finished in tarmac.
- 14.4.20** Overall, the levels of parking layouts are acceptable although there have been comments from the Urban Design Officer and Landscape Officer regarding the layouts of triple tandem parking on site. These mainly affect plots 17, 19, 22, 39-40, 47-48 and plots 50-56 which effectively constitutes 25% of the overall development. In response to their comments, the applicant clarified that for the 3bed dwellings the dimension of the garages do not comply with the required standards and cannot legitimately be considered a formal parking space. Similarly, this is also the case for the 4bed dwellings, but these will be allocated 3 spaces and an additional garage. Thus, the proportion of triple tandem parking comprises of 25% all dwellings and, while not desirable nor entirely in accordance with the UDC Design Code, Officers view that the level of triple tandem parking across the site is not excessive and, moreover, adequate parking provision has been provided for the larger dwellings.
- 14.4.21** Thus, subject to relevant conditions, the proposal is in accordance with ULP Policies GEN2 and paragraph 135 of the NPPF (2024).

## **14.5 C) Residential Amenity**

- 14.5.1** ULP (2005) Policy GEN2(i) states that development will not be permitted unless it would have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impacts or overshadowing. Policy GEN4 of the Local Plan also states that the development shall not cause undue or unacceptable impacts on the amenities of nearby residential.
- 14.5.2** Paragraph 135(f) of the NPPF (2024) states that planning decisions should create a high standard of amenity for existing and future users.
- 14.5.3** *Amenity of future occupiers of the development*
- 14.5.4** A range of 1-4bed properties are proposed throughout the development with most larger properties being situated north of the central shared access road. The affordable housing units will be located towards the southern portion of the site but will be distributed among market dwellings at the site to encourage mix of housing tenures throughout the site.

- 14.5.5** The accommodation schedule confirms that all residential units will comply with the Nationally Described Space Standards (2015) and the garden sizes will comply with the Uttlesford Design Code (2024). As mentioned the back-to-back distances between properties are sufficient and reduce levels of overlooking and loss of privacy.
- 14.5.6** The Sutherland house types proposed along the southern boundary, i.e. plots 1 and 15, do not have flank windows in the side elevations and distances from other properties to the south of the site are deemed sufficient.
- 14.5.7** As noted above, the Urban Design Officer has commented on the level changes that will be experienced in some rear gardens and the vertical retaining structures proposed within gardens to accommodate the gardens situated at lower levels. The comments of the Urban Design Officer are appreciated, however, the measures to soften impacts of the retaining structures are deemed satisfactory. Moreover, the garden sizes comply with the Design Code (2024).
- 14.5.8** In addition, Essex Police has raised concerns with regards to natural surveillance between the boundaries of properties 37 & 38, 41 & 42, 49 & 50, 52 & 53, and 54 & 55 due to boundary treatments. Having had sight of the comments, the applicant has confirmed the gates and fences are now aligned with the principal elevations to maximise natural surveillance as indicated on the revised Enclosures Plan. Essex Police had also requested a 'Secure By Design' condition to be added to ensure the development complies with the latest guidance and also requested a lighting condition. Essex Police have been reconsulted but no further comment has been received. Therefore, Officers consider that a lighting condition will be appropriate in the interests public safety and residential amenity.
- 14.5.9** *Amenity of neighbouring properties*
- 14.5.10** A site visit to the neighbouring site, currently under construction<sup>8</sup>, demonstrated that the dwellings erected are setback from the northern boundary and, therefore, the proposed development is less likely to harm occupants of the neighbouring site. The impact to occupants along the western side of High Lane are not considered to create significant harms to amenity as the distance of the proposed dwellings from High Lane properties generally exceed 40 metres.
- 14.5.11** In light of the above, the proposal is not considered to materially harm residential amenities within the area and accords with ULP Policies GEN2, GEN4 and ENV10 and the NPPF (2024),

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<sup>8</sup> See footnote 1

## **14.6 D) Landscaping, Ecology and Biodiversity**

### **14.6.1** *Landscaping*

**14.6.2** In good landscape design both soft landscaping and hard landscaping are essential elements and require due consideration. The principle 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 within the DAS that a high-quality landscape framework will be provided to support an appropriate amount of public open spaces including a range of planting to enhance both amenity and biodiversity.

**14.6.3** As the site comprises of agricultural land and outside the development limits of Stansted Mountfitchet, Officers maintain that there will be inevitable harm to the landscape as a result of the residential development. Although, Officers agree with the applicants' LVIA in that the development site would logically extend the existing settlement of Stansted Mountfitchet and that the site's constraints contain the parameters of the development and will not sprawl into the countryside.

**14.6.4** The LVIA has identified the visual implications of the development with the most affected areas from PROW viewpoints (no's 17, 19 and 41) and states there are major adverse impacts. Although, proposed landscaping these have been identified to reduce to these impacts to moderate adverse at Year 10 as noted above. Adverse impacts were also identified along High Lane, but the visual implication were not deemed as significant as the existing vegetation will mostly be retained except where the vehicle accesses are proposed although additional landscaping is proposed to enhance the High Lane frontage.

**14.6.5** The Landscape Officer has been consulted on this application and comments on landscape features of the scheme. Suggestions have made to improve the scheme, such as, 1no. tree to each back garden and amend the proposed turf areas to ensure these are low maintenance by creating active frontages and support biodiversity. Accordingly, the applicant has made revisions to plots 13, 16, 34, 47 and 48 which are reflected on landscaping plans and includes low maintenance planting. Officers do not consider it appropriate for every garden to be plant with a tree, although, there are some instances where this is proposed and this provides sufficient amenity value.

**14.6.6** In addition, the Urban Design Officer also supports the use of hedging to soften the street scene and reduce the visual impact of vehicle parking. Although, it was commented that the proposed hedges ought to be mature and well established to ensure they hedges are able to proposed the intended function. It was further recommended that any street-facing hedges as should be secured by condition and maintained

by a management company. In response, the applicant maintains that street facing hedges in front of the dwellings will form part of private gardens and therefore it will not be appropriate. The applicant also confirms that any hedging proposed within the public realm will be adopted and maintained under a Landscape Management Plan. Thus, a suitably worded planning condition will be added if the application is granted planning permission.

**14.6.7**      *Ecology*

**14.6.8**      Policy GEN7 of the Local Plan states that development which has a harmful effect on wildlife will not be permitted unless the need for development outweighs the importance of the feature of nature conservation. Where the site includes protected species measures to mitigate and/or compensate for the potential impacts of development must be secured.

**14.6.9**      Natural England has been consulted on this application and has stated that the National Trust has undertaken visitor surveys to establish a Zone of Influence (ZOI) for recreational impacts to Hatfield Forest Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) which has been determined to be 11.1km from the site.

**14.6.10**      Natural England regards the surveys from conducted by National Trust are material to the consideration of this application. Accordingly, Natural England's Impact Risk Zones have been updated to reflect these ZOI's and maintain that new residential housing within this ZOI is likely to damage the interest features of Hatfield Forest SSSI/NNR. Ultimately, no objections have been received, subject to mitigation measures being secured.

**14.6.11**      The mitigation measures recommended by Natural England are below;

- *A financial contribution towards the Strategic Access Management and Monitoring (SAMM) measures as identified by the National Trust of £1,329.36 per residential unit; AND*
- *The provision of on-site Accessible Natural Greenspace (ANG) of sufficient high quality and size; AND*
- *A signposted circular dog walking route of around 2.3-2.5km from the new development site, which could potentially make use of pedestrian links (PROW and highways) in the local area.*

**14.6.12**      In response to Natural England's and the National Trusts comments, the applicant has liaised with Natural England directly to seek appropriate mitigation measures for the site. Following the outcome of discussions, the applicant has submitted supplementary plans that demonstrates circular routes within from the application site that range in distances from 2km-4km+ within the immediate locality. The applicant has clarified that they agree to pay the financial contributions, that residential packs will highlight circular walking routes into the wider countryside, provision

of dog waste bins and the onsite provisions of public open space meets the greenspace requirements stressed by Natural England. No further objections have been raised by Natural England, but have provided supplementary criteria to the LPA to assess the appropriateness of the mitigation measures proposed. At the time of writing, Officers consider the mitigation measures sufficient but Members will be updated at the Committee Meeting on Officers views on mitigation measures proposed.

- 14.6.13** Place Services (Ecology) have also been consulted in relation to this application and reiterate the comments made by Natural England and the appropriate mitigation measures for the Hatfield Forest SSSI/NNR.
- 14.6.14** Concerning measures in the submitted in the Interim Ecological Impact Assessment (July 2025) it has been stated that these should be secured through an appropriately worded planning condition to conserve and enhance protected and Priority species within the locality. Other conditions were recommended in relation to a Wildlife Sensitive Lighting Strategy to avoid impacts to foraging and commuting bats. Also, in order to protect habitats from pollutants in the adjacent Ugley Brook a Construction Environmental Management Plan for biodiversity (CEMP) has been requested to be secured by condition.
- 14.6.15** *Biodiversity Net Gain (BNG)*
- 14.6.16** In their response, Place Services maintain their support of the submitted Statutory Biodiversity Metric Rev A (SES, March 2025), River Condition Assessment BNG Baseline Report REV B (SES, July 2025) and the Biodiversity Net Gain plan Rev B) SES, July 2025) and these all provide sufficient informative to determine the application. As such, it has been requested that a Biodiversity Gain Plan should be submitted prior commencement of development and secured by way of planning condition. Specific criteria has been requested as part of the biodiversity gain plan condition.
- 14.6.17** The biodiversity enhancements for protected, Priority and threatened species which have been recommended to secure as part of the biodiversity net gains are also supported, but requested these measures are secured by planning condition.
- 14.6.18** This advice goes on to states that a Habitat Management and Monitoring Plan (HMMP) should be secured for all significant on-site enhancements. It has also been advised that the maintenance and monitoring outlined in the HMMP should be secured via planning obligations for a period of up to 30 years, which will be required to be submitted concurrent with the discharge of the biodiversity gain condition or alternatively the monitoring and maintenance outlined within the HMMP should be secured by planning condition. In both instances, i.e. whether the HMMP is secured through planning obligation or planning condition it will need to be secured for a period of up to 30 years.

**14.6.19** In light of the above, it is not considered that the proposal would have material detrimental impact in respect of protected species/habitats or landscaping provided relevant conditions and/or planning obligations are complied with. Thus, the proposal accords with ULP Policy GEN7 and the NPPF (2024).

## **14.7 E) Highways, Access and Parking**

**14.7.1** Paragraph 116 of the NPPF (2024) 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, following mitigation, would be severe, taking into account all reasonable future scenarios*'.

**14.7.2** Paragraph 117 of the NPPF (2024) goes on to 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.

**14.7.3** 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 not 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.

### **14.7.4 Vehicle Access**

**14.7.5** High Lane is identified as a Secondary Distributor Road in the ECC Development Management Route Hierarchy Plan and, therefore, any new access points are required to meet design and construction specifications standards.

**14.7.6** For the primary vehicle access into the site, in their initial comments, Highways Officers raised concerns in relation to the informal parking layby being situated within the visibility splays and did not consider it necessary to retain the position or length of the existing parking layby. It was further suggested that any layby provisions should be formalised as part of these proposals and that a crossing ought to be provided from the layby to the western side of High Lane.

**14.7.7** For the shared private drives access roads into the site, further details were required on the High Lane Access Arrangement Plans. It was also requested that a Stage 1 Road Safety Audit of the highway proposals.

- 14.7.8** The applicants' Highways consultants have liaised with the Highway Authority and subsequently additional plans, an updated Transport Assessment and Travel Plan have been updated. As a result, the informal layby will be formally reduced but will potentially be limited 5-6 vehicles parking within this location<sup>9</sup>. Some comments have been received from neighbours opposite the site and the concerns with the use of the layby from new residents from the proposed development. Given the nature of the comments received regarding the informal layby, Officers are aware this will not be deemed favourably by residents along 1-4a High Lane. However, the reduction of layby has been proposed to ensure access/egress to the primary access can be achieved in the interests of highway safety. Parking provisions will be retained along High Lane and Officers consider that the applicant has sought to minimise impacts to existing High Lane where practically possible.
- 14.7.9** In line with the concerns raised by the Highways Authority, the applicant had also submitted a Stage 1 Road Safety Audit. To this end, and with regards to the vehicle accesses proposed on High Lane, no further objections have been raised subject to relevant conditions.
- 14.7.10** *Highways Impacts*
- 14.7.11** The initial highways proposals involved the closure of High Lane although the Highway Authority has confirmed this is not a strategic priority of Essex County Council, rather it is an aspiration of the Uttlesford emerging Local Plan. As a result, it was suggested that other traffic calming measures could be adopted to ensure that High Lane becomes a safe and attractive active route into Stansted Mountfitchet.
- 14.7.12** Following discussions with Highway Authority, the applicant has updated the highway proposals along with traffic calming measures along High Lane.
- 14.7.13** The Stage 1 Road Safety Audit comprise of the following traffic calming measures;
- *Extension of the 30mph speed limit further north along High Lane*
  - *New gateway feature;*
  - *Four build-outs with associated cycle bypasses;*
  - *Two vehicle-actuated signs;*
  - *Crossing facilities incorporated into the build-outs;*
  - *Footway connectivity into the site;*
  - *New street lighting along sections of High Lane between the site and Cambridge Road*
  - *Proposals are shown on drawing ZD921-PL-SK-250 Rev P04*
- 14.7.14** Following discussions with the applicants Highways consultants and the revised Travel Assessments, the stage 1 Road Safety Audit and

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<sup>9</sup> As per the High Lane Access Arrangement Plan (drawing no. ZD921 – PL – SK – 250 rev P04)



associated documentation, Highways Officers have not objected to the application subject to conditions. The closure of High Lane no longer forms part of the submission and the Highway Officers are now satisfied with the proposed traffic calming measures.

**14.7.15** A suite of planning conditions has been suggested by the Highway Authority, however, there are some conditions that will need to be secured either through a s278 / s106 agreement. Thus, in the event the application is approved, relevant conditions will be added, and the relevant mitigation measures will be secured by the relevant legal agreements.

**14.7.16** Parking

**14.7.17** 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'.

**14.7.18** The adopted Uttlesford Parking standards recommended for at least 1-no. space for each 1-bedroom unit and at least 2-no. spaces for dwellings consisting of two-three-bedroom dwellings and 3-no. spaces for four+ bedroom dwellings. One visitor space is also required for every 4 residential units. In addition, each dwelling should be provided with at least 1 secure cycle covered space.

**14.7.19** The parking plan submitted demonstrates that parking provisions on site are in accordance with the adopted parking standards. As noted above, there have been comments raised from the Council's Urban Design/Landscape Officers regarding the triple tandem parking layouts. The applicant has responded to these points and clarified the garages allocated at the 3-4bed units will not formally constitute parking spaces and it has been suggested the garages will be spaces designated for cycle provisions. To this end, Officers consider the garages an overprovision of parking spaces as the applicant has provided sufficient parking in accordance with the adopted parking standards. Thus, following clarifications from the applicant, refusing the application on what could be deemed an overprovision of parking spaces could not be substantiated at appeal. Only 25% of the parking spaces will incorporate triple tandem parking which is not deemed excessive and 1x secured cycle parking provision will be provided in sheds in the gardens where garages are not proposed.

**14.7.20** Therefore, the proposal complies with ULP (2005) Policies GEN1, GEN8 and the NPPF (2024) subject to relevant conditions are complied with and appropriate s278 and s106 agreements.

## **14.8 F) Flood Risk and Site Drainage**

- 14.8.1** 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.
- 14.8.2** The Environment Agency's (EA) indicative Fluvial and Tidal Flood Mapping demonstrates that the proposed development is sequentially located within Flood Zone 1 in accordance with the Flood Risk and Coastal Change PPG.
- 14.8.3** The NPPF sets out where the need for Sequential Testing is required. 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 and is therefore considered to pass the Sequential Test. The need for Exception Testing is not necessary.
- 14.8.4** New major development for housing need to include a flood risk assessment as part of their planning application to ensure that the required form of agreed flood protection takes place. Additionally, all major developments are required to include sustainable drainage to ensure that the risk of flooding is not increased to those areas outside of the development and that the new development is future proofed to allow for increased instances of flooding expected to result from climate change.
- 14.8.5** The scale of the proposals has the potential to cause an increase in surface water runoff rates and volumes, with the potential to increase downstream flood risk due to overloading of sewers, watercourses, culverts, and other drainage infrastructure. To demonstrate that sewer and surface water flooding is not exacerbated, surface water should be considered within the design of the site. This demonstrates that any additional surface water and overland flows are managed correctly, to minimise flood risk to the site and the surrounding area.
- 14.8.6** The proposal will include Sustainable Drainage Systems (SuDS) Principles, and the DAS states it will aim to be to maximise the existing potential of the site to attenuate clean water, while providing valuable amenity and promoting a greater diversity of flora and fauna. In terms of surface water management, it has been stated that the variable nature of the geology and clay content in the lower layers, the proposed scheme relies on a restricted discharge into the Ugley Brook. The proposed discharge rates are set at the annual greenfield rate of circa 1.3 l/s/ha.
- 14.8.7** The Lead Local Flood Authority (LLFA) has been consulted on the application and had initially raised a holding objection to the proposed development due to insufficient information relating to infiltration rates and other minor points of clarification.

**14.8.8** Following the holding objection from LLFA the applicant sought to provide additional details address matters. Subsequently, the LLFA has now removed their holding objection, subject to a number of conditions. The Environment Agency has also been consulted, although, no adverse comments comment has been received, subject to further consideration of safety advice. The additional safety implications suggested relates to Emergency Flood Plans, modelling, Safety of Buildings however as the applicant is located within Flood Risk Zone 1, it is deemed that additional measures are not deemed necessary,

**14.8.9** The proposed development complies with ULP (2005) Policy GEN3 in terms of flooding and site drainage.

**14.9 G) Environmental Health and Contamination**

**14.9.1** The Environmental Health Officer has commented on the application and with regards to noise, it has been stated that the submitted Noise Impact Assessment (NIA) concludes that the residents along High Lane will rely on closed windows to achieve internal acoustic criteria and in order to demonstrate compliance with Approved Document O of the Building Regulations, additional cooling/ventilation conditions are recommended.

**14.9.2** In terms of contamination, a report had been submitted which states no significant contamination was found on site. However, in the event unforeseen contamination is found a condition was recommended to address matters. Further conditions in relation to an external lighting were suggested, and the submitted CEMP was deemed sufficient.

**14.9.3** Officers again consider that it would be prudent to add relevant conditions and informatives to reduce the impacts of the development, in accordance with ULP Policies (2005) GEN2, GEN4, ENV10, ENV13 and ENV14, in the event the application were recommended for approval.

**14.10 H) Planning Obligations and s106 Agreement**

**14.10.1** Paragraph 58 of the NPPF sets out that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. The following identifies those matters that the Council would seek to secure through a planning obligation, in the event the application is approved.

**14.10.2** Housing

**14.10.3** 40% Affordable Housing with a tenure mix of 70% (Affordable Rent) / 30% (Affordable Home Ownership), as suggested by UDC Housing.

**14.10.4**     Healthcare

**14.10.5**     *NHS England (Primary Care)*

**14.10.6**     NHS England maintain this development will have an impact on primary health care provisions in the Stansted area and, if left mitigated, would be unsustainable for the NHS.

**14.10.7**     Thus, it has been calculated that additional primary care services arising from this development will amount to £105,165.00. The Hertfordshire and West Essex Integrated Care Board (HWE ICB) have requested this is secured via a s106 planning obligation triggered on the occupancy of the 19th dwelling.

**14.10.8**     This figure is likely to change as the NHS has not formally updated their comments since the proposal has reduced the residential units from 57no. to 56no dwellings.

**14.10.9**     Education

**14.10.10**   *Early Years and Childcare (EY&C)*

**14.10.11**   It has been identified that for a development of 49no residential units (1bed units will have not be included in calculations) this development will generate an additional childcare need of 4.5 places.

**14.10.12**   A developer contribution of £92,025.00 indexed linked to Q1-2025 is sought to mitigate its impact on EY&C provision. This equates to £20,450 per place.

**14.10.13**   *Primary Education*

**14.10.14**   It has been stated there are sufficient places available in the area. No developers' contribution towards new primary places is required.

**14.10.15**   *Secondary Education*

**14.10.16**   In terms of Secondary Education this development will generate an additional need of 10.00 places. Education maintain they are aware the Uttlesford emerging Local Plan could result in a need secondary school to serve the district in the long term. Thus, a review clause is requested to review at commencement of development and again at first occupation.

**14.10.17**   Notwithstanding the above, at present it has been stated that a developer contribution of £281,270.00 indexed linked to Q1-2025 is sought to mitigate its impact on local Secondary School provisions. This equates to £28,127 per place.

**14.10.18**   *Post 16 Education*

- 14.10.19** No developers' contribution towards Post 16 education is required. However, it has been stated that in accordance with the Essex County Council Developers' Guide to Infrastructure Contributions (Revised 2023), an Employment and Skills Plan (ESP) should be prepared to set out how the developer will engage with and maximise local labour and skills opportunities.
- 14.10.20** *Libraries*
- 14.10.21** The proposed development is expected to create additional usage of local libraries. A developer contribution of £4,356.80 therefore considered necessary to improve, enhance and extend the facilities and services provided and to expand the reach of the mobile library and outreach services. This equates to £77.80 per unit, index linked to April 2020.
- 14.10.22** Thus, overall, it is requested on behalf of ECC that if planning permission is granted this should be subject to a section 106 agreement to mitigate its impact on EY&C, Secondary Education Review Clause and Libraries. Contributions towards monitoring fees have also been requested.
- 14.10.23** Highways
- 14.10.24** As discussed in the Highways section (E) above, Highways have requested a number of conditions to mitigate the impacts of the development and the applicant has advanced traffic calming measures, to which, the Highway Authority agrees their appropriateness in the interests of highway safety and to facilitate more sustainable modes of travel.
- 14.10.25** Notwithstanding the suggested conditions by the Highway Authority, not all of the criteria proposed in each condition will be able to be secured by planning condition, but will be appropriate to be secure by either a planning obligation S106 or s278 Agreement. This will include, but not limited to, measures to reduce the speed limit along the northern portion of High Lane to 30mph and a new pedestrian crossing along High Lane.
- 14.10.26** Biodiversity Net Gains and Hatfield Forest SSSI/NNR
- 14.10.27** Conditions have been added in relation to Biodiversity, however, in relation to the Habitat Management and Monitoring Plan (HMMP) this will be required to secure all significant on-site enhancements, and it has been advised that the maintenance and monitoring outlined in the HMMP could be secured via planning obligations for a period of up to 30 years. At the time of writing, the applicant has yet to confirm whether this will be secured by planning obligation, but Officers are of the view it would be more appropriate to secure within the s106 agreement. In terms of how the HMMP will be secured, Members will be updated at the Committee Meeting on such matters.

- 14.10.28** Also as indicated above Natural England/National Trust has made specific mitigation requests. The applicant has agreed to pay the financial contributions towards the Strategic Access Management and Monitoring (SAMMs) measures as identified by the National Trust of £1,329.36 per residential unit as well as the other mitigation measures previously identified.
- 14.10.29** No formal draft s106 has been submitted to address planning obligations identified above. Although the applicant has submitted a draft section 106 Heads of Terms (HoTs) which addresses, inter alia, the 40% Affordable Housing, Open Space, Highways/Public Transport. The draft HoTs also indicates is willing to provide any other appropriate contributions that emerge from the planning consultation process. At the time of writing, Officers have been informed that a draft s106/HoTs will be finalised submitted to the Council to address the outcomes of the planning consultation responses and any subsequent mitigation identified. Officers are not yet in receipt of any further planning obligation details, but it is anticipated this will be progressed before Officers address Members at Planning Committee.

**14.11.1 I) Other Matters**

- 14.11.2** Details of the proposed pumping station have not been submitted as part of the application and, in the event the application is granted planning permission, a suitably worded planning permission will be added to ensure details are provided.
- 14.11.3** An Energy Statement has been submitted and deemed appropriate. A condition will be added to ensure the dwellings are built in accordance with the submitted details.
- 14.11.4** In terms of Archaeology, Place Services has been consulted on matters and raised no formal objections, subject to conditions. The LPA deem it appropriate to apply the suggested planning conditions.

**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. PLANNING BALANCE AND CONCLUSION**

**16.1** UDC cannot demonstrate a 5-year housing land supply, and there is currently no up-to-date Local Plan.

**16.2** The planning balance is an intrinsic aspect of the determination of planning applications and, as a consequence, NPPF paragraph 11(d) is triggered as the policies most important for determining the proposal are out of date. Specifically, NPPF paragraph 11(d)(ii) states that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

**16.3** Evidently, elements of the development plan are out of date although it cannot be assumed that all relevant policies in the development plan attract less weight – weight being a matter for the decision maker and dependent on consistency with the NPPF (2024).

**16.4** In light of the above assessment, the Planning Balance of paragraph 11(d)(ii) of the NPPF (2024) tilts in favour of development, as the benefits include:

### **16.4.1 *Benefits of development***

- Contribution to the Council's 5 Year Housing Land Supply and Housing Delivery (significant weight)
- Affordable Housing (moderate weight)
- Sustainable Location (moderate weight)
- Reg 19 emerging Local Plan site allocation (limited weight)

- Speed limit reductions to the northern portion of High Lane (from 40mph-30mph) progressed through a Traffic s278 agreement (minimal weight);
- Additional pedestrian benefits i.e. crossing, footways, street lighting (moderate weight)
- A number of construction related jobs created during the build out phases (limited weight)
- Public Open Space provisions (limited weight)
- Council Tax Income for the Council (no weight)

#### **16.4.2 *Adverse impacts of the development***

- Adverse visual impacts to viewpoints along eastern boundary (moderate negative weight)
- Limited visual impacts to High Lane due to existing hedging and landscape enhancement proposed (limited negative weight)

#### **16.4.3 Conclusion**

**16.4.4** On balance the Council has assessed the application and have concluded that proposals are acceptable in this location and comply with relevant local and national planning policies. In addition, the suggested benefits put forward by the applicant have been assessed and considered in the planning balance.

**16.4.5** Therefore, the principle of residential use is deemed acceptable at this site and the scheme results in positive benefits, in combination, that significantly and demonstrably outweigh the adverse impacts identified.

**16.4.6** Accordingly, the Officers recommended that the application be approved subject to the suggested conditions and planning applications as outlined in the draft Heads of Terms below

### **17. S106 AND CONDITIONS**

#### **17.1 S106 DRAFT HEADS OF TERMS**

- (i) Provision of 40% affordable housing
- (ii) Affordable housing tenure mix of 70% affordable rent and 30% affordable home ownership
- (iii) Education contributions (£373,295)
- (iv) NHS Contributions (£105,165.00)
- (v) Financial contributions to Strategic Access Management and Monitoring (SAMM) £74,444.16 (Natural England/National Trust)
- (vi) Biodiversity Net Gain: Habitat Management and Monitoring Plan (HMMP)
- (vii) Non-financial mitigations to Hatfield Forest SSSI/NNR
- (viii) Sustainable Transport Contribution (Residential Travel Pack inc. circular walking routes into wider countryside)
- (ix) Highways mitigations / contributions (details to be finalised)



- (x) Monitoring Fees (details to be finalised)

## **17.2 PLANNING CONDITIONS**

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

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.

- 2** The development hereby permitted shall be carried out in accordance with the approved plans.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted and in accordance with the Uttlesford Local Plan (adopted 2005).

- 3** Prior to the commencement of the development hereby approved, details of all external finishing materials (including window/door openings, roof tiles, fascias, soffits and rainwater goods) shall be submitted to approved in writing by the Local Planning Authority. The approved works shall thereafter be constructed in accordance with the approved details.

REASON: In the interest of preserving the character and appearance of the surrounding area in accordance with Policy GEN2 of the Uttlesford District Local Plan 2005 (as Adopted) and the National Planning Policy Framework.

## **LANDSCAPING AND ECOLOGY**

- 4** No development shall commence until a landscape management plan, including management responsibilities and maintenance schedules for upkeeping of all landscaped areas, other than domestic gardens, has been submitted to and approved in writing by the local planning authority. The landscape management plan shall specifically detail how the public open space including any hedges and/or not in private ownership shall be managed.

The landscape management plan shall be implemented in accordance with the details as approved and retained thereafter.

REASON: To secure appropriate landscaping of the site in the interests of visual amenity and the rural countryside character in accordance with adopted Local Plan Policies (2005) S7, GEN2 and GEN7 and the National Planning Policy Framework (2024).

**5** The hard and soft landscaping details of the development hereby approved shall be implemented in accordance with the details indicated on the following plan(s);

- Site Landscaping, drawing no. EA199-LS-001a
- Site Landscaping, drawing no. EA199-LS-002a
- Site Landscaping Specification & Schedule, drawing no. EA199-LS-003a
- Landscape Masterplan, drawing no. EA199-LS-101A

Unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the character and openness of the countryside location and ensure no loss of amenity for the neighbouring occupiers and the occupants of the dwelling hereby approved, in accordance with the adopted Uttlesford Local Plan Policies S7, GEN2, GEN4, and the National Planning Policy Framework (2024).

**6** The Arboricultural details of the development hereby approved shall be implemented in accordance with the details contained within the 'Arboricultural Impact Assessment', dated 17<sup>th</sup> July 2025, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect the character of the countryside location and the rooting systems of trees and hedges to be retained (including TPO trees). Also in the interest of residential amenity and in accordance with the adopted (2005) Uttlesford Local Plan Policies S7, GEN2, GEN4 and the National Planning Policy Framework (2024).

**7** Prior to occupation of the development additional soft landscaping details fronting plots 21, 23, 34-46 shall be submitted to and approved in writing by the local planning authority. The supplementary soft landscaping details shall specify, but not limited to, the proposed shrub/tree species and proposed heights/spread they will be managed and maintained. The landscaping details shall be thereafter implemented in accordance with the details as approved.

REASON: To secure appropriate landscaping of the site in the interests of visual amenity and to ensure there is sufficient overlooking and natural surveillance over public open spaces and footpaths in accordance with adopted Local Plan Policies (2005) GEN2 and the National Planning Policy Framework (2024). Prior to occupation of development additional soft landscaping details fronting plots 21, 23, 34-46 shall be submitted to and approved in writing by the local planning authority. at

**8** All ecological mitigation measures and/or works shall be carried out in accordance with the details contained in the Update Interim Ecological Impact Assessment Rev C (SES, July 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

The enhancement measures and/or works shall be carried out strictly in accordance with the approved details and shall be maintained as such thereafter.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended) and in accordance with the adopted Uttlesford Local Plan Policies (2005) GEN7, ENV8, and the National Planning Policy Framework (2024).

- 9** Prior to commencement of development a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) to include protection of the stream onsite;
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended) and in accordance with the adopted Uttlesford Local Plan Policies (2005) GEN7, ENV8, and the National Planning Policy Framework (2024).

- 10** Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Update Interim Ecological Impact Assessment Rev C (SES, July 2025), 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 conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended) and in accordance with the adopted Uttlesford Local Plan Policies (2005) GEN7 and the National Planning Policy Framework (2024).

**11** 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 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 contour 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 approved scheme and maintained thereafter in accordance with the approved scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended) and in accordance with the adopted Uttlesford

Local Plan Policies (2005) GEN7 and the National Planning Policy Framework (2024).

**12** Prior to commencement of development, a Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Gain Plan, shall be submitted to, and approved in writing by the local authority, prior to commencement of development, including:

- a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- b) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;
- c) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- d) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
- e) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

Notice in writing shall be given to the Council when the:

- initial enhancements, as set in the HMMP, have been implemented; and
- habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

REASON: To satisfy the requirement of Schedule 7A, Part 1, section 9(3) of the Town and Country Planning Act 1990 that significant on-site habitat is delivered, managed, and monitored for a period of at least 30 years from completion of development.

## **HIGHWAYS**

**13** Prior to occupation of the development, the main vehicular access (primary access) to the site shall be constructed at right angles to the existing carriageway, as shown in principle on High Lane Access Arrangement Plan (drawing no. ZD921-PL-SK-250 Rev P05) to include but not limited to: minimum 5.5 metre carriageway width with appropriate

radii to accommodate the swept path of vehicles regularly using the site access; 2 x 2 metre wide footways; clear to ground visibility splays with dimensions of 2.4 metres by 56 metres to the north and 2.4 metres by 57 metres to the south, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To ensure that appropriate access and visibility is provided, in the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan as Adopted (2005), and the National Planning Policy Framework (2024).

- 14** Prior to occupation of the development, the vehicular access marked as 'Private Access A', as shown in principle on High Lane Access Arrangement Plan (drawing no. ZD921-PL-SK-250 Rev P05) shall be constructed at right angles to the existing carriageway. The width of the access at its junction with the highway shall not be less than 5.5m and shall be retained at that width for 6 metres within the site. The access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 120 metres to the north and to the south, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times thereafter.

REASON: To ensure that appropriate access and visibility is provided, in the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan as Adopted (2005), and the National Planning Policy Framework (2024).

- 15** Prior to occupation of the development, the vehicular access marked as Private Access B as shown in principle on High Lane Access Arrangement Plan (drawing no. ZD921-PL-SK-250 Rev P05) shall be constructed at right angles to the existing carriageway. The width of the access at its junction with the highway shall not be less than 5.5m and shall be retained at that width for 6 metres within the site. The access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 79.5 metres to the north and 2.4 metres by 120 metres to the south, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times thereafter.

REASON: To ensure that appropriate access and visibility is provided, in the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan as Adopted (2005), and the National Planning Policy Framework (2024).

- 16** The gradient of the proposed vehicular accesses shall be not steeper than 4% (1in 25) for the first 6 metres from the highway boundary and not steeper than 8% (1in 12.5) thereafter.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan as Adopted (2005), and the National Planning Policy Framework (2024).

- 17** Prior to occupation of the development, a scheme of highway works for the Proposed 2 metre Footway (minimum width) from the Primary Access as shown on High Lane Access Arrangement Plan (drawing no. ZD921-PL-SK-250 Rev P05) and Southern Footway Improvements Plan (drawing no. ZD921-PL-SK-256 Rev P03) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interest of highway safety and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework (2024).

- 18** During construction works and until completion of the development hereby approved, nuisances shall be avoided as per the following compliance measures:

- a) No waste materials should be burnt on the site, instead they should be removed by licensed waste contractors;
- b) No dust emissions should leave the boundary of the site;
- c) Noisy activities shall be located away from the periphery of the site;
- d) Hours of works: works should only be undertaken between 0800 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public Holidays
- e) The developer shall comply with the Uttlesford Environmental Code of Development Practice at all times which sets out expectations of developers please see:  
[https://www.uttlesford.gov.uk/media/1228/Environmental-Code-of-Development-Practice/pdf/Environmental\\_Code\\_of\\_Development\\_Practice\\_May\\_2011\\_PDF.pdf?m=636989614149100000](https://www.uttlesford.gov.uk/media/1228/Environmental-Code-of-Development-Practice/pdf/Environmental_Code_of_Development_Practice_May_2011_PDF.pdf?m=636989614149100000)

REASON: To safeguard residential amenities, in accordance with the adopted Uttlesford Local Plan Policies GEN2, GEN4, and the National Planning Policy Framework (2024).

- 19** Prior to occupation of the development, the vehicle parking areas indicated on drawing no. P22-3238\_DE\_07\_B\_11 must be hard surfaced, sealed and marked out as necessary. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The

vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the approved development.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and that appropriate parking is provided in accordance with Policies GEN8 of the Uttlesford Local Plan as Adopted (2005), and the National Planning Policy Framework (2024).

- 20** Each residential unit shall be provided with a minimum of one secure covered cycle parking space as indicated on drawing no. P22-3238\_DE\_07\_B\_11 prior to its occupation.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with ULP Policy (2005) GEN1 National Planning Policy Framework (2024).

- 21** Prior to first occupation of the development, the vehicular turning facilities as shown on the Revised Site Layout Plan (drawing no. P22-3238\_DE\_07\_M\_01), shall be constructed, surfaced and thereafter be maintained free from obstruction within the site.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and that appropriate parking is provided in accordance with Policy GEN8 of the Uttlesford Local Plan as Adopted (2005), and the National Planning Policy Framework (2024).

- 22** Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, to be approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with Policy GEN1 of the Uttlesford Local Plan as Adopted (2005), and the National Planning Policy Framework (2024).

## **SUSTAINABLE DRAINAGE**

- 23** The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and the following mitigation measures detailed within the FRA:

- Limiting the discharge from the site to 1.5l/s
- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of 40% climate change.



The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective treatment of surface water runoff to prevent pollution. In accordance with Policy GEN3 of the Uttlesford Local Plan as Adopted (2005), and the National Planning Policy Framework (2024).

- 24** No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON: In accordance with paragraph(s) 167 and 174 and Uttlesford Local Plan Policy (2005) Policy GEN3.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

- 25** Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

- 26** The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

### **MANCHESTER AIRPORT GROUP SERVICES (MAGS)**

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

REASON: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 28** The proposed attenuation is to be designed to be dry. Only holding water for short periods of time (48 hours) in extreme rainfall events.

REASON: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 29** In the interests of aviation safety, measures to minimise and manage the creation of dust and smoke should be implemented for the full duration of all construction works, including demolition and excavation, in accordance with the advice of Stansted Airport and the Civil Aviation Authority.

REASON: Flight safety – dust and smoke are hazardous to aircraft engines; dust and smoke clouds can present a visual hazard to pilots and air traffic controllers. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

### **ARCHAEOLOGY**

- 30** No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation (WSI) which has been submitted by the applicant, for approval by the Local Planning Authority.

REASON: To preserve potential archaeological remains, in accordance with the adopted Uttlesford Local Plan Policy ENV4, and the National Planning Policy Framework (2024).

- 31** No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 30 above, and any subsequent mitigation has been agreed.

REASON: To preserve potential archaeological remains, in accordance with the adopted Uttlesford Local Plan Policy ENV4, and the National Planning Policy Framework (2024).

- 32** The applicant will submit a final archaeological report or (if appropriate) a Post Excavation Assessment report and/or an Updated Project Design for approval by the Local Planning Authority.

This shall be submitted within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance by the Local Planning Authority.

REASON: To preserve potential archaeological remains, in accordance with the adopted Uttlesford Local Plan Policy ENV4, and the National Planning Policy Framework (2024).

## **ENVIRONMENTAL HEALTH**

- 33** No development shall commence until a detailed scheme of noise mitigation (covering façade, glazing and ventilation specifications) from aircraft and road traffic noise has been submitted to the Local Planning Authority for written approval. The scheme shall follow BS8233:2014 Guidance and the recommendations identified in the Noise Report (WSP dated April 2025).

REASON: To ensure future occupiers enjoy a good acoustic environment, in accordance with Policy ENV10 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework (2024).

- 34** A noise validation report, demonstrating compliance with the noise criteria shall be submitted to and approved by the local planning authority before any of the dwellings are occupied. This assessment shall be conducted in accordance with Professional Practice Guidance: Planning and Noise-New Residential Development (May 2017) and the approved noise design scheme. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

REASON: To ensure future occupiers enjoy a good acoustic environment, in accordance with Policy ENV10 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework (2024).

- 35** 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 ensure that the proposed development does not cause harm to human health, the water environment and other receptors in accordance with the adopted Uttlesford Local Plan (2005) Policies GEN2, ENV12, ENV14, and the National Planning Policy Framework (2024).

- 36** Prior to installation, and in consultation with Environmental Health and Essex Police, 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.

REASON: To protect the amenities of the occupiers of adjoining properties and the rural character in accordance with ULP Policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF (2024).

- 37** The Energy details of the development hereby approved shall be implemented in accordance with the details contained within the 'Energy Strategy Statement', prepared by Briary Energy, dated August 2024, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance to comply with Policies ENV13 and GEN2 of the Uttlesford Local Plan as Adopted (2005), the National Planning Policy Guidance, as well as Uttlesford District Council's Interim Climate Change Policy document (2021) and the Uttlesford Climate Change Strategy 2021-2030.

- 38** No development shall take place until a detailed scheme for the water pumping station has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: To safeguard the character and amenity of the area, in accordance with Policy GEN2 of Uttlesford Local Plan and the National Planning Policy (2024).